



# UPTOWN LEAMINGTON



## Community Improvement Plan

Revised September 2020



Municipality of  
**Leamington**  
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# Municipality of Leamington

Uptown Leamington

Community Improvement Plan

By-law No. 233-12

Enacted by Council on August 13, 2012

Repealed by Council on October 20, 2020 and

Replaced by By-law 75-20

**Municipality of Leamington  
Uptown Leamington  
Community Improvement Plan,  
As Revised 2020  
OUTLINE OF CONTENT**

**Part A**

The preamble does not constitute part of the actual Uptown Leamington Community Improvement Plan but is included for reference.

**Part B & Part C**

The actual Municipality of Leamington Uptown Leamingotn Community Improvement Plan consists of Part B (the Plan) and Part C (Urban Design Guidelines).

**Part D**

The Appendices do not constitute part of the actual Uptown Leamington Community Improvement Plan but are included for reference.

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## PART A: PREAMBLE

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### 1.0 Purpose of the Community Improvement Plan

A Community Improvement Plan (CIP) is a planning tool that allows municipalities to promote investment in a defined area through programs and incentives. The Ministry of Municipal Affairs and Housing Community Improvement Handbook 2008, contains the following excerpt concerning Community Improvement Planning:

Community improvement planning, one of the many sustainable community planning tools in the Planning Act, can help neighborhoods and municipalities address challenges that prevent optimization of areas that are currently underutilized. This tool provides a means of planning and financing development activities that effectively assist in use, reuse and restoring lands, buildings and infrastructure<sup>1</sup>.

The purpose of the Leamington Uptown Commercial District Community Improvement Plan is to establish strategic direction and financial incentive programs that focus on the maintenance, rehabilitation, development and redevelopment of the Uptown Commercial District. The Plan aims to promote cultural cohesion, strengthen main street, and stimulate new investment while retaining existing businesses.

### 1.1 Community Improvement Project Area

The boundary of the Community Improvement Project Area is as shown on Schedule A to the implementing by-law as approved by Council, as amended from time to time.

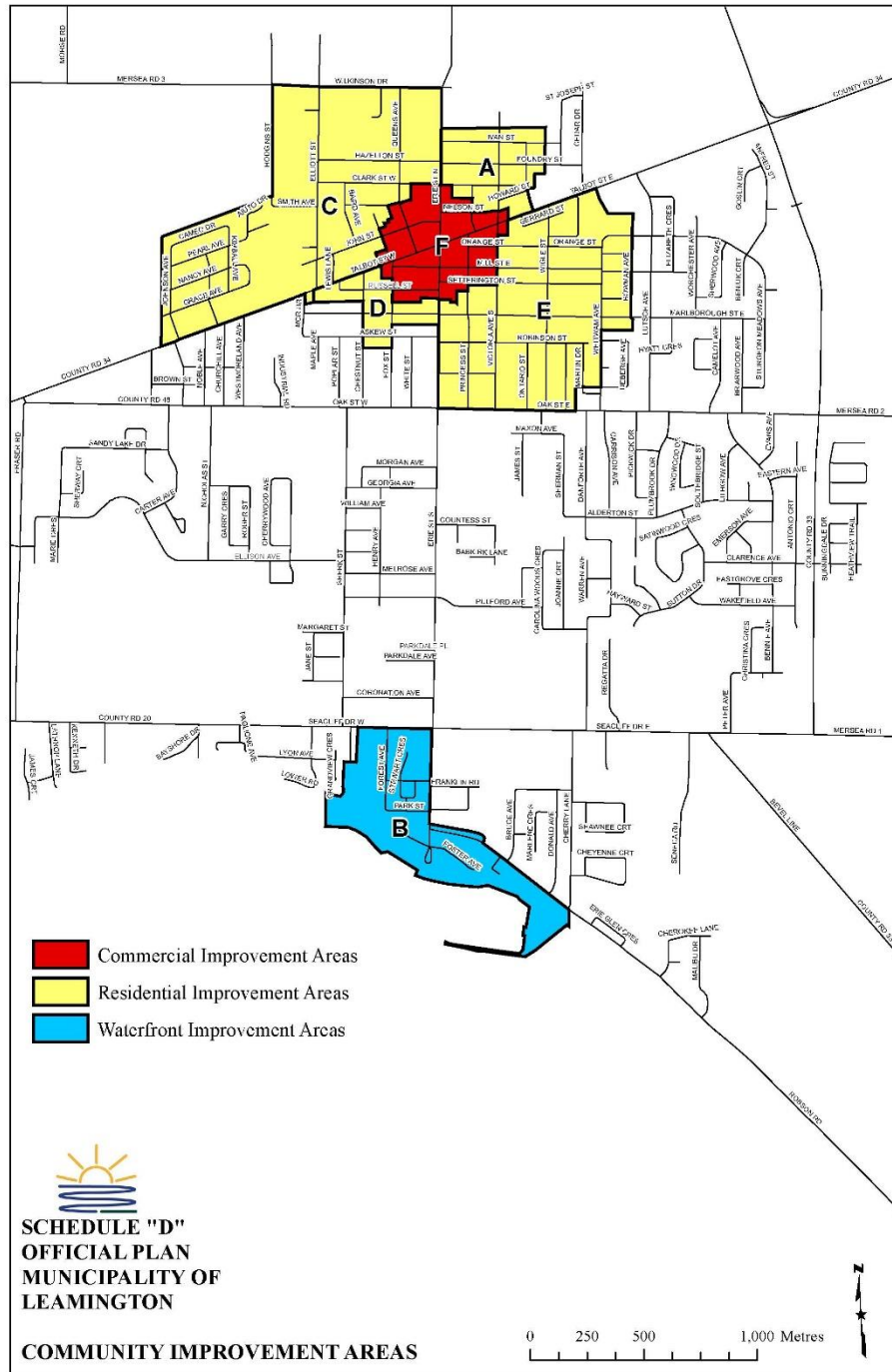
The CIP area includes the intersection of Erie Street and Talbot Street which is considered the heart of the Uptown. The expanded CIP area (2020) is bound by Wilkinson Drive to the north, Oak Street East in the south, Cedar Drive to the east and Albert Street to the west. The expanded CIP area consists of approximately 49.44 hectares of land and includes 322 properties. The expansion generally includes those properties located within the Uptown Commercial District as shown on Land Use Schedule A to the OP, those lands zoned Commercial Uptown (C1) and Commercial General (C6).

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<sup>1</sup> Ministry of Municipal Affairs and Housing, Community Improvement Handbook, 2008.

The original CIP Area adopted by By-law 233-12 was depicted as “Commercial Improvement Area F” on Schedule ‘D’ of the Municipality of Leamington Official Plan (2008) shown as Figure 1.

Figure 1. Schedule D of the Leamington Official Plan (2008)



The 2012-2019 Uptown CIP was found to be successful in incentivizing property owners to rehabilitate buildings in the Uptown, to the point where there was a noticeable divide between the entrance areas approaching the Uptown (outside the approved CIP area) and those that were located in the Uptown Core. Expanding the area to encompass more of the entrance corridors to the Uptown aligns well with the objectives of the CIP by strengthening the entrance areas to the Uptown. In 2020 Council adopted By-law \*\* to expand the Community Improvement Project Area of the Uptown Leamington CIP to encompass the entrance areas and key properties in transitional locations.

The CIP boundary is based on factors that include, but are not limited to, whether the area is reflective of characteristics of the older historic core; whether the area is commercial in nature; or whether a structure or area could serve as a landmark. The Community Improvement Project Area has been strategically selected to ensure that the Municipality's funds are concentrated within a smaller geographical area so as to not limit the long-term success of the project.

The properties included within the expanded Community Improvement Project Area (2020) meet the objectives of Section 6.1.2 and the criteria of Section 6.2 of the OP for Commercial Community Improvement Areas. Changes to the Community Improvement Project Area were made in consultation with the Ministry of Municipal Affairs and Housing and the County of Essex and in accordance with Section 28(2) of the Planning Act.

The Community Improvement Plan was evaluated as part of the 5 year Official Plan review process, at which time the CIP boundary was altered to include the larger area. The new Community Improvement Project Area was expanded in accordance with the detailed analysis of the Adjusting of the CIP Boundary option I Section 3.1.3 of Discussion Paper No. 2: Analysis and Options.

## **2.0 Background Information**

The Community Improvement Plan 2012 was preceded by the preparation of two Discussion Papers in June and August 2011. Discussion Paper No. 1 outlined the existing conditions of the Uptown, summarized previous studies and current policies, contained a SWOT analysis, and identified the consultation program. Discussion Paper No. 2 contained an analysis and options summary relating to land use, parking and access, occupancy, building and façade areas of focus, open spaces, development/redevelopment sites, financial incentives, additional considerations, and preliminary Urban Design Guidelines.

This Section contains a summary of existing conditions, the SWOT analysis, and an overview of the public consultation and communication program. For more detailed information please refer to Discussion Paper No.1.

## **2.1 Existing Area Conditions**

For the purposes of conducting a thorough investigation and analysis of the Uptown, the four - quadrant approach that was previously used in the Implementation Study: Uptown Leamington Business Improvement Area, was re-applied. The area east of Erie Street and north of Talbot Street, within the Community Improvement Area, is considered the northeast quadrant. Similarly, the area west of Erie Street and north of Talbot Street is the northwest quadrant, west of Erie Street and south of Talbot is the southwest quadrant, and east of Erie Street and south of Talbot Street is the southeast quadrant.

The Uptown Commercial District Community Improvement Area contains a range of commercial, residential, institutional and recreational uses. Although the area historically developed as a pedestrian-oriented environment with commercial storefronts at grade, older historic buildings and streetscape features, there is automobile through traffic and automobile-oriented development on the periphery of the CIP area. While the majority of buildings at the main intersection of Talbot Street and Erie Street are built out to the perimeter of the block and sit flush with their adjoining neighbour to form a continuous façade, commercial strip development also exists in the north, east and south sections of the area. Residential development exists on the periphery of the Community Improvement Area, primarily in the form of single detached homes. There is some residential along the main street in the form of second-storey apartments with commercial uses at grade. Uptown has a number of churches that act as anchors and landmarks. The other institutional uses include a post office, library, community services, police station and fire services.

The Uptown has a combination of on-street parking, municipal parking lots and private parking lots located off the main intersection. Parking in the Uptown is free but restricted by a two hour limit for on-street parking and three hour limit for municipal parking. The majority of stand alone parking in the Uptown is provided in municipal lots. In addition, there are vacant lots that are temporarily being used as informal parking as well as rear parking at the back of stores. Parking is a perceived problem due to the fact that residents consider the parking inconvenient/inaccessible from the main street. There also exist a number of public alleyways in Uptown that are located just off the main intersection. The alleyways could potentially increase pedestrian connectivity but remain unused due to the lack of directional signage and the perception that they are unsafe. Another aspect of access in Uptown relates to bicycle usage and

parking. There are a large number of bicycle users that ride on the sidewalks instead of on the roads creating an unfriendly and unsafe environment for pedestrians. In addition, many bicycle users lean their bikes against street lights and storefronts instead of using the bike storage facilities that are provided.

Occupancy rate was deemed as a concern among residents and stakeholders yet during our field reconnaissance it was evident that there were not as many vacancies as perceived. The palpable vacancies at the corner of Talbot Street East and Erie Street detract residents and create negative perception. The southeast quadrant, excluding the Princess Centre, has the highest number of vacancies at approximately 7% and the southwest quadrant has the lowest at 2.3%. The vacancy rates for the northeast and northwest quadrants were comparable at 3% and 2.8% respectively.

Uptown Leamington has three main open space areas which include the Italian Centennial Fountain Park, Dieppe Park (Legion Park) and Mill Street Park. Uptown Leamington also has a number of green spaces and parkettes that create informal gathering areas. These spaces are mostly publicly owned lands but there also exist a few private properties. The open space network also includes a number of trails that run outside of Uptown.

## 2.2 SWOT Analysis

As part of the Community Improvement Plan Process, an analysis of the Strength-Weaknesses-Opportunities-Threats (SWOT) of the Uptown was completed in 2011-2012. The SWOT process revealed a number of recurring issues and themes which continue to be the focus of both municipal and private improvements in the Uptown Area in 2020.

### Strengths

- a. Prominent historical structures: The Brown Home at 13 Russell Street is a designated heritage building, while other notable buildings include Churches, Wharram's Jewelry, Arts Centre, BMO building etc.
2. Existing landmarks such as the Big Tomato Information Booth and Italian Centennial Fountain Park: Landmarks act as focal points, anchors and identifiers for the Uptown.
  - a. 2020 - The significance of these features was re-evaluated as part of the Uptown Master Plan.
3. Large assortment of shops and restaurants: The Uptown has an array of boutiques, clothing stores, grocery stores, personal services etc. that offer a range of retail activities for residents.

- a. 2020 - A new focus on entertainment venues and space, food service and restaurant activities has been established in Uptown Area.
4. Cultural diversity: There are a number of different ethnicities visiting and occupying businesses in the Uptown. The ethnic clubs in Leamington include the Lebanese, Italian, German and Portuguese clubs. There is also a large population of international workers which fill a labour need in Leamington on a year round basis, including labourers from Mexico, Jamaica , and Phillipines. The existing cultural clubs and services are in close proximity to the Uptown and may offer potential for space sharing and collaborating on multicultural events.
5. Walkability of the Uptown area: The Uptown spans an average of two blocks out from the main intersection. The entire area is walkable in approximately two hours.
  - a. 2020 - New pedestrian linkage and open spaces have been created in the Uptown (as detailed in the Uptown Master Plan) which established and improved the pedestrian flow between existing municipal and private parking areas to the Uptown.
6. Proximity to the waterfront and Point Pelee National Park: Uptown is located approximately 3 kilometres north of the waterfront and a public marina and approximately 12 kilometres from Point Pelee National Park.
  - a. 2020 - Significant infrastructure projects have allowed for active and pedestrian modes of transportation to be improved and installed between key destinations within the Municipality.
7. Interest, participation and support of residents and business owners in the Uptown: Through our stakeholder consultations, it is evident that the residents and business owners of Leamington want to assist in improving the Uptown. There seems to be genuine interest in contributing skills, experience and resources to the Community Improvement Plan process.
8. Distinctively strong streets such as Talbot Street West and Russell Street: Existing streets with strong characteristics that seem to be thriving can serve as examples for underperforming areas.
  - a. 2020 - New anchors within the core area continue to further strengthen the main streets within the CIP.
9. High usage of the Uptown: There exists pedestrian and vehicular traffic in the Uptown.

- a. 2020 - New municipal spaces, events and existing and new businesses continue to draw pedestrians and traffic to the Uptown Area during traditional and off business hours.

## Weaknesses

1. Vacant store fronts: Vacant storefronts in primary locations give the perception of an overall higher vacancy rate than actually exists.
2. Lack of guidelines for development and signage: Many buildings that have been developed or renovated are not in keeping with the existing character. Signage in some storefronts is also of poor quality or not relevant to the current use.
3. Barriers to open space connectivity: Uptown has public open spaces that are spread throughout the area; however, pedestrian or visual connections between these open spaces have not been a focus.
  - a. 2020 - New pedestrian linkage and open spaces have been created in the Uptown (as detailed in the Uptown Master Plan) which established and improved the pedestrian flow between existing municipal and private parking areas to the Uptown.
4. Sidewalk/boulevard size limits use for outdoor patios and bicycles: Street entertainment and cafés create vibrancy. Due to the limited sidewalk space, these should be accommodated through the use of temporary and/or permanent bulb-outs.
  - a. 2020 - Significant infrastructure projects have allowed for a redefinition of public space between store fronts and the travelled roadway, in particular along Mill Street West and John Street.
5. Bike storage locations: Bike racks are located in areas that are not frequented by bike users and hence, are not adequately used. This leads to bicycles being chained to street lights and benches or being left haphazardly throughout the Uptown.
  - a. 2020 - Temporary bike storage locations have been established to understand the appropriateness for location, safety and use.
6. Landscaping of parking lots: Parking lots have either no streetscape features or in some cases limited planters and hanging flower baskets, but these do not counter the expansive nature of the lots.

- a. 2020 - Significant infrastructure projects have focused on the use and access of municipal parking lots.
7. Lack of gateway features at entrances of Uptown: Gateway features help define the main entrances to the Uptown. The current boundaries of the Uptown are not easily identified when approaching to the north, south, east and west entrances.
8. Accessibility barriers: The storefronts in the Uptown are often raised off ground level and hinder accessibility by persons with disabilities.

### **Opportunities**

- a. Public alleyways can be redeveloped to serve as pedestrian connections: The alleys can connect the parking lots to the main street and the green spaces in the Uptown. Upgrading the rear façades of buildings would make the alleyways more attractive for pedestrian use as well as improve the sidewalk where they are visible for public roads and spaces.
1. Learn from and build upon thriving sections like Talbot Street West: Distinct characteristics, such as harmonized building materials, upgraded and attractive signage, preservation of historic elements etc., that work well in one quadrant can be employed in other sections of the Uptown.
2. Harmonize the existing cultural diversity: The different cultures that exist in Uptown need to come together to recognize each other's mutual strengths and work collectively to improve the area. The presence of a diverse community has also spawned a number of ethnic restaurants and grocery stores in the Uptown, adding to the vibrancy of the area.

    Pedestrian mall: Queens Avenue has occasionally been closed to vehicular traffic, allowing for the creation of temporary pedestrian malls or walkways, for community events and festivals. There are opportunities to continue with this practice and/or introduce the pedestrian mall to other areas of the Uptown, such as Mill Street and John Street, to provide vibrancy and stimulate activity.

- a. 2020 - Property was acquired by the municipality and the area of Shotton Park was expanded. The new park creates a visual and physical connection to the main pedestrian area along Talbot and the rear area along Mill Street West.
3. Connectivity of open spaces: There is opportunity to increase accessibility of the Uptown through pedestrian linkages such as Shotton Park.

4. Enhance prominent buildings and façades: The butterfly 3-dimensional mural on Talbot Street serves as a focal point for visitors entering the Uptown. Similarly other prominent buildings and blank façades such as the building on the southwest corner of Talbot Street and Erie Street as well as Gabriele's provide opportunities for beautification in the Uptown. The interface between façades and adjacent open spaces, such as along Orange Street, should also be enhanced.
  - a. 2020 - Prominent buildings have completed significant changes to the façade of buildings on the west end of the Uptown area including, Gabriele's Brand Source Thrift on Mill, Cured Craft Brewery, Bradt's Butcher and Ricci, Enns Rollier Settrington Law Firm. The west entrance to the uptown portrays a definite message about the welcoming pedestrian environment visitors and shoppers are entering. At the north end of the Uptown Core area, the library has been recently renovated on the exterior and interior creating a distinct institutional anchor. Further connections to the municipal building north along Erie will complete this transitional area.
5. Build on existing characteristics of the Uptown Commercial District: The Uptown has definitive characteristics that make it different from the surrounding areas. While entering into the Uptown it is evident that there is a transition zone between the older historic core and newer highway-oriented development. The distinct features of the older historic core can be used to strengthen the Uptown, consequently strengthening the transition zones.
  - a. 2020 - Building facades and outdoor open spaces located at the entrance to the west end of the Uptown have implemented modern design and building materials which compliment the existing heritage features in the surrounding area and within the Uptown.

### **Threats**

1. Absentee landlords residing outside of Leamington: There are a number of landlords that live outside of Leamington, which can be a hindrance to the long-term improvement of the Uptown. Municipal staff are encouraged to pursue a long-term engagement strategy to ensure continued communication and outreach efforts.
2. Poor quality signage that is intended for only certain populations: Several storefronts have signs in languages other than English, which potentially creates a barrier to visitor integration.

3. Perception that Uptown is unsafe: Through our stakeholder consultations, it became known that residents in the area perceive the Uptown as unsafe in the evening hours, due to the crowds of people loitering outside of stores.
4. Obstructed storefronts: A number of business owners have obstructed the views into the storefronts with newspaper and cardboard.
5. Heavy truck traffic: Despite the opening of the Highway 3 by-pass trucks are still using the Uptown as a throughway.
6. Cultural gap: The presence of multiple cultures and users in the Uptown can create potential misunderstandings and a lack of business and visitor integration in terms of using shops and sharing public spaces. An example is when local residents are unhappy with bicycles placed haphazardly throughout the Uptown, while on the other hand the migrant workers may feel there are no bike storage options and have to resort to leaving their bikes on the sidewalk. Another example is irrelevant storefront signage. While business owners catering to the migrant workers may feel like they need to invest in other pressing business needs, the locals are confused and feel unwelcome.

## **2.3 Public Consultation and Communication Program**

The Uptown Commercial District Community Improvement Plan as contained in “Part B” of this document has been prepared in accordance with the provisions of Section 28 of the Planning Act. The process included a public consultation program involving members of the CIP steering committee, community stakeholders as well as residents and business owners located in the Uptown Commercial District Community Improvement Project Area.

The Steering Committee contained the following individuals and associations:

- Tracey Pillon-Abbs - Director of Development Services, Municipality of Leamington
- Danielle Truax - Manager of Planning Services, Municipality of Leamington
- Anne Marie Fantin - Chair of Leamington Accessibility Committee
- Anne Miskovsky - Economic Development Officer, Municipality of Leamington
- Louis Saad - Chair of Economic Development Committee
- Shawn Bodel - Member of the Uptown BIA
- Hilda McDonald - Councillor

- John Pilmer - Engineering Technologist, Municipality of Leamington
- Lorraine Gibson - Migrant Workers Community Program
- Marge Ardiel - CIA Representative
- Richard Lee - Ontario Greenhouse Vegetable Growers
- Rick Atkin - Councillor

The first Steering Committee meeting was held on April 8, 2011 to discuss the purpose of the project and anticipated outcomes. As per the discussions of the meeting, a merchant survey and resident survey were created to help understand the strengths and constraints from a business and user perspective.

A second Steering Committee meeting was held on June 8, 2011 to discuss the progress made in terms of the background research, survey distribution methods, stakeholder consultation interviews as well as publicity and media coverage of the project. The committee reviewed the contact list and recommended additional stakeholders. It was also determined that a website, Twitter and Facebook page would be dedicated to the Uptown Community Improvement Project. A detailed timeline for all deliverables and meetings was also established.

The third Steering Committee meeting was held on August 17, 2011. In addition to the Steering Committee, a guest speaker, Jeff Wright from the Municipality of Chatham-Kent was in attendance. The committee was previously provided with a copy of Discussion Paper No. 2: Analysis and Options, and there was a detailed discussion on the options. The Steering Committee's recommendations were reviewed and changes were made to Discussion Paper No. 2 in order to reflect the views of the committee. The Steering Committee also confirmed the date and format of the Open House and presentation to Council.

The fourth Steering Committee meeting was held in conjunction with a presentation to Council at a workshop session on September 12, 2011. At the meeting, Council shared their views and concerns regarding the various options laid out in Discussion Paper No. 2: Analysis and Options. The financial aspect of the Community Improvement Plan was also discussed at length.

An open house for the public was also held on September 12, 2011. The open house took place at the Municipal Building Gallery from 2:00pm to 6:00pm. This format gave residents the chance to drop in and learn about the Uptown Community Improvement Plan at their leisure. The open house served the purpose of engaging the public, answering questions pertaining to the two

discussion papers as well as establishing the objectives and intent of the CIP and discuss the options that were provided.

On September 12, 2011 there was a public meeting held at 7:00pm in Council Chambers. At the public meeting, Discussion Paper No. 2 was presented and attendee's provided their comments and opinions. The feedback from the public meeting has provided a direction for the implementation of financial incentives and other revitalization tools in the Community Improvement Plan.

The stakeholder consultation program included meetings and conducting interviews with prominent organizations, business owners, property owners and the general public. These included, but were not limited to, the Uptown, Business Improvement Area, South Essex Arts Association, First Nations, Heritage Committee, Horticultural Committee, Leamington First Baptist Church, Leamington Library, Leamington United Church, Lebanese Club, Royal Canadian Legion, South Essex Community Council, South Point Community Church and Sun Parlour Players Theatre Group among others. The June 8, 2011 Steering Committee meeting resulted in the addition of stakeholders from utilities, water and power services, Ontario Provincial Police and Fire services, radio, TV and Leamington Post, accommodation industry as well as Youth and Family Services.

Both general and specific questions were formulated in order to gauge the community's goals and concerns for the area. A summary of comments stemming from the stakeholder interviews are as follows:

- Vacant properties/lots in the Uptown are a concern as they give the perception of a high vacancy rate, are generally unkempt and underutilized.
- Preserve existing heritage buildings and landmarks
- Promote more boutique style shops and stores
- Prohibit bicycle riding on sidewalks and place more bike racks
- Establish a consistent theme incorporating agriculture and multiculturalism
- Provide grants, loans and tax reductions for building improvements
- Initiate a Farmers Market and ethnic festivals
- Encourage the integration of existing cultures
- Lack of family events and activities

- Encourage more pedestrian linkages and connections
- Maintain a variety of shops and restaurants
- Increase the number and types of restaurants
- Introduce street life in the form of cafes, vendors and entertainers
- Commission more murals like the existing butterfly mural
- Signage needs to be coherent and cohesive
- Parking and safety in the Uptown are perceived concerns

Merchant and resident surveys were administered with the assistance of the Municipality of Leamington and the Uptown Business Improvement Area.

A representative of the Uptown Business Improvement Area (BIA) administered the merchant surveys door-to-door. The surveys were also completed and submitted online using the municipal website. A summary table is contained in Discussion Paper No. 2: Analysis and Options, Appendix B, and an overview of the findings is below:

1. A total of 67 merchants responded to the survey.
2. 19 respondents were business owners and 33 were both the business and building owner.
3. The top three main attractions for people visiting Uptown include the retail options available, the availability of parking and the streetscape.
4. Approximately 30% of the responses indicated that financial incentives and an improved Uptown would encourage them to add residential units to their buildings.
5. Approximately 41% of responses indicated that financial incentives would encourage them to improve the façade of their buildings.
6. The top three areas to focus on included (i) vacancies, (ii) parking, (iii) and infrastructure.
7. In response to what vehicle, bicycle and pedestrian improvements would encourage visitors to Uptown, the top three responses were (i) install bike racks and restrict riding on sidewalks, (ii) control crowds and loitering, and (iii) create more parking and remove time restrictions to parking.

Twenty survey boxes were placed at key locations and events, including the Town Hall main floor and second floor, Marina, Recreation Complex, GM dealership, Perfect Ten Spa, Royal Bank, Gaspar's Restaurant, Leamington Tomato, Portuguese Club, Penzoil Quick Lube, Reflection

Salon, Simp Skates, Leamington Fitness, Star Movie Theatre, Leamington Library, Pita Pit, Community Education Centre, Gabriels Furniture and Rexall Walk In. There were also booths with opinion boxes set up at various Uptown events.

An overview of the findings is below:

1. 413 surveys were received, and a total of 364 responded to the question of where they lived. Of the responses, 79% (286) live in Leamington, and of those, 76% (185) have lived in Leamington more than five years.
2. In terms of frequency of visiting Uptown, 28 respondents said they never visit, 10 said they visited daily, 45 said they visited once a month, and 11 said they visited once a year. In groupings, 24 said they visited somewhere between daily and 5-10 times per week and the majority (231) said they visited the Uptown between one to 10 times per month. Additionally, 96 respondents indicated they visit 1 to 10 times per year.
3. The top five responses why residents visit Uptown included (i) shops/stores -107 responses, (ii) restaurants - 61 responses, (iii) banks/accountants/taxes restaurants - 41 responses, (iv) to support local businesses - 34 responses, and (v) the library - 32 responses. Additionally, 67 respondents indicated that they do not shop or visit Uptown, and 22 respondents indicated that they hardly ever shop/visit Uptown.
4. The top response why residents do not visit Uptown included (i) lack of variety and quality of stores - 76 responses (ii) expensive/no discounts - 69 responses, (iii) limited parking/inconvenient - 48 responses, (iv) crowds in front of stores/sidewalks - 41 responses, and (v) prefer mall/Walmart - 36 responses. It is notable that safety concerns came in sixth with 32 responses.
5. In terms of their perception of the Uptown, 50 responded positively and 50 responded negatively. The most notable positive attributes was friendly people. The basis for the negative perception included empty stores, loitering, rundown businesses, too many ethnicities, lack of store variety, maintenance, and building/storefront conditions.
6. Respondents offered the following recommendations to improve the Uptown:
  - Improve storefronts and façades (74)
  - Clean the streets and sidewalks (55)
  - More upscale/quality stores (42)
  - Attract new businesses (33)
  - Create patios and cafés (29)

- More sidewalk treatments (28)
- Police patrol/by-law enforcement (24)
- More quality restaurants (22)
- Attractive and updated signage (18)
- More parking (19)
- Installation of bike racks/paths (17)
- Limit types of businesses (12)
- Miscellaneous other comments

## 2.4 Program Options

Discussion Paper No. 2 summarized the findings of our analysis and the program options available to implement community improvements. An analysis of land use, parking & access, occupancy rate, building/façade areas of focus, open spaces, development/redevelopment sites and potential financial incentives was conducted. The methodology undertaken consisted of discussions with stakeholders and the steering committee regarding the Uptown area and specific issues and concerns that they may have; field reconnaissance that included a physical survey of each of the buildings in Uptown (i.e. existing use, vacancies, signage, condition of the façades etc.), examination of the types of parking, locations of private and public open spaces, bike lanes, bike storage and regional recreational paths and trails and parks; and creation of a land use map of Uptown that employed information collected from field reconnaissance and aerial photography.

The program options put forward to Council are listed below. For a detailed description of the options please refer to Discussion Paper No. 2: Analysis and Options.

Land Use	Target Specific Land Uses for the Uptown Increase Residential Uses in and Surrounding the Uptown: Encourage Conversion of Second Floor to Residential Increase Residential Units on the Periphery of the CIA Adjusting the CIP Boundary
Parking and Access	Promote Public Parking Amenities Encourage Enhancements to Parking Lots Establish Mid-Block Pedestrian Connections Encourage Enhancements to Alleyways
Occupancy Rate	Strengthen Talbot Street East Establish Dialogue with Property Owners Living Outside Leamington Encourage Businesses to Forge Working Relationships
Building Façades	Establish Guidelines for Façade Improvements Enhance Storefronts and Display Windows Incorporate Historic Core Characteristics in Transition Zones
Open Spaces	

	<p>Shotton Park Should be Enhanced  Encourage Linkages to Better Connect the Open Space System  Bike Lanes &amp; Bike Racks  Pedestrian Friendly Sidewalks</p>
Development/ Redevelopment Sites	<p>Improve Vacant Lots:  Site 1: Talbot Street East &amp; Victoria Avenue  Site 2: Talbot Street East &amp; Wellington Street  Site 3: North side of Mill Street West  Site 4: East side of Erie Street North, south of Foundry Street  Site 5: Princess Street (opposite Dieppe Park)  Site 6: South side of Mill Street West</p>
Financial incentives	<p>Municipal Rebate Program  Development Charge Reductions  Building Exterior and Façade Improvement Program  Renovation Loan Program  Tax Increment Equivalent Grant Program  Municipal Property Partnership Program  Commercial Rent Reduction Grant Program</p>
Additional Considerations	<p>Cultural Diversity  Strategic Marketing and Branding Campaign  Encourage more Public Art Initiatives</p>

During the Council workshop session and subsequent Public Meeting held on September 12, 2011 the options listed above were discussed. The Grants, Programs and Initiatives that are contained in Part B: Uptown Community Improvement Plan will be funded by a proposed budget as shown in Figure 4.

## 2.5 Official Plan Policies

Section 3.6.1 of the Municipality of Leamington Official Plan (2008), establishes six “Commercial Districts” namely the Uptown Commercial District, Erie Street South Commercial District, Waterfront Commercial District, Eastern Commercial District, Western Commercial District and Highway 77 Corridor Commercial District.

The goal of the Official Plan with respect to the Uptown Commercial District is to strengthen it and make it Leamington’s commercial, cultural and entertainment hub. The plan seeks to maintain the characteristics of small downtown commercial cores while encouraging aesthetic and physical improvements to the area. It focuses on pedestrian-oriented shopping facilities, long-term beautification strategies as well as improving traffic and parking facilities and accessibility of rear entrances of businesses<sup>2</sup>. Redevelopment or development plans are encouraged to be of mixed-use type with commercial on the ground level and residential above. Streetscape improvements

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<sup>2</sup> Municipality of Leamington Official Plan 2008

such as tree plantings, sidewalk replacement, use of decorative pavements, upgraded lighting and street furniture as well as enhancing building facades are encouraged.

Section 6.1 Community Improvement Policies of the Municipality of Leamington Official Plan (2008) states the following objectives and criteria primarily focused on the main urban centre.

#### Section 6.1.2 Community Improvement Objectives

##### c) Commercial Improvement Areas

- i) to preserve and strengthen the uptown commercial area;
- ii) to undertake further streetscape improvements including tree planting, sidewalk replacement, use of decorative pavements, decorative lighting and street furniture;
- iii) to provide sufficient off-street parking where necessary;
- iv) to relocate, where desirable and appropriate, incompatible or noxious uses that detract from an attractive commercial environment;
- v) to upgrade street lighting, road systems and water and electrical distribution systems;
- vi) to upgrade and separate combined sanitary and storm sewers.

#### Section 6.2 Community Improvement Criteria

##### b) Commercial Improvement Areas

- i) buildings and/or building facades are in need of improvement where feasible, or demolition and removal were not feasible;
- ii) improvements to the public streetscape to improve visual appeal are needed;
- iii) deficiencies in off-street parking exist;
- iv) storm and sanitary sewer upgrading, separation or installation and road reconstruction are required;
- v) parks and community facilities require additional equipment, upgrading and repair to existing facilities or do not exist;
- vi) water or electrical distribution system replacement or upgrading is required.

The Uptown Leamington CIP, including the expanded Community Improvement Project Area meet the intentions of the above noted Land Use and Community Improvement policies of the OP.

## **2.6 Continuation of CIP 2020-2024**

In January 2020, Leamington Council approved the Council Priorities Review and Recommended Key Actions Strategic Vision Update. This vision stresses the need for continued investment in key, high-traffic areas of the Municipality, and specifically calls for the expansion of the area subject to community improvement planning.

In light of the progress made towards the Plan's original goals, the ongoing implementation of the Uptown Master Plan, the goals of Council's Priorities Review and Strategic Vision, feedback received from the implementation of the 2012-2019 CIP, it is desirable to continue the Plan's implementation in 2020-2024.

The CIP will continue to work towards achieving the objectives established in the Uptown Leamington CIP.

Implementation of municipal capital projects which satisfy the objectives of the CIP and demonstrate a commitment of public investment within the Community Improvement Project area will proceed as outlined in the Uptown Master Plan prepared by R.C. Spencer Associates Inc. dated August 2018, upon direction from Council. The Municipality is undertaking projects which relate to public gathering space revitalization, municipal parking lot landscaping, municipal signage improvement and enforcement programs.

The expanded Community Improvement Project Area (2020) is in line with the suggested options for expanding the Community Improvement Project Area as noted in Section 3.1.3 of Discussion Paper No. 2 prepared in 2011. The reasons supporting the expansion of the CIP area are applicable and can be applied to the Plan through the years 2020-2024.

## PART B: UPTOWN COMMUNITY IMPROVEMENT PLAN

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### 3.0 Community Improvement Plan

The Municipality of Leamington Uptown Commercial District Community Improvement Plan consists of the following sections:

- Legislative Authority (Section 4.0)
- Community Improvement Project Area (Section 5.0)
- Objectives of the Uptown Commercial District Community Improvement Plan (Section 6.0)
- Programs (Section 7.0)
- Implementation (Section 8.0)
  - Action Plan (Section 8.1)
  - Monitoring (Section 8.2)
  - Funding Sources (Section 8.3)
- Part C: Urban Design Guidelines (Section 9.0)

### 4.0 Legislative Authority - Section 28 of the Planning Act

Section 28 of the Planning Act sets out the legislative framework for Community Improvement Plans. The Act enables municipalities to pass Community Improvement Plans only where there are Official Plan policies in effect that contain provisions for community improvement. Once Council has passed a by-law designating a Community Improvement Project Area, then a Community Improvement Plan may be prepared. As noted in Part A to this document, the Municipality of Leamington has approved Community Improvement policies and areas in its Official Plan.

According to Section 28 of the Planning Act, a “community improvement project area” is defined as an area within a Municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reasons<sup>3</sup>.

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<sup>3</sup> Section 28, Planning Act.

The Planning Act allows municipalities when carrying out a Community Improvement Plan within a Community Improvement Project Area to:

1. Acquire and hold land.
2. Clear, grade or otherwise prepare land for community improvement.
3. Construct, repair, rehabilitate or improve buildings on the land acquired or held by the municipality. In addition, the municipality may sell, lease or otherwise dispose of any such buildings and land.
4. Sell, lease, or otherwise dispose of any lands and buildings acquired or held by the municipality to any person or governmental authority for use in conformity with the community improvement plan.
5. Make grants or loans to the registered owners, assessed owners, and tenants of lands and buildings to pay for the whole or any part of the cost of rehabilitating such lands and buildings in conformity with the CIP.

As mentioned above, municipalities may provide grants, loans and tax incentives to property owners and tenants within the Community Improvement Project Area for costs associated with improvements that are suggested in the Community Improvement Plan. The total of the grants, loans and tax assistance may not exceed the eligible costs of the community improvement works. Costs associated with environmental site assessments, environmental remediation, development, redevelopment, construction and reconstruction of lands and buildings as well as the provision of energy efficient uses<sup>4</sup> are eligible for municipal grants and loans.

Until recently, the Ministry of Municipal Affairs and Housing was the approval authority for Community Improvement Plans that included financial assistance or land related programs. A change occurred as of January 2007 whereby, municipal councils may adopt a Community Improvement Plan without an additional approval by the Ministry. Once the plan is adopted, notice of its decision must be provided in accordance with the Planning Act, and if there is no appeal to the Ontario Municipal Board at the end of the 20-day appeal period, the plan comes into effect<sup>5</sup>. Although the Ministry is not the approval authority, consultation is recommended prior to adoption by Council.

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<sup>4</sup> Ibid

<sup>5</sup> Community Improvement Planning Handbook, MMAH 2008

## 5.0 Community Improvement Project Area

The boundary of the Community Improvement Project Area is as shown on Schedule A to the implementing by-law which replaces the original area depicted as Commercial Improvement Area F on Schedule D of the Municipality of Leamington Official Plan. The CIP area includes the intersection of Erie Street and Talbot Street and is considered the heart of the Uptown. The expanded area is bound by Wilkinson Drive to the north, Oak Street East in the south, Cedar Drive to the east and Albert Street to the west. The expanded CIP area comprises approximately 49.44 hectares of land and includes a total of 322 properties. The expansion approved in 2020 generally includes those properties located within the Uptown Commercial District as shown on Land Use Schedule A to the OP, those lands zoned Commercial Uptown (C1) and Commercial General (C6).

The original CIP area as adopted by By-law 233-12 was as shown on Schedule D of the Official Plan (2008). The Plan contemplated changes to the area to include key properties in transitional locations. In 2020 Council adopted by by-law an expanded area to encompass the entrance areas to the Uptown Leamington. The 2012-2019 Uptown CIP was found to be successful in incentivizing property owners to rehabilitate buildings in the Uptown, to the point where there is a noticeable divide between the entrance areas approaching the Uptown, which remain outside the CIP area, and those that had are in the Uptown Core. Expanding the area to encompass more of the entrance corridors to the Uptown aligns with the existing CIP by strengthening the entrance areas to the Uptown.

Following approval of this revised Plan, Council may consider further amendments to the Community Improvement Project Area. The Municipality must consult with the Ministry of Municipal Affairs and Housing (MMAH) for any significant amendment to the CIP relating to a change or expansion in the geographic area to which financial or land programs apply.

## 6.0 CIP Objectives

The objectives for the Uptown Community Improvement Plan are:

- Maintain and enhance the historical building design characteristics and context of Uptown.
- Encourage residential development within the Uptown including mixed-use development, medium density residential and affordable housing.

- Improve accessibility for people through improvements to the pedestrian realm, traffic circulation, on-street and off-street parking and linkages.
- Re-enforce property standards to maintain a safe and clean Uptown.
- Strengthen the entrance areas into the Uptown.
- Encourage private/public partnerships for community improvement.
- Repair, rehabilitate or redevelop vacant buildings and lands.
- Encourage and assist property owners and businesses to rehabilitate buildings in the Uptown to ensure their long-term viability.
- Develop investment incentives to attract new businesses.
- Prepare updated Urban Design Guidelines.

## 7.0 CIP Programs

This Section details the programs available as part of the Community Improvement Plan and includes eligibility requirements, financial incentives, and other revitalization tools and considerations.

### 7.1 General Eligibility Requirements

The intent of the Municipality is to provide grants to property owners over the years, 2012 through 2024, following adoption of the revised Plan 2020. The general eligibility requirements are contained below, while more specific requirements are contained in the specific program section. The terms and conditions of any grant or loan program and administrative procedures may be changed, altered, amended, or modified by the Municipality of Leamington without amendment to the Plan. However, the addition of a new grant or loan program shall require an amendment to this Plan; however, the Municipality may discontinue any program without requiring an amendment to this Plan.

1. Improvements and activities to private property must not commence until an application has been approved in full by the Municipality of Leamington and an agreement has been executed by both the registered owner and/or assigned agent and the Municipality. Retroactivity for improvements made prior to the approval of a CIP application are not permitted. However, retroactive payments of work done prior to the approval of a CIP application, may be considered by Council resolution. Council may consider works which

meet the general and program specific criteria, subject to unique or special circumstances. Consideration of retroactive payment is not intended to provide funding for projects which proceed without approval but to incorporate flexibility while maintaining accountability.

2. The provision of all grant and loan programs will be administered based on an intake system. Applications for CIP grant and loan programs will be accepted annually before a deadline in the first quarter of the year. All applications will be reviewed simultaneously and funding will be awarded to those projects that best meet the goals of the CIP. A second intake period may be administered later in the year if funding permits. Should there be inadequate funding; applications will be held and processed in chronological order from the date of application submission and on their merit as soon as funding is available.

Applications will be assessed by the Community Improvement Intake Committee consisting of staff representatives from Planning and Development Services, Building Services, Engineering Services, Emergency Services, Financial and Business Services, Economic Development Services and the Director of Community and Development Services. A decision will be rendered by the Director of Community and Development Services.

Applications will be assessed based on

- i) Demonstrated ability to meet the goals of the CIP;
- ii) Expected economic impact; and
- iii) Viability of the proposed project.

Upon closure of the intake period, the Director of Community and Development Services will present a report to Council detailing the applications considered for grants under each program implemented under the Uptown Leamington Community Improvement Plan. The report shall include:

- a. a summary of the number of applications received under each program;
- b. the number of grants being approved under each program;
- c. a brief description of each project and the desired outcomes for the Uptown which is being achieved for each;

- d. the total amount of grant funding made available during each intake period;  
and
  - e. whether the established budget allocations for programs are being met  
and/or reallocation of funds is necessary.
3. The Municipality, at their sole discretion, shall be satisfied that the assistance is provided for projects that further the objectives of the Uptown Leamington Community Improvement Plan, meet the requirements of the municipal By-laws, including compliance with the zoning provisions and property standards, and conform to the Uptown Urban Design Guidelines. All applications for assistance will be examined on a case-by-case basis and the Municipality provides no guarantee of funding.
4. Prior to approval of any application for any CIP grant program, the Municipality will conduct a Property Standards inspection, Building Code inspection and Fire inspection of all associated buildings. All existing deficiencies resulting from said inspections as well as any previous outstanding orders will need to be addressed to the satisfaction of the Municipality.
5. The applicant must be the registered owner for which the application is being made or an agent authorized by the registered owner.
6. An applicant may apply for more than one CIP grant program and may apply for the same program more than once in the same year, per property based on the assigned municipal address (excluding units) provided the total value of all financial incentives received for a subject property shall not exceed:
  - a. the total value of the works to be undertaken;
  - b. the value of the buildings and property as shown on the last revised assessment roll of the municipality;
  - c. the maximum grant amount to be awarded under each CIP program for the duration of the approved Plan (2012-2024); and
  - d. \$50,000 cumulative total of all grants awarded for the duration of the approved Plan (2012-2024).
7. Each approved project or improvement to the subject property can only be funded from a single source program.
8. A property owner who is in arrears of property tax or any other municipal financial obligation is not eligible to participate in any CIP programs. Property owners of lands and

buildings who have defaulted under any past or current Municipal programs, inclusive of the CIP programs, will not be eligible for any CIP grants.

9. The applicant will be required to enter into an agreement with the Municipality which may be registered on the title, at the applicant's expense. .
10. Grants will be made upon completion of the approved work and documentation of the costs associated with the work has been submitted to and reviewed by representatives of Financial and Business Services.
11. In order to be eligible for any assistance the subject property must be located within the Uptown Leamington Community Improvement Project Area as shown on the implementing by-law, adopted by Council and as may be amended from time to time.
12. Assistance granted under any of the financial incentives to a particular property is not transferable to any other program or property.
13. Prior to disbursements of funds for any incentive, the Municipality shall confirm that all the requirements of the particular program have been met.
14. The Municipality reserves the right to increase or decrease the total amount of monies associated with any of the financial incentives if the scope of the work changes and actual costs differ from estimated costs (in accordance with Section 7.1.18).
15. The Municipality may undertake an audit of work done and associated costs if it is deemed necessary. The costs for such an audit will be borne by the applicant or may be subtracted from the total financial assistance granted per project/per property.
16. Once a grant is approved, the Municipality will allocate money from the program until such time as:
  - a. The grant is issued upon inspection; or
  - b. The grant application expires. Expiry occurs where there is no activity within a six month period after the approval of the application, except where otherwise determined by the Director of Community and Development Services.
17. If a property is under a grant application at the time of sale, the application is transferable to the new property owner up until the provision of the grant.
18. Municipal staff will report back to Council on a quarterly basis on details of each of the grant programs (in accordance with Section 7.1.18). The Municipality will evaluate and/or revise each program at a minimum.

19. The Municipality may at any time discontinue a program (in accordance with Section 7.1.18); however, any participants in the program prior to its closing will continue to receive grants as approved for their property until the conclusion of their project.
20. The Municipality must pre-consult with the Ministry of Municipal Affairs and Housing where an amendment to the CIP includes:
  - a. A significant change or expansion in the geographic area to which financial or land programs outlined in a CIP apply;
  - b. A change in the eligibility criteria;
  - c. Addition of new municipal assistance programs involving grants, loans, tax assistance or land; or
  - d. An increase to the maximum upper limit for each type of financial program provided through the Plan, as indicated in the Action Plan, as amended by Council from time to time, as well as the overall upper limit of the Plan.
21. Eligible expenses must be independent and third party to the satisfaction of the Municipality. The Municipality may undertake an audit of work done, eligible costs and paid invoices, if it is deemed necessary, at the expense of the applicant.

## **7.2 Financial Incentives**

This Community Improvement Plan contains financial incentives pertaining to building exteriors and façade, renovations, grants for Development Charges, rebates on Municipal fees, financial support for sidewalk café's and business Location and expansion. These incentives are implemented through the programs that follow.

It is the intention of this Plan that money allocated to each of the grants, programs and initiatives be utilized for recommended Community Improvement Plan improvements. In the case that money allocated for a specific grant, program or initiative is not utilized in a given year, those funds may be reallocated to areas of higher interest and need, subject to Council's discretion.

The following financial incentives were derived from the comments receive on the options presented in Discussion Paper No. 2: Analysis and Options.

## 7.2.1 Building Exterior and Façade Improvement Grant

The intent of Building Exterior and Façade Improvement Grant Program is to provide existing building owners and/or tenants with a financial incentive to improve the appearance of their building's front and rear façades. Front façade and property improvements create a more attractive streetscape, while rear façade improvements also directly correlate to the perception of improved public safety.

### 7.2.1.1 Specific Eligibility Requirements

Improvements undertaken under the Building Exterior and Façade Improvement Grant Program shall be consistent with the Municipality's urban design guidelines (refer to Part C: Uptown Urban Design Guidelines). Eligible works include the following:

- Repainting, cleaning or re-facing of front and rear façades and those parts of the building visible from the adjacent streets or public areas. This can include restoration of the original façade appearance.
- Restoration of façade masonry, brickwork, stucco, or wood cladding.
- Replacement or repair of cornices, eaves, parapets and other architectural features.
- Replacement and repair of windows.
- Entranceway modifications including provisions to improve accessibility for the physically challenged.
- Redesign of storefront.
- Removal, repair or installation of new signage and/or awnings.
- Installation and repair of exterior lighting.
- Installation of permanent landscaping, sidewalks and improvements to outdoor areas abutting a public right of way, but not including the seeding or sodding of vacant lots.
- Repair and improvements to existing hard surfaced driveways, parking lots and areas, including re-sealing, painting, and directional or barrier free signage.
- Such other similar improvements to the building exterior as may be approved by the Director of Community and Development Services.

Only exterior renovations will be eligible; however, professional fees (architects, designers, engineers, etc.) are eligible where the costs incurred are directly related to the exterior

improvements. Improvements shall take into consideration energy saving measures and shall adhere to energy saving guidelines where feasible.

Where there is any duplication or overlap in works under this program and the Renovation Grant Program or the Private Lot Improvement Program, only a single application (rather than a duplication of the grant amount) will apply for those works.

### **7.2.1.2 Program Details**

The Municipality will provide a grant of 50% of the costs of the works to a maximum of \$15,000 per property for the duration of approved Plan (2012-2024) to assist the applicant with façade improvements within the CIP area in compliance with the Uptown Urban Design Guidelines. The minimum grant amount to be awarded under a single application is \$500, meaning that the minimum project cost eligible for a grant is \$1,000. An annual limit on the funds available through the Building Exterior and Façade Grant program will be established in the Action Plan, Figure 4 to this Plan, subject to approval and periodic amendment by Council.

All applications for this grant program will be considered subject to the availability of funding. Grants approved under this program will be provided to property owners/tenants following the submission, review and approval of the final invoices for the façade improvements, indicating that suppliers/contractors have been paid in full.

### **7.2.1.3 Application Procedure**

#### **1. Grant Application Submission**

The applicant is required to submit a completed Building Exterior and Façade Improvement Grant Application form to the Community Improvement Intake Committee for review and approval prior to the established application deadline. Applications must be approved and agreements executed, prior to commencing any works that are the subject of the grant application. The application will include drawings detailing the proposed works, a design concept, colour scheme and any other supporting material deemed necessary by the Municipality. It is recommended plans be prepared by a Professional Engineer, Architect or Designer. The application will be circulated to the Community Improvement Intake Committee for review and approval. A decision will be rendered by the Director of Community and Development Services.

#### **2. Description of Eligible Works and Submission of Quotations**

The Building Exterior and Façade Improvement Grant application will include a description of the eligible works and how they satisfy the urban design/façade guidelines and an estimate of the

costs of the work to be undertaken in order to restore/improve the façade. The estimate shall be supported by a minimum of two estimates from qualified contractors for undertaking the eligible works and shall be consistent with the cost estimate indicated on the accompanying building permit applications. If the higher of the two estimates is the successful bidder, the grant will be provided on the basis of the average cost of the two estimates. However, if the lower of the two estimates is the successful bidder, the grant, if eligible, shall be provided on the basis of the lowest estimate.

### 3. Inspection of Façade

Prior to the Director of Community and Development Services approving a Building Exterior and Façade Improvement Grant, a delegated Committee member(s) will inspect the building to review the condition of the façade and the proposed improvement. In addition, a Property Standards inspection, Building Code inspection and Fire inspection will be conducted. In order to proceed with the application, the applicant will be required to address any deficiencies that are identified and ensure that all associated buildings pass inspection.

### 4. Decision of Director of Community and Development Services & Expiry of Approval

If all eligibility criteria and conditions are met, applications will be assessed based on

- i) Demonstrated ability to meet the goals of the CIP;
- ii) Expected economic impact; and
- iii) Viability of the proposed project.

The Community Improvement Intake Committee, will determine how much of the proposed work, if any, is eligible for funding under the Building Exterior and Façade Improvement Grant program. This determination may require an inspection of the property. A letter from the Director of Community and Development Services to the applicant will represent a grant commitment and will be valid for a period of 6 months and will expire if the work is not completed within that time.

The applicant will be forwarded a copy of the agreement and a letter outlining terms and conditions of approval. The signed agreement will then be returned to the Municipality. The Municipality may require the agreement to be registered on title at the applicant's expense.

### 5. Inspection of Completed Work

A delegated person from will conduct an inspection of the completed work to ensure that all grant requirements have been satisfied. The Director of Community and Development Services will review the completed work to ensure all design requirements have been completed in accordance

with the approved drawing(s) and a report confirming the acceptance of the work completed will be prepared by the Community Improvement Intake Committee.

#### 6. Provision of Grant

Following the inspection of the work by the Municipality, the applicant shall submit a grant claim application package which includes:

- a. an itemized list of paid invoices or receipts indicating the approved works to which the paid costs apply;
- b. a summary of the final pre-tax costs for each item, including an itemization of works as approved in the application, and
- c. copies of proof of payment for each invoice submitted. Accepted proof of payment shall include:
  - i. printout of bank accounts;
  - ii. invoice statement indicating account has been paid in full.

The grant claim package will be submitted to and reviewed by Financial and Business Services. The Grant will be advanced to the applicant only upon completion of the works, partially completed projects will not be funded and progress payments will not be made. The Municipality may undertake an audit of work done and eligible costs if it is deemed necessary, at the expense of the applicant.

If in the case that there is any dispute between an applicant and the Municipality, between the stages of approval of an application and provision of the grant, the applicant may appeal a decision to Council, who will determine the appropriate course of action.

## 7.2.2 Renovation Grant Program

The intent of the Renovation Grant Program is to provide a financial incentive that encourages the upgrading, rehabilitation and redevelopment of commercial, mixed use and residential buildings. These upgrades also improve safety by bringing them into compliance with current Ontario Building Code requirements. This program will also encourage the conversion of second floor storage to residential units, and retrofitting for energy efficiency and accessibility.

### 7.2.2.1 Specific Eligibility Requirements

Eligible works under the Renovation Grant Program include the following items:

- Installation of safety and fire protection systems such as carbon monoxide detectors, smoke alarms, fire alarms, exit signs, etc.
- Installation of fire escapes.
- Installation of new or reinforcement of floors, ceilings and/or walls.
- Improvements to the electrical, ventilation, heating and plumbing supply systems.
- Improvements for barrier-free accessibility upgrades that meet Provincial guidelines.
- Construction or alteration of required window openings and windows for upper storey residential units.
- Installation of windows that provide access to the sidewalk.
- Construction of stairs, guard rails, and handrails.
- Improvements relating to Building Code upgrades.
- Energy efficiency upgrades.
- The addition of new residential units.
- Such other similar improvements to the building exterior as may be approved by the Director of Community and Development Services.

Improvements will be made to the lands or the buildings in accordance with the Ontario Building Code. Change of use and intensification of underutilized or vacant spaces to residential, commercial or mixed-use must be in accordance with the Zoning by-law, Urban Design Guidelines (refer to Part C: Uptown Urban Design Guidelines) and all other applicable by-laws.

Where there is any duplication or overlap in works under this program and the Building Exterior and Façade Improvement Grant Program, only a single grant amount (rather than a duplication of the grant amount) will apply for those works. One example of the type of duplication is improvements to the entranceway and barrier-free accessibility.

### **7.2.2.2 Program Details**

The Municipality will provide a grant of 25% of the costs of the renovations to a maximum of \$15,000 per property for the duration of approved Plan (2012-2024). The minimum grant amount is \$1,250, meaning that the minimum project cost eligible for a grant is \$5,000. An annual limit on all grants issued under the Renovation Grant program will be established in the Action Plan, Appendix A to this Plan, subject to approval and periodic amendment by Council.

All applications for this grant program will be considered subject to the availability of funding. Grants approved under this program will be provided to property owners/tenants following the submission of the final invoices for the renovations, indicating that suppliers/contractors have been paid in full.

### **7.2.2.3 Application Procedure**

#### **1. Grant Application Submission**

The applicant is required to submit a completed Renovation Grant Program Application form to the Community Improvement Intake Committee for review and approval prior to the established application deadline. Applications must be approved and agreements executed, prior to commencing any works that are the subject of the grant application. The application will include a copy of the Building Permit application including drawings detailing the proposed renovations. The plans may need to be prepared by a Professional Engineer or Architect. The application will be circulated to the Community Improvement Intake Committee for review and approval. A decision will be rendered by the Director of Community and Development Services.

#### **2. Description of Eligible Works and Submission of Quotations**

The Renovation Grant Program application will include a description of the eligible works and how they satisfy the Building Code Act and Regulations and an estimate of the costs of the renovations works. The estimate shall be supported by a minimum of two estimates from qualified contractors for undertaking the eligible works and shall be consistent with the cost estimate indicated on the accompanying building permit applications. If the higher of the two estimates is the successful bidder, the grant will be provided on the basis of the average cost of the two estimates. However, if the lower of the two estimates is the successful bidder, the grant, if eligible, shall be provided on the basis of the lowest estimate.

#### **3. Inspection of Renovation**

Prior to the Director of Community and Development Services approving a Renovation Grant, a delegated Committee member(s) will inspect the building to review the condition of the building and the proposed improvement. In addition, a Property Standards inspection, Building Code inspection and Fire inspection will be conducted. In order to proceed with the application, the applicant will be required to address any deficiencies that are identified and ensure that all associated buildings pass inspection.

#### 4. Decision of Director of Community and Development Services & Expiry of Approval

If all eligibility criteria and conditions are met, applications will be assessed based on

- i) Demonstrated ability to meet the goals of the CIP;
- ii) Expected economic impact; and
- iii) Viability of the proposed project.

The Community Improvement Intake Committee will determine how much of the proposed work, if any, is eligible for funding under the Renovation Grant Program. This determination may require an inspection of the property. A letter from the Director of Community and Development Services to the applicant will represent a grant commitment and will be valid for a period of 6 months and will expire if the work is not completed within that time.

The applicant will be forwarded a copy of the agreement and a letter outlining terms and conditions of approval. The signed agreement will then be returned to the Municipality. The Municipality may require the agreement to be registered on title at the applicant's expense.

#### 5. Inspection of Completed Work

A delegated person will conduct an inspection of the completed work to ensure that all building permit and grant requirements have been satisfied. The Director of Community and Development Services will review the completed work to ensure all design requirements have been completed in accordance with the approved drawing(s) and a report confirming the acceptance of the work completed will be prepared by the Community Improvement Intake Committee.

#### 6. Provision of Grant

Following the inspection of the work by the Municipality, the applicant shall submit a grant claim application package which includes:

- a. an itemized list of paid invoices or receipts indicating the approved works to which the paid costs apply;

b. a summary of the final pre-tax costs for each item, including an itemization of works as approved in the application, and

c. copies of proof of payment for each invoice submitted. Accepted proof of payment shall include:

- i. printout of bank accounts;
- ii. invoice statement indicating account has been paid in full.

The grant claim package will be submitted to and reviewed by Financial and Business Services. The Grant will be advanced to the applicant only upon completion of the works, partially completed projects will not be funded and progress payments will not be made. The Municipality may undertake an audit of work done and eligible costs if it is deemed necessary, at the expense of the applicant.

If in the case that there is any dispute between an applicant and the Municipality, between the stages of approval of an application and provision of the grant, the applicant may appeal a decision to Council, who will determine the appropriate course of action.

### **7.2.3 Residential Development Charges Grant Program**

The Residential Development Charges Grant Program is intended to assist property owners with financing the construction of new residential units through redevelopment and/or expansion of existing buildings located within the Uptown Community Improvement Project Area. The Municipality will provide a grant equivalent to the amount of the applicable Residential Development Charge.

#### **7.2.3.1 Specific Eligibility Requirements**

Residential development eligible under the Residential Development Charge Grant Program include:

- Two Unit Dwellings (semi-detached dwellings, duplexes & second suites),
- Multi-Unit Dwellings, and
- Apartments with one or more bedrooms.

Redevelopment of existing residential dwelling units will not be eligible for the Residential Development Charges Grant Program. Eligibility will be subject to the Municipality of Leamington's Development Charges By-law. Funding priority will be placed on the conversion of upper storey non-residential floor space to residential units and the creation of new affordable housing units of any type.

#### **7.2.3.2 Program Details**

The Residential Development Charge Grant Program will be provided as a one-time grant to the registered property owner and represent an amount equivalent only to the Municipality of Leamington's Residential Development Charge for the unit(s) being constructed. An annual limit on all grants issued under The Residential Development Charges By-law Grant program will be established in the Action Plan, Appendix A to this Plan, subject to approval and periodic amendment by Council.

At the time of a building permit application, the applicant will pay all applicable Development Charges, including the Residential Development Charges. If eligible, the Residential Development Charge will be refunded as a grant following the final building inspection.

The Residential Development Charge Grant Program will not be retroactively applied to developments where building permits were issued prior to the commencement of the program.

### 7.2.3.3 Application Procedure

#### 1. Grant Application Submission

The applicant is required to submit a completed Residential Development Charges Grant application form to the Community Improvement Intake Committee for review and approval prior to commencing construction. The application will be accompanied by a copy of the Building Permit application including drawings detailing the proposed units to be constructed and an estimate of the cost of the work to be undertaken. The drawings will need to be prepared by a Professional Engineer or Architect.

The application will be circulated to the Community Improvement Intake Committee for review and approval. A decision will be rendered by the Director of Community and Development Services.

Prior to approval of a grant application a Property Standards inspection, Building Code inspection and Fire inspection will be conducted. In order to proceed with the application, the applicant will be required to address any deficiencies that are identified and ensure that all associated buildings pass inspection.

#### 2. Decision of Director of Community and Development Services & Expiry of Approval

If all eligibility criteria and conditions are met, applications will be assessed based on

- i) Demonstrated ability to meet the goals of the CIP;
- ii) Expected economic impact; and
- iii) Viability of the proposed project.

The Community Improvement Intake Committee will determine how much of the proposed work, if any, is eligible for funding under the Residential Development Charges Grant program. A letter from the Director of Community and Development Services to the applicant will represent a grant commitment and will be valid for a period of 1 year and will expire if the work is not completed within that time.

The applicant will be forwarded a copy of the agreement and a letter outlining terms and conditions of approval. The signed agreement will then be returned to the Municipality. The Municipality may require the agreement to be registered on title at the applicant's expense.

#### 3. Inspection of Completed Work

A delegated person will conduct an inspection of the completed work to ensure that all building permit and grant requirements have been satisfied. The Director of Community and Development

Services will review the completed work to ensure all design requirements have been completed in accordance with the approved drawing(s) and a report confirming the acceptance of the work completed will be prepared by the Community Improvement Intake Committee.

#### 4. Provision of Grant

Following the inspection of the work by the Municipality and the issuance of a Final Inspection by the Chief Building Official for each applicable unit, the applicant shall submit a grant claim application package which includes:

- a. receipt issued by The Corporation of the Municipality of Leamington for the Residential Development Charges submitted in connection with original Building Permit; and
- b. a copy of the Final Inspection Report;

The grant claim package will be submitted to and reviewed by Financial and Business Services. The Grant will be advanced to the applicant only upon completion of the works, partially completed projects will not be funded and progress payments will not be made. The Municipality may undertake an audit of work done and eligible costs if it is deemed necessary, at the expense of the applicant.

If in the case that there is any dispute between an applicant and the Municipality, between the stages of approval of an application and provision of the grant, the applicant may appeal a decision to Council, who will determine the appropriate course of action.

## 7.2.4 Municipal Fee Grant Program

The Municipal Fee Grant Program is intended to assist property owners of lands and buildings and business owners with financing the cost of the development process by providing a grant to offset the amount of the applicable planning and building fees.

### 7.2.4.1 Specific Eligibility Requirements

The following fees are eligible under the Municipal Fee Grant Program.

- Planning Application Fees for an approved application for Consent, Minor Variance, Zoning By-law Amendment, Official Plan Amendment and Site Plan Control Approval.
- Building Permit Fees for the rehabilitation of existing buildings or vacant or underutilized properties, including permits for renovations and alterations, upgrading and addition to existing stock, interior alterations, sign permits and demolition permits for residential and commercial uses.
- Sign Permit Fees for taking down an old sign and replacing with a new sign. A rebate for the sign-permit fee will only be granted to an applicant if the erected sign conforms to the Urban Design Guidelines (refer to Part C: Uptown Urban Design Guidelines).
- In addition to the general eligibility requirements, only applications and permits within the Uptown Community Improvement Project Area which have received approval from the Municipality will be eligible.
- Expansion or rehabilitation of legal non-conforming uses shall not qualify for the Municipal Fee Program.

### 7.2.4.2 Program Details

The Municipality will provide a grant of 100% of the applicable application or permit fees paid by the applicant to a maximum of \$2,000 per property for the duration of approved Plan (2012-2024). Payment of fees will be required at the application stage for planning applications and building permits. Upon final inspection of the completed project subject to a building permit or final approval of a planning application, a rebate will be provided in an amount equal to all requested eligible fees collected from the property owner or business owner. An annual limit on all grants issued under the Municipal Fee Grant program will be established in the Action Plan, Figure 4 to this Plan, subject to approval and periodic amendment by Council.

At the time of a building permit or planning application, the applicant will pay all applicable fees. If eligible, the fees will be refunded as a grant following the final building inspection or final planning approval. Grants will not be provided for those payments made as security deposits, fees to be submitted to external agencies which are collected by the Municipality (ex. Essex Region Conservation Authority) or Municipal, School Board, or County Development Charges.

### **7.2.4.3 Application Procedure**

#### **1. Grant Application submitted at the time of Application**

The applicant is required to submit a Municipal Fee Grant application form to the Community Improvement Intake Committee for review and approval prior to the established application deadline. Applications must be submitted within a maximum one year after the application and issuance of a building or sign permit or the final approval of a planning application.

Prior to approval of a grant application, a Property Standards inspection, Building Code inspection and Fire inspection will be conducted. In order to proceed with the application, the applicant will be required to address any deficiencies that are identified and ensure that all associated buildings pass inspection.

The application will be circulated to the Community Improvement Intake Committee for review and approval. Where eligible, staff will provide conditional approval of the application for the grant subject to approval of a pending permit or application. A decision will be rendered by the Director of Community and Development Services.

#### **2. Decision of Director of Community and Development Services & Expiry of Approval**

If all eligibility criteria and conditions are met, applications will be assessed based on

- i) Demonstrated ability to meet the goals of the CIP;
- ii) Expected economic impact; and
- iii) Viability of the proposed project.

The Community Improvement Intake Committee will determine total fees, if any, which are eligible for funding under the Municipal Fee Grant program. A letter from the Director of Community and Development Services to the applicant will represent a grant commitment and will be valid for a period of 1 year and will expire if the work is not completed or final approval received within that time.

The applicant will be forwarded a copy of the agreement and a letter outlining terms and conditions of approval. The signed agreement will then be returned to the Municipality. The Municipality may require the agreement to be registered on title at the applicant's expense.

### 3. Inspection of Completed Work

Following the completion of the work, the issuance of a final inspection or final approval of a planning application, the Director of Community and Development Services will review the completed work to ensure all design requirements have been completed in accordance with the approved drawing(s) and a report confirming the acceptance of the work completed will be prepared by the Community Improvement Intake Committee.

### 4. Provision of Grant

Following the inspection of the work by the Municipality, the issuance of a Final Inspection Report by the Chief Building Official and or expiry of the last day of appeal for planning applications, the applicant shall submit a grant claim application package which includes:

- c. receipt issued by The Corporation of the Municipality of Leamington for the total fees submitted in connection with building or sign permit application or planning application; and
- d. a copy of the Final Inspection Report or Planning Approval;

The grant claim package will be submitted to and reviewed by Financial and Business Services. The Grant will be advanced to the applicant only upon completion of the works, partially completed projects, denied, deferred or those applications pending appeal will not be funded and progress payments will not be made. The Municipality may undertake an audit of work done and eligible costs if it is deemed necessary, at the expense of the applicant.

If in the case that there is any dispute between an applicant and the Municipality, between the stages of approval of an application and provision of the grant, the applicant may appeal a decision to Council, who will determine the appropriate course of action.

## 7.2.5 Sidewalk Café Grant Program

The Sidewalk Café Grant Program provides property owners and tenants with financial assistance to design<sup>6</sup> and construct a temporary sidewalk in place of on-street public parking spaces to allow for a sidewalk café or patio on the right-of-way in order to enhance Uptown eating establishments and encourage street-level pedestrian activity.

### 7.2.5.1 Specific Eligibility Requirements

Commercial businesses with a storefront immediately adjacent to an on-street parking stall or a location in close proximity to on-street parking which has been approved by Council, will be considered subject to the availability of funding. Business owners who are tenants are eligible to apply for the grant if they can provide written consent to conduct the improvements from the property owner.

A Sidewalk Patio Encroachment Agreement will be required for temporary sidewalks occupying on-street public parking spaces within the public right of way, in order to facilitate the Sidewalk Café Grant Program.

The sidewalk café improvements must conform to the Uptown Urban Design Guidelines approved by the Municipality and the Municipality's Sidewalk Patio By-law. The applicant will also be required to maintain Third Party Liability Insurance as a condition of the Sidewalk Café Grant. In addition, the applicant will also be required to acquire a liquor license to extend the serving of alcoholic beverages to the outdoor café area even if there is a license for the interior of the existing restaurant or café.

Eligible expenses include under the Sidewalk Café Grant Program include the following items:

- Professional fees directly related to the design of the temporary sidewalk (architects, designers, engineers, etc..) in accordance with the requirements of the Uptown Urban Design Guidelines and the Municipality's Sidewalk Patio By-law;
- Construction of the temporary sidewalk re-alignment, raised patio's, overhangs/roofs, stairs, railings and handrails;
- Installation of the temporary sidewalk re-alignment, raised patio's, overhangs/roofs, stairs, railings and handrails;

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<sup>6</sup> Sidewalk Café Grant Program Amendment Council Resolution No. C-402-13

- Signage.

### 7.2.5.2 Program Details

The Municipality will provide a grant of 50% of the costs per establishment for the duration of the approved Plan (2012-2024), up to a maximum of \$2,000 to assist property owners or authorized tenants with the professional fees related to the design of a sidewalk café approved under the Municipality's Sidewalk Patio By-law. Additionally, property owners and authorized tenants, who are eligible to apply for the grant will be able to apply for a grant each year of the Community Improvement Plan to assist with the cost of work relating to the construction and installation of a temporary sidewalk, raised patio, overhang, roof, railing, handrail and signage. The Municipality will provide a grant of 50% of the costs, up to a maximum of \$2,000 to assist property owners or authorized tenants to create a sidewalk café. An annual limit on all grants issued under The Sidewalk Café Grant program will be established in the Action Plan, Appendix A to this Plan subject to approval and periodic amendment by Council.

Sidewalk cafés must be constructed as a deck type structure or located directly on the pavement. They may be fenced and may be enclosed by a roof. They can be located directly across from the establishment or attached to the main building or in a location as approved by Council. The sidewalk cafés will be temporary and will have to be removed during the winter months. The Sidewalk Café Program will be in operation during the months from April 1 to October 1 of every year that the program is in operation.

Uptown Leamington's narrow sidewalks limit the construction of sidewalk cafés in front of existing restaurants. Hence, the applicant will have to construct a temporary sidewalk deviation that allows for uninterrupted pedestrian access. The design and construction of the sidewalk cafés will have to adhere to the Urban Design Guidelines (refer to Part C: Uptown Urban Design Guidelines) and the Municipality's Sidewalk Patio By-law.

Temporary sidewalks must meet Building Code requirements to ensure pedestrian safety. The temporary sidewalks must not impede pedestrian access, sidewalk cleaning or drainage and must be constructed at the same grade as the sidewalk. The applicant shall maintain the sidewalk, temporary sidewalk and the immediate adjacent area in a clean and safe condition, free of hazards at all times. Fencing around the perimeter of the interface of vehicular traffic will be required. Fencing may be wood, wrought iron or other suitable forms to ensure pedestrian safety and be of quality material and design. The Municipality at its sole discretion will determine whether the sidewalk café design and location is acceptable.

### 7.2.5.3 Application Procedure

#### 1. Grant Application Submitted

The applicant is required to submit a completed Sidewalk Café Grant application form to the Community Improvement Intake Committee for review and approval prior to the established application deadline. Applications must be approved and agreements executed, prior to commencing any works. The application will include a copy of the approved Sidewalk Patio Encroachment Agreement including drawings detailing the proposed work, a design concept and colour scheme.

The application will be circulated to the Community Improvement Intake Committee for review and approval. A decision will be rendered by the Director of Community and Development Services.

Where applicable, a Property Standards inspection, Building Code inspection and Fire inspection will be conducted. In order to proceed with the application, the applicant will be required to address any deficiencies that are identified and ensure that all associated buildings pass inspection.

#### 2. Decision of Director of Community and Development Services & Expiry of Approval

If all eligibility criteria and conditions are met and funds are available in the Sidewalk Café Grant fund, the Director of Community and Development Services shall make the final decision on the amount of the grant. The Director of Community and Development Services will determine how much of the proposed work, if any, is eligible for funding under the Sidewalk Café Grant program. This determination may require an inspection of the property. A letter from the Director of Community and Development Services to the applicant will represent a grant commitment and will be valid for a period of 6 months and will expire if the work is not completed within that time.

The applicant will be forwarded a copy of the agreement and a letter outlining terms and conditions of approval. The signed agreement will then be returned to the Municipality. The Municipality may require the agreement will be registered on title at the applicant's expense.

#### 5. Inspection of Completed Work

Following approval of the application by the Director of Community and Development Services, the applicant will proceed with the works. The Municipality's Engineering Department will oversee the installation of temporary sidewalks as it relates to structural stability, drainage and sidewalk cleaning.

A delegated person will conduct an inspection of the completed work to ensure that all grant requirements have been satisfied. The Director of Community and Development Services will

review the completed work to ensure all design requirements have been completed in accordance with the approved drawing(s) and a report confirming the acceptance of the work completed will be prepared by the Community Improvement Intake Committee

## 2. Provision of Grant

Following the inspection of the work by the Municipality, the applicant shall submit a grant claim application package which includes:

- a. an itemized list of paid invoices or receipts indicating the approved works to which the paid costs apply;
- b. a summary of the final pre-tax costs for each item, including an itemization of works as approved in the application, and
- c. copies of proof of payment for each invoice submitted. Accepted proof of payment shall include:
  - i. printout of bank accounts;
  - ii. invoice statement indicating account has been paid in full.

The grant claim package will be submitted to and reviewed by Financial and Business Services. The Grant will be advanced to the applicant only upon completion of the works, partially completed projects will not be funded and progress payments will not be made. The Municipality may undertake an audit of work done and eligible costs if it is deemed necessary, at the expense of the applicant.

If in the case that there is any dispute between an applicant and the Municipality, between the stages of approval of an application and provision of the grant, the applicant may appeal a decision to Council, who will determine the appropriate course of action.

## **7.2.6 Business Location, Expansion and Start-Up Grant**

The intent of the Business Location, Expansion and Start-Up Grant Program is to encourage new and existing businesses to expand and locate within the Uptown Leamington Community Improvement Project Area in order to help foster and develop successful businesses within Uptown. As the eastern section of Talbot Street has struggled with vacancies and business turnover, the Location, Expansion and Start-Up Grant program will give priority along this corridor.

### **7.2.6.1 Specific Eligibility Requirements**

Business owners are eligible for the Business Location, Expansion and Start-Up Grant provided:

- a. the business is registered with The Corporation of the Municipality of Leamington; and
- b. the business is locating to a space that is equivalent in gross floor area to their current location or larger; or
- c. the expansion of the business, in its new or current location represents an increase in gross floor area by a minimum of 50%; or
- d. the business is new and has not previously been registered with the Corporation of the Municipality of Leamington.

As a condition of the Business Location, Expansion and Start-Up Grant, businesses will be required to be a year-round operation, i.e. not seasonal in nature, and will be required to be in operation at its new location for a minimum of 12 months. Eligible costs will include moving expenses, equipment setup, utility services setup, temporary storage, and exterior signage. Costs associated with improvements to exterior or interior of the building will not be eligible through the Business Location, Expansion and Start-Up Grant but applicants may apply for other Community Improvement Plan Programs such as the Building Exterior and Façade Improvement Grant and the Renovation Grant Program to be considered for funding associated with exterior and interior improvements.

### **7.2.6.2 Program Details**

The Business Location, Expansion and Start-Up Grant Program will give preference to those applications that are located within the area along Talbot Street East between Erie Street and Cedar Avenue in the east.

The Municipality will provide a grant of 50% of the costs per registered business for the duration of approved Plan (2012-2024), up to a maximum of \$5000 to assist business owners to expand

or relocate to a location within the Uptown Leamington Community Improvement Project Area. An annual limit on all grants issued under the Business Location, Expansion and Start-Up Grant program will be established in the Action Plan, Figure 4 to this Plan subject to approval and periodic amendment by Council.

If a business fails to expand or relocate within twelve months of grant approval, the grant shall be revoked and the applicant will be required to re-apply for the grant. Grant approvals are not transferrable between addresses if the applicant fails to secure the original location.

The relocated business must have moved, paid all associated expenses, submitted receipts to the Municipality and operate at the new location for a period of 12 consecutive months to receive the full grant amount. Any application may be required to operate at the new location for more than 12 consecutive months at the discretion of the Director of Community and Development Services.

### **7.2.6.3 Application Procedure**

#### **1. Grant Application Submitted Prior to Location**

The applicant is required to submit a completed Business Location, Expansion and Start-Up Grant application form to the Community Improvement Intake Committee for review and approval prior to the established application deadline. Applications must be approved and agreements executed prior to the works associated with the expansion or Location occurring. The application will include the following, where applicable:

- a) Existing Business Space Information: The application will include information on the existing business space in terms of lease obligations (financial and duration), the total number of years and months at the current location, gross floor area, gross leasable area, parking, and reasons for relocating.
- b) Business Operations Information: The application will include a brief history of the business and its length of operation, previous business locations and durations, number of employees, and a statement summarizing projected business growth.
- c) Proposed Business Location & Costs: The application will include proof of the lease or ownership interest in the business or a commitment for lease. A cover letter with a brief history of the business, a statement of the amount requested with cost estimates as well as vendors or suppliers that they intend to employ should be included with the submission.

The Business Location, Expansion and Start-Up Grant application will include a description of the eligible works and an estimate of the costs of the work and services to be undertaken.

The application will be circulated to the Community Improvement Intake Committee for review and approval. A decision will be rendered by the Director of Community and Development Services. Where applicable a Property Standards inspection, Building Code inspection and Fire inspection may be conducted. In order to proceed with the application, the applicant will be required to address any deficiencies that are identified and ensure that all associated buildings pass inspection.

## 2. Decision of Director of Community and Development Services & Expiry of Approval

If all eligibility criteria and conditions are met and funds are available in the Business Location, Expansion and Start-Up Grant fund, the Director of Community and Development Services shall make the final decision on the amount of the grant. The Director of Community and Development Services, will determine how much of the proposed work, if any, is eligible for funding under the Business Location, Expansion and Start-Up Grant program. This determination may require an inspection of the property. A letter from the Director of Community and Development Services to the applicant will represent a grant commitment and will be valid for a period of 12 months and will expire if the work is not completed within that time.

The applicant will be forwarded a copy of the agreement and a letter outlining terms and conditions of approval. The signed agreement will then be returned to the Municipality. The Municipality may require the agreement to be registered on title at the applicant's expense.

## 3. Inspection of Completed Work

Following the completion of the move or expansion, the applicant will submit proof of payment of eligible expenses for review. A delegated person will inspect the expanded or relocated business. The Director of Community and Development Services will review the completed work to ensure all design requirements have been completed in accordance with the approved drawing(s) and a report confirming the acceptance of the work completed will be prepared by the Community Improvement Intake Committee

## 4. Provision of Grant

A Grant payment for 50% of the eligible grant amount will be available upon the completion and inspection of the work, satisfaction of formal business opening and continued operation; submission of a grant claim application package which includes:

- a. an itemized list of paid invoices or receipts indicating the approved works to which the paid costs apply;
- b. a summary of the final pre-tax costs for each item, including an itemization of works as approved in the application, and
- c. copies of proof of payment for each invoice submitted. Accepted proof of payment shall include:
  - i. printout of bank accounts;
  - ii. invoice statement indicating account has been paid in full.

The grant claim package will be submitted to and reviewed by Financial and Business Services. The Grant will be advanced to the applicant only upon completion of the works, partially completed projects will not be funded and progress payments will not be made. The Municipality may undertake an audit of work done and eligible costs if it is deemed necessary, at the expense of the applicant.

After a period of 12 months of successful operation in the new location, the balance of the grant (remaining 50%) will be issued. The Grant will be advanced to the applicant only upon completion of the works, partially completed projects will not be funded and progress payments will not be made.

If in the case that there is any dispute between an applicant and the Municipality, between the stages of approval of an application and provision of the grant, the applicant may appeal a decision to Council, who will determine the appropriate course of action.

## **7.3 Municipal Revitalization Programs/Tools**

This Section of the Community Improvement Plan contains a Municipal Revitalization Programs and Tools that differ from the more common publicly available incentive programs contained in Section 7.2. These additional revitalization tools require financial commitment from the Municipality of Leamington and were designed based on the unique characteristics and needs of the Uptown. These tools include a Public Gathering Space Revitalization Grant, improvements to parking lot landscaping and signage, as well as, By-law enforcement and a public art initiative. Each of these programs is detailed in the following sections.

### **7.3.1 Public Gathering Space Revitalization Grant**

The Public Gathering Space Revitalization Grant is intended to facilitate the revitalization of existing public spaces within the Uptown. There are currently nine green spaces within the Uptown, six of which are in public ownership. The Public Gathering Space Revitalization Grant will focus on those public spaces that are large enough to function as a community gathering space and is intended to create civic spaces that are inviting and safe; foster a sense of community and place; and improve the quality of life for all residents of Leamington.

#### **7.3.1.1 Program Details**

The Municipality will allocate \$50,000 from the Uptown CIP budget to assist in the initial revitalization costs in year two of the CIP. Dieppe Park has been identified as the preferred location for a community gathering space due to its size, location and proximity to Talbot Street East. The funds will be used to cover expenses associated with furnishings, such as a gazebo, permanent table top games, seating, receptacles, benches, lighting, signage, water feature, washrooms etc., as well as programming and marketing. The option of providing free Wifi internet access for the Park may be explored as this option will help attract users of laptops and handheld devices.

The vision for the Public Gathering Space is to create a civic gathering space that is inviting to all residents, which in turn will help reduce loitering in the Uptown. The space should be marketed as a gathering space for Uptown various activities and events. It is envisioned that the Municipality's role will be to coordinate all administrative affairs after the initial start-up phase of the programming. However, following this, community partnerships will have to be fostered for the long-term financial stability of the programming of the Park. In order to promote programming across the various Uptown cultural communities, the Municipality will encourage partnerships with arts, culture, youth, social service and community institutions in the area to help them use the

Park as an extension of their services/facilities and to help restore and reunite the neighbourhood around the Park.

An Expression of Interest will be prepared in the hopes that potential partners will come forward with proposals to program the gathering space for the long-term. A formal terms of reference for the Public Gathering Space Revitalization Grant will need to be prepared by the Municipality prior to posting the Expression of Interest. Organizations such as Caldwell First Nation, Migrant Workers Community Program (MWCP), Mennonite Central Committee, Frontier College, Ontario Greenhouse Vegetable Growers (OGVG), Global Justice CareVan Program and Fellowship Christian Church are presently active in the community and have the potential to take on a leadership role in the programming and marketing of the gathering space. In general terms, the chosen organization will be responsible for the following:

- Working with different cultural groups, including the Migrant Workers through their Community Program to organize events, provide workshops and coordinate initiatives related to cultural knowledge.
- Provide information to local organizations, businesses and residents that are looking into partnerships as well as hosting events at the Public Gathering Space.
- Assist with the delivery and management of programs, services and activities provided at the Public Gathering Space.
- Outreach to residents and foreign workers.
- Secure funding opportunities from both the public and private sector.

The Caldwell First Nation have expressed an interest in partnering with such an initiative that promotes community activities. Their building at 14 Orange Street is adjacent to Dieppe Park which can serve as one possible location for the proposed Public Gathering Space.

An integral component of this Public Gathering Space Revitalization Grant is for the Municipality to possibly work-out a long term funding arrangement with the Greenhouse Growers; whereby, regular financial contributions are made in order for the Public Gathering Space to be self-sufficient. This can be accommodated through a variety of methods individually or in combination such as the following:

- Utilize Municipal Act tools such as licensing for each operation that employs migrant workers.
- Review whether the Development Charges By-law could be updated to include the Centre and applying to new migrant worker's housing.

Municipal staff will report back to Council on a quarterly basis on the status and progress made from the Public Gathering Space Revitalization Grant.

The Municipality may choose not to initiate the Public Gathering Space Revitalization Grant until a long-term funding solution has been established.

### **7.3.2 Municipal Parking Lot Landscaping Program**

The Municipal Parking Lot Landscaping program allocates municipal funds to landscaping improvement of municipal parking lots in order to improve the streetscape of the Uptown and make the parking areas more pedestrian friendly. While the Uptown Parking Levy Fund, which merchants contribute to annually, is traditionally used for basic improvements to the municipal parking lots, this program is intended to provide for one-off landscaping improvements that would not be covered under the levy. This program carries forward a similar recommendation from the 1999 Urban Development Study.

#### **7.3.2.1 Program Details**

The Municipality will allocate \$40,000 from the Uptown CIP budget to assist in landscaping the existing municipal parking lots. The landscaping improvements will primarily be in the form of flower beds, shrub plantings and trees. The Municipal Parking Lot Improvement Program will utilize budget in the third year of operation. If Council deems that additional future improvements or upgrading is required, funding will be provided from the CIP budget, subject to availability.

The parking lot improvements must conform to Uptown's Urban Design Guidelines (refer to Part C). Essential to the parking lot improvement process will be the screening of vast parking areas with appropriate landscape buffering. Landscaping improvements may include replacement of sod, planting of trees, shrubs or flower beds, implementation of fixed planters as well as improvements to irrigation systems. Landscape breaks should also be provided in parking areas to allow for natural surveillance. Implementation of the program will focus on municipal parking lots located on streets with the highest vehicle and pedestrian traffic. Sample focus areas include the following:

- Along Fox Street and Russell Street for the Russell Street parking lot
- Along Princess Street for the Mill Street parking lot
- Along Mill Street East for the 11 Mill Street parking lot
- Along Queens Avenue for John Street A parking lot

- Along John Street for the John Street B parking lot
- Along Clark Street West for the Clark Street West parking lot.

Council may consider future funding increases relating to the addition of street lights, decorative paving, street furniture and upgrading of the sidewalks and driveways.

### **7.3.3 Municipal Signage Improvement Program**

The Municipal Signage Improvement Program has two objectives. The first is to establish gateway signage at the four primary entrances into the Uptown. The second is to install new directional/way finding signage to the Municipal Parking lots, bicycle parking signage and updated parking lot signage.

Installing gateway features/signage flows from the recommendations in the 1998 and 1999 Urban Development Studies that recognized that the primary gateways into the Uptown are not well defined. More specifically, visitors are not aware when the Commercial Highway Zone (C2) ends and the Commercial Uptown Zone (C1) begins.

Installing directional/way finding signage is a direct response to the public perception that there is a lack of parking in the Uptown. As noted in Discussion Paper No. 2, parking is a perceptual problem, as there is currently sufficient parking in the Uptown area. However, there is a lack of coordinated way finding signage to assist Uptown visitors to navigate their way through alleys and around blocks of buildings to parking lots. The Program will result in clear and easy to read signage directing visitors to designated parking lots.

#### **7.3.3.1 Program Details**

The Municipality will allocate \$90,000 from the Uptown CIP budget to erect the gateway features/signage and the directional/way finding signage, \$20,000 of which will be utilized in year one and \$70,000 in year two of the Community Improvement Plan. The cost of the gateway features/signage is estimated at \$15,000 to \$20,000 each, which equals a budget of \$60,000 to \$80,000. The cost of the directional/way finding signage is estimated at \$10,000 to \$20,000.

Gateway signage may be erected at the intersections of Nelson Street and John Street, Fox Street and Talbot Street, Russell Street and Settingington Street as well as Talbot Street East and Victoria Avenue. Each of these gateways will denote entry into the Uptown historic core. While gateway signage is required to be uniform, cohesive and consistent, it should not lack in creativity. In addition, gateway concepts need not be restricted to structures but could also be symbolized through the strategic use and positioning of lighting and flags.



Source: City of Toronto

Directional/way finding signage to municipal parking lots may take the form of the 'Green P' parking approach that has been utilized in larger cities such as Toronto. The directional signage to parking lots is essential as our analysis of Uptown parking revealed that residents perceive that parking is limited due to the fact that there is limited signage directing vehicles and pedestrians to the parking lots. 'Green P' signage should be erected at the intersections listed below and wherever generic "P" parking signs exist they should be replaced by the more prominent 'Green P' signage (refer to Figure 2). It should be noted that prior to use of the Toronto Green P parking signage, approval from the City of Toronto Parking Authority will be required.

1. Talbot Street West and Albert Street directing north to John Street B parking lot;
2. Talbot Street West and Queens Avenue directing north towards the John Street A parking lot;
3. Talbot Street and Erie Street directing to parking lots in the west and south sections of Uptown;
4. Talbot Street East and Princess Street directing south towards Mill Street parking lot;
5. Erie Street North and Clark Street directing west to the Clark Street parking lot;
6. North of Erie Street North and Nelson Street directing west to the Clark Street parking lot;
7. Erie Street North and John Street directing west to the John Street A and John Street B parking lots;
8. Erie Street South and Mill Street East directing east to Mill Street and 11 Mill Street parking lots; and
9. Erie Street South and Russell Street directing to parking lots in the west and north sections of Uptown.

The Municipal Signage Improvement Program may also be used to upgrade the existing municipal parking lot signage to reflect a more cohesive branding strategy, directions to the main street, updated municipal hall addresses as well as installation of the "Green P" sign which should be oriented towards vehicles. In addition to upgrades, new decorative parking lot signage is needed along Fox Street for the Russell Street parking lot, along Victoria Avenue South for Mill Street

parking lot as well as along Erie Street South and at end of the alleyway for 11 Mill Street parking lot.



Other municipal signage that is included in the Municipal Signage Improvement Program will include multi-lingual signage, including Spanish, directed towards bicycle users such as “Walk your Bike” signs, no riding on sidewalks signs, as well as signage directing visitors to bike friendly parking areas. Additional “Walk Your Bike” and “No Bike Riding on Sidewalk” signage should be installed and/or painted on sidewalks in areas of heavy bicycle traffic such as Queens Avenue, Erie Street South and Princess Street. Directional signage denoting parking areas should be installed at the following locations (refer to Figure 2):

1. Talbot Street West and Fox Street directing east towards the Art’s Centre;
2. Princess Street and Settingrington Street directing north to Mill Street parking lot;
3. Talbot Street East and Victoria Avenue directing north to Frontier College;
4. Talbot Street East and Princess Street directing south to Dieppe Park and Mill Street parking lot; and

## 5. Erie Street North and Clark Street directing south to Fountain Park.

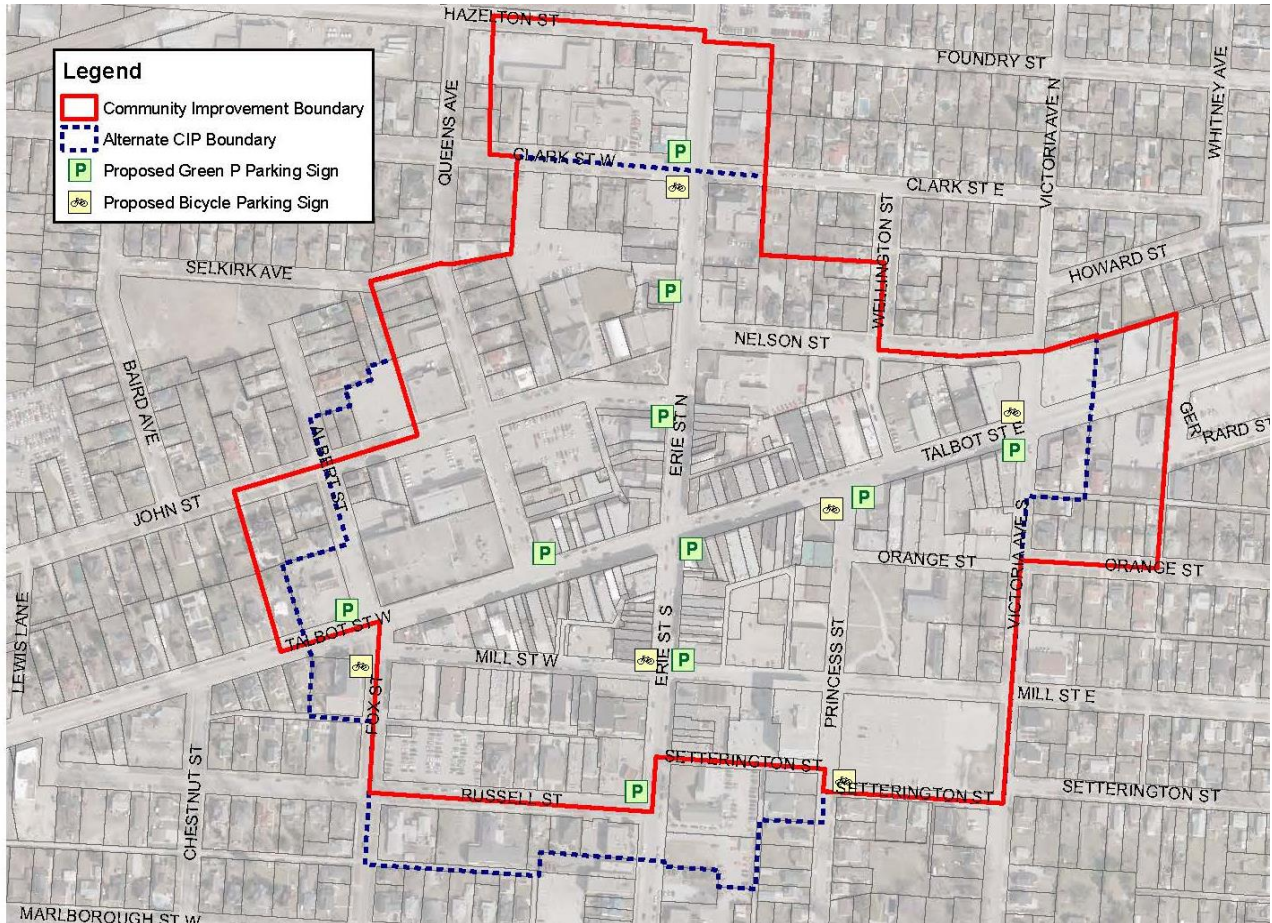


Figure 2. Proposed Green P and Bicycle Parking Sign Locations.

In addition to directional bike signage, the Municipality may install signage identifying bike parking areas at the Art's Centre, Shotton Parkette, Fountain Park, Dieppe Park, Mill Street parking lot, Frontier College as well as the private green space at Talbot Street East and Princess Street. Bike signage needs to be in multiple languages to ensure all users in the Uptown understand it. The Municipality, in coordination with Frontier College's bike safety program, Migrant Workers Community Program or Ontario Provincial Police's Community Service Program, should provide literature on bicycle safety and riding to the greenhouse growers.

### 7.3.4 Business Signage, Property Standards and Bike Management Program

The intent of the Business Signage, Property Standards and Bike Management Program is to direct municipal funds to increased by-law enforcement and policing to specifically ensure businesses have current signage and visible display windows, their properties/buildings are well kept as well as to address concerns about visitors riding bicycles on the sidewalks and parking bicycles haphazardly outside of designated parking areas. The funds allocated to this program

will be used for additional hours for by-law enforcement to deal with the signage, windows and general property standards, as well as for OPP and/or a security firm to address the bike usage and parking in the Uptown. A review of Municipal By-laws to ensure completeness and adequacy is also included in this program.

#### **7.3.4.1 Program Details**

The Municipality will allocate \$10,000 from the Uptown CIP budget, collectively for the Business Signage, Property Standards and Bike Management Programs for year two of the Community Improvement Plan. For every year thereafter, up to and including 2016, \$5,000 from the Uptown CIP budget will collectively be put toward the Business Signage, Property Standards and Bike Management Program. For following years, any additional Business Signage, Property Standards and Bike Management funds will be allocated from the Uptown CIP budget and will be subject to availability of funds and Council approval.

##### **7.3.4.1.1 Business Signage Management Program**

This municipal-driven program aims to encourage business owners in the Uptown to change and/or update their store signage through education, active enforcement of the municipal Sign By-law and implementation of the Uptown CIP Urban Design Guidelines (refer to Part C: Urban Design Guidelines).

The concerns with respect to Uptown signage are two-fold. Firstly, in some instances when new stores open, the merchants fail to take down the outdated/irrelevant signage and replace it with new signs that reflect their new business. Section 3, Definitions of the Municipality of Leamington Sign By-law defines these signs as 'abandoned signs' which means a sign that pertains to a time, event or purpose that has past or pertains to a business which no longer exists at that location. As a result of this type of merchant behaviour, residents and visitors to the Uptown are not aware of new store openings and continue to perceive that the old stores are still operating, when in fact this is not the case. In addition, the general perception when storeowners fail to replace the abandoned signage is not only a lack of a sense of ownership but it also makes the business seem temporary or transient in nature. The second issue relates to some businesses having signs and façades that are not indicative of the nature of the business, these include signs with small lettering, poor quality signage, use of multiple languages etc. Educating business owners of the benefits of clearly articulated, descriptive and distinctive signage which can be easily understood by the majority of residents and visitors is a means to help overcome this signage issue.

In order to address these two signage issues, the Municipality will provide funds to increase the number of by-law enforcement hours in the Uptown for year two and year three of the Community Improvement Plan. In the first year of the Business Signage Management Program, there will be two phases. The first phase (1 to 6 months) of the Business Signage Management Program will allow municipal by-law enforcement officers to actively engage with storeowners to educate them on the benefits of updated and descriptive signs that indicate the nature of the business and are in accordance with the Uptown CIP Urban Design Guidelines (refer to Part C: Urban Design Guidelines). It will be beneficial if by-law enforcement officers are multi-lingual or they may need an interpreter in order to communicate with all Uptown merchants regarding the signage requirements.

The second phase (6 to 12 months) will be active enforcement of the Sign By-law. With respect to abandoned or outdated signs, Municipal by-law officers will cite non-compliance in accordance with Section 5.1 of the Sign by-law which prohibits abandoned signs.

Prior to the commencement of the Business Signage Management Program, it is also recommended that the Municipality evaluate the legislation and tools that will be required for By-law officers to effectively conduct enforcement. The by-law should be updated, where possible, to also contain enforcement avenues and parameters with respect to infringement in order to ensure effective implementation.

#### **7.3.4.1.2 Property Standards Management Program**

This municipal-driven program seeks to encourage business owners to contribute to a well-maintained Uptown. This includes, but is not limited to, the unobstructed views into storefront windows, maintenance of yards as well as exteriors of the buildings/structures. This program also ensures that all construction and renovations that are funded by any Uptown Community Improvement Plan grant or program conforms to the Ontario Building Code, Ontario Fire Code, and Fire Prevention and Protection Act (refer to Section 7.1.3 General Eligibility Requirements) in the long-term.

Generally, the Uptown is adequately maintained but some concerns do exist. These include merchants obstructing views into their store either through the use of large objects such as fridges; newspapers adhered to their storefront windows as well as blackening out of their storefront windows. This not only makes the Uptown seemingly unattractive but adds to safety concerns. Residents and visitors are detracted from such stores as they are unsure of what merchandise is being sold and may be more wary of their safety (refer to Discussion Paper No. 2: Analysis and

Options, Section 3.4.2 Enhance Storefront and Display Windows). Other concerns relate to maintenance of yards and general upkeep of building exteriors.

In order to address these concerns, the Municipality will fund a Property Standards Management Program, which will allow for increased by-law enforcement hours in the Uptown, whereby municipal by-law officers inspect storefront windows and exteriors of buildings/properties. This program will be initiated in year two of the Community Improvement Plan and will consist of two phases. During phase one (1 to 6 months), By-law enforcement officers will engage with property owners and business owners to encourage them to have unobstructed storefront windows and to maintain the exterior of the properties. While the latter will be addressed through the Property Standards By-law and Land Maintenance By-law which explicitly state that yards be kept clean and free from debris; exterior walls shall be maintained in good repair; and property should in a neat and tidy condition etc., there are currently no Municipal By-law(s) that addresses the issue of obstructed views into storefront windows. As such, it is recommended that prior to commencement of this program, the Municipality review and amend their Property Standards By-law, where possible, to include within Part V - Non-Residential Property Standards, a provision that states that, all exterior doors and windows should be maintained to properly perform their intended function which includes, but is not limited to, providing unobstructed views into the store in order to minimize any safety concerns.

The second phase (6 to 12 months) will see active engagement by the municipal by-law enforcement officers; whereby, they issue fines to any property owner or business owner that has previously been informed of the required Municipal By-law provisions but has not initiated any of the required changes.

#### **7.3.4.1.2 Bike Management Program**

This municipal-driven program is related to the existing bike issues in the Uptown. These include, but are not limited to, bikes being parked haphazardly along sidewalks, and in front of stores, and bike users riding on the sidewalks. In order to help rectify these occurrences, the Municipality will provide funds that will be put towards increased Ontario Provincial Police (OPP) hours in the Uptown, subject to approval of the program from Leamington Police Services. A review and update of applicable Municipal By-laws, to ensure completeness and adequacy as well as to provide enforcement avenues and tools, is also included in this program.

The Bike Management Program aims to create a safe and enjoyable environment for all visitors. Currently, bike users and bike parking is acting as a deterrent for residents and visitors. The purpose of this program is to allow increased OPP presence in the Uptown, which in itself will

likely change peoples perception regarding safety in the Uptown. In addition, in the period leading up to the start of this program, the Municipality will monitor the existing bike storage locations to ensure they are adequately used. If certain bike rack locations are under used, racks should be relocated to Uptown areas that have a high concentration of bicycle users (refer to Discussion Paper No. 2: Analysis and Options, Section 3.5.3 Bike Lanes and Bike Racks).

The Bike Management Program will be initiated in year two of the Community Improvement Plan and this will in three phases. Phase one (1 to 6 months) will see OPP officers engaging with visitors and residents in an effort to inform and educate them regarding general accepted bicycle practices, informing bikes users to not ride on the sidewalks, to park their bikes in bicycle storage facilities and the location of these facilities. Phase two (6 to 12 months) will begin the active enforcement by OPP officers. One possible avenue for the Municipality to explore would be the removal of improperly parked bicycles (i.e. bicycles propped up against storefronts and streetlights or lying on the sidewalks) to a storage area. For this phase, the Municipality may be required to supply any necessary tools which may include, but are not limited to, a truck for transporting seized bikes, a driver, storage space, etc. It would be beneficial if OPP officers are multi-lingual or they may need an interpreter with them in order to communicate with all residents and visitors.

Prior to commencement of the Bike Management Program, it is recommended the Municipality evaluate the legislation and tools that will be required for OPP officers to effectively conduct enforcement. The Municipality will have to draft and adopt a detailed by-law relating to bicycle use/storage/parking on sidewalks and Municipal right-of-ways. The new by-law should contain enforcement avenues and parameters related to ticketing and towing of vehicles to ensure effective implementation.

Active enforcement as part of phase three is expected to change the behaviour of Uptown residents and visitors. As a result, enforcement blitzes that focus on targeted enforcement and proactive patrols are anticipated to change behaviors. Substantial long-term investment in OPP enforcement is not anticipated, as constant surveillance is not expected to be necessary. In relation to bike usage and parking, OPP enforcement combined with returning migrant workers communicating with new workers; Migrant Workers Community Program orientation program for new workers; and the greenhouse growers education and communication strategy through literature provided by the Municipality or through funding to the Migrant Workers Community Program, will assist in the long-term awareness of accepted Uptown bike use and practices.



Figure 3. Example of possible mural/art location.

### 7.3.5 Public Art Initiative

The Public Art Initiative will promote uniqueness, sense of place and community identity of Uptown through the provision of art forms on both public and private properties.

#### 7.3.5.1 Specific Eligibility Requirements

The Municipality retains the right to reject any applications received from a person or corporation which in the opinion of the Municipality, does not

possess the experience, financial, technical or other resources that may be required to carry out the obligations that the applicant proposes to assume under the terms of its Public Art Initiative.

The types of works that are eligible for a grant under the Public Art Initiative include murals, sculptures and paintings that showcase local heritage, cultures and industries. The types of costs that are eligible for a grant under this initiative include materials, installation as well as lighting and landscaping that showcases the public art display. Municipal review of the applications will consider and prioritize proposals that demonstrate that materials are durable and long-lasting and that the art form can withstand the long-term impact of the natural elements.

One priority location under this program is the blank concrete block wall along the Gabriel's building on the west side of Queens Avenue, north of Talbot Street West (refer to Figure 3).

#### 7.3.5.2 Program Details

The Municipality will allocate \$10,000 from the Uptown CIP budget the Public Art Initiative in year five of the Community Improvement Plan.

The Municipality will provide a grant equal to 50% of the cost of eligible artwork and displays on public property or on private property that are clearly visible to the public. The minimum grant per property will be \$500 up to a maximum \$2,000. Only one application per property will be eligible; however, multiple art pieces may be considered as part of a single application.

Once the total funding of \$10,000 has been exhausted, Council may decide to allocate additional funds to the Community Improvement Plan budget.

#### 7.3.5.3 Application Procedure

1. Pre-Consultation

The applicant must arrange for a pre-consultation meeting with municipal staff and members of the South Essex Arts Association Centre in order to discuss the proposed work and timing, determine program eligibility, insurance, installation and whether a building permit is required.

## 2. Grant Application Submitted

The applicant is required to submit a completed Public Art Initiative Grant Application form to the Director of Community and Development Services for approval prior to commencing any works that are the subject of the grant application. The application will include pictures and specifications of the art and a copy of the Building Permit application and drawings if applicable. In addition, the application will explicitly state the length of time the art display is intended to be in place.

The application will be reviewed by the in-house review committee consisting of official from the Building Department, Engineering Department, Planning Department, Economic development Officer, Director of Community and Development Services and members of the Art's Centre. A delegated person from Development Services and/or Community Services will undertake a site inspection. Upon review, a decision will be rendered by the Director of Community and Development Services.

Construction of the approved art project is to be completed within one year of the date of approval of the grant. If the work is not completed within one year, the grant approval will cease and the grant will not be disbursed.

## 3. Provision of Grant

If the application is approved by the Director of Community and Development Services, the grant agreement is then executed and registered on the title and a copy of the agreement is sent to the applicant. Upon completion of the installation, a delegated person from Development Services and/or Community Services will conduct a final site visit and inspection to ensure compliance with the grant agreement. The applicant will then be required to submit copies of paid invoices to the Municipality. Upon review and approval of all submitted documents, the Municipality will issue a grant cheque to the applicant for the amount of the approved funding.

## 7.4 Additional Considerations

The following additional programs may be initiated by Council; however, no funding has been allocated to these programs. In the event Council reconsiders its funding priorities in the Uptown, then the following programs could form part of that discussion.

### **7.4.1 Public/Private Partnership Program**

The intent of this program is to enable the Municipality to partner with the private sector to facilitate redevelopment of private lands in the Uptown. Under this program, the owners of priority sites such as vacant gateway properties could potentially partner with the Municipality in their redevelopment.

This program will be funded at the discretion of Council on a site specific basis. There are no specific program eligibility rules; however, applications under this program must include a clearly articulated business plan, the expectations of the Municipality and the public benefit.

The Municipality reserves the right, at its sole discretion, to accept, propose a modification, or deny any request under this program.

### **7.4.2 Private Lot Improvement Program**

The Private Lot Improvement Program will encourage surface lot improvements and upgrades to the appearance of vacant lots that are currently being used solely for private parking within the Uptown. The goal is to encourage property owners and business owners to repair and maintain existing informal parking lots within the Uptown Community Improvement Project Area.

Eligible applications for the Private Lot Improvement Program must include servicing and paving of the parking lot. Other eligible improvements include top-soiling, resurfacing, installation of parking spaces, drainage improvements and safety improvements. All improvements must conform to the Ontario Building Code and the Municipality of Leamington Engineering and Drainage Standards.

Subject to future funding, the Municipality may provide a one time grant of 50% of the costs, up to a maximum of \$10,000 to assist property owners in the Uptown Community Improvement Area to upgrade their vacant lots. The Municipality will consider amending the Property Standards By-law to establish minimum requirements.

Any property owner or business owner wishing to be considered for a grant under this program must complete and submit a Private Lot Improvement Grant Application to the Municipality, including a design concept and landscaping scheme prior to the start of the renovation.

Grants will be approved based on merit and the availability of funding. Grant funds will be reimbursed to the applicant after completion of the project, proof of payment to all contractors and inspection by municipal staff.

### **7.4.3 Bulb-out Program**

The Bulb-out Program is to allocate municipal funds to the construction of sidewalk bulb-outs at certain locations in the Uptown. The Bulb-out Program aims to increase traffic safety by minimizing pedestrian crossing distances, increasing visibility of pedestrians at intersections, traffic calming and channelizing as well as providing spaces for sidewalk cafés and landscaping treatments.

The Municipality of Leamington may consider adding the costs of bulb-out construction to a future capital budget. At that time, municipal staff will consult with business owners in Uptown to determine the interest in having permanent bulb-out sidewalk cafés. Any application for the Sidewalk Café Grant that corresponds to a future bulb-out will be eligible to rent the new bulb-out space for an annual seasonal fee which is determined by Council in order to offset costs of the capital works project. The cost of construction of one bulb-out is estimated at approximately \$5,000.

### **7.4.4 Demolition Permits**

The Municipality of Leamington should require any property owner applying for a demolition permit to work with the Community and Development Services to rehabilitate the site. Staff will review the statutory authority available to the Municipality to require the applicant to enter into an agreement with the Municipality, the conditions of which would require the applicant to provide landscaping or vegetation on the vacant lot unless they have confirmation that development of the lot will occur in the next six months. The conditions of the agreement should also include that gravelling or parking on the vacant lots will not be permitted unless the property is approved under Site Plan Control.

### **7.4.5 Theme Lighting**

The Municipality may consider adding year round theme lighting over the alleys or sidewalks along the major streets and at primary access points to add to the ambience of Uptown and provide visitors with a unique nighttime experience. The addition of pedestrian level theme lighting may serve as a gateway while adding to the security and safety of the Uptown.

## 8.0 Implementation

This Section contains the Action Plan and details on monitoring, funding sources and interpretation.

### 8.1 Action Plan

To assist the Municipality in implementing the Uptown Leamington Community Improvement Plan an Action Plan has been prepared (refer to Appendix A) outlining key actions to be undertaken, the time frame and the budget estimate. The timing and the budget estimates provided in the Action Plan may be revised at the discretion of Council and do not require an amendment to the Community Improvement Plan.

The Uptown Community Improvement Plan and Financial Incentives shall be administered by the Municipality of Leamington Department of Community and Development Services. The Director of Community and Development Services will be assisted by officials from the Building Department, Engineering Department, Planning and Development Department, Financial and Business Services and Economic Development Officer, for program implementation, review of applications and conducting site visits. The Director of Community and Development Services will make the final decision regarding eligibility of an application, amount of funds to be granted, approval of the completed work and provision of the grant, where applicable. In the event that there is any dispute between an applicant and the Director of Community and Development Services, between the stages of approval and provision of a grant, the applicant may appeal to Council for a final decision.

The Action Plan (Appendix A) lists out the Action, which refers to the initiation of a program, grant or initiative as well as the Action Leader, which refers to Council, Administration and/or an organization that will lead or assist in the implementation of the programs, grants or initiatives. A budget is specified for each grant, program and initiative for the years between 2012 to 2024, of the Uptown CIP.

Council will be responsible for approving the Community Improvement Plan budget and funding priorities. A reserve fund may also be established to collect surplus funds not expended in any given year that the CIP is operational. However, it is intended that through an annual review process, any surplus funds may be reallocated to more successful or popular programs, grants or initiatives for the following year, at the discretion of Council. The term Community Improvement Plan budget will be used for the purposes of this Plan, the Municipality may disaggregate it among

individual departments if desired. Council has delegated grant approval authority for all CIP grants and programs to the Director of Community and Development Services.

## **8.2 Monitoring**

Each program implemented under the Uptown Community Improvement Plan will be monitored on an annual basis with a report to Council on the following:

- A review and analysis of records of all grants disbursed through the programs and initiatives. Specific attention shall be in determining what programs have been popular and what property locations have been targeted.
- Whether established budget allocations for programs are being met and/or reallocation of funds is necessary.
- If the desired outcomes for the Uptown are being achieved, and what feedback has been received.
- If the program participants are completing their commitments.
- An analysis of the full benefits and costs of each program.

As a result of the annual review, Council will consider whether any terms, conditions or details of any program should be altered. The annual review will also aid in evaluating programs to ensure they are up-to-date with activities occurring in the Uptown and assessing any required changes.

Through the annual review, Council may recommend that money allocated for a specific grant, program or initiative be reallocated to areas of higher interest and need, subject to Council's discretion. If the reallocation of funds, results in an increase beyond the maximum upper limit for of any financial program provided, as indicated in the Action Plan, or exceeds the overall upper limit of the Plan, Council shall consult with MMAH in accordance with Section 7.1 (20).

## **8.3 Funding Sources**

All of the grant and loan programs and other revitalization tools described in Sub-Sections 7.2 and 7.3 are funded by the Municipality of Leamington and any current or future applicable Federal or Provincial funding programs. Currently there is no Federal or Provincial funding programs designed specifically for Community Improvement plan initiatives; however, there are several programs that may be a source of potential funding including:

### **A. Provincial Programs include:**

#### **1. Municipal Infrastructure Investment Initiative**

The Municipal Infrastructure Investment Initiative supports efforts of communities to restore and revitalize public infrastructure through loan programs that provide financing for capital improvements. Eligible infrastructure categories include social housing, culture, tourism, recreation, community energy, water, wastewater, roads, bridges, solid waste management, and long-term care facilities. This is a one-time \$450-million program intended to help municipalities provide safe and reliable infrastructure. There is no guarantee that funding will be available for the entire span of the CIP, i.e., 2012 to 2016.

Details on the program are available on the Infrastructure Ontario website.

<http://infrastructureontario.org/en/miii/index.asp>

**B.** Currently, there are no Federal Programs that are operational. The Infrastructure Canada Program and the Municipal Road Infrastructure Fund have ceased taking applications. The Municipality should consider applying to these programs if they are reinstated.

## PART C: UPTOWN URBAN DESIGN GUIDELINES

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### 9.0 Purpose

The Uptown Urban Design Guidelines are intended to augment the Uptown Community Improvement Plan and provide urban design guidance to municipal staff and the public during the grant application stage in order to assess, promote and achieve appropriate development/redevelopment within Uptown.

These guidelines are to be applied to all properties within the Uptown Community Improvement Project Area. The Uptown Urban Design Guidelines will need to be adopted by Council as a component document of the Uptown Community Improvement Plan in order to ensure their implementation in conjunction with the application for financial incentives and other revitalization tools. To be eligible for any grant under the Uptown Community Improvement Plan all projects will be required to utilize the approaches presented in the guidelines.

The Implementation Study: Uptown Leamington Business Improvement Area (1999) (the 1999 Implementation Study) outlined detailed design guidelines for the Uptown Community Improvement Project Area and provided the foundation for the Uptown Urban Design Guidelines (UUDG) contained within the Uptown Community Improvement Plan. The 1999 Implementation Study has been assessed and applicable guidelines have been incorporated into the new UUDG. Where current Uptown Urban Design Guidelines differ from the 1999 Implementation Study design guidelines, the current UUDG contained in this document shall apply.

While these guidelines are meant to provide design standards and benchmarks, they are also meant to provide flexibility within certain parameters to encourage distinction, variety and creative architectural and design responses. We encourage all grant applicants to pre-consult with the Department of Development Services.

Objectives to be considered when reviewing the UUDG are comparable to the 1999 Implementation Study and include:

- Maintain continuity of the urban fabric together with connections between Uptown and areas along Erie and Talbot Streets.
- Provide a consistent high quality built form.
- Preserve and rehabilitate heritage buildings together with enhancing and preserving views and vistas.

- Promote pedestrian safety and comfort.
- Provide identifiable focal points and landmarks, including open space.
- Establish clear guidelines for commercial storefronts and signage.

## 10.0 Urban Design Guidelines

The following sections detail the urban design guidelines relating to heritage buildings, building design, signage, gateways and vistas, lighting, parking, streetscape, access and movement, and sidewalk café's.

### 10.1 Heritage Buildings

The purpose of the guidelines is to serve as a tool to assist property owners with an approach to repair, refurbish and renovate their existing buildings so that the historic appearance is preserved and/or restored closer to its original character.

Uptown Leamington has a large number of beautiful historic buildings that serve as landmarks and anchor the older historic core. These include St John's Anglican Church and Leamington United Church in the north, First Baptist Church in the west and Knox Presbyterian in the south. Other notable buildings include the Arts Centre Gallery, the Leamington Library, Old Municipal Hall, original Bank of Montreal Building, Wharram's Jewelry, Gilligan's Restaurant, and heritage designated 13 Russell Street. These guidelines would also apply to any existing residential buildings with potential heritage interest.

One goal of the guidelines is to preserve and accentuate elements of the older historic core that are present in many of the older buildings.

## 10.1.1 Architectural Style

### Contributory Buildings

- a) Maintain the important features of the original design and construction, particularly on street façades.
- b) Respect the original historic character of Uptown while allowing for contemporary additions.
- c) Alterations to historical architectural features that create an appearance of a different architectural period should be avoided.
- d) Conservation and restoration of heritage buildings should be prioritized.
- e) Original roof types should be respected when renovating or replacing roofs.



Figure 5. Restoration of a historic building in Uptown that accentuates building features.



Figure 6. Aluminum siding and bright colours should be avoided.



Figure 7. Arts Centre original cornice, mantle and masonry are reflective of its architectural period.

- f) Adaptive reuse of heritage buildings should consider mixed-use buildings as this would help create vital live/work opportunities in the Uptown.
- g) Avoid the application of new surfaces that alter the appearance of the original material such as paint, water repellent coatings and aluminum or vinyl siding.

- h) The original building fabric should be preserved/reflected and repairs should be made to deteriorating architectural features. Original building elements that lie beneath contemporary alterations should be preserved.
- i) Architectural details such as windows, front doors, cornice lines, etc. need to align with adjacent buildings so as to continue the existing pattern in façades.

### **Non - Contributory Buildings**

The 1999 Implementation Study recognized buildings that are not architecturally significant or compatible with the heritage character of Uptown but are structurally sound, and contribute to the economic health of the area. Examples of these building include:

- Architectural styles built after WWII;
- Large contemporary buildings (i.e. Princess Centre)
- Irregular building heights;
- Buildings with inconsistent setback lines;
- Buildings with inappropriate façade treatments.

Therefore, any expansion, reconstruction or infill should have plans that incorporate the character of surrounding contributory buildings consistent with the urban design guidelines of the CIP.

## 10.1.2 Windows



Figure 8. Original stain glass windows seen preserved on the building on the right. Similar windows that are boarded-up on the left.

a) Protect and maintain original window openings as well as distinguishing features such as frame, muntins, shutters etc.

b) Modifications to the size and shape of the windows, removal of muntins or covering of trim with metal or other material are discouraged.

c) Avoid removing or blocking up windows that are important to the architectural character of the building.

d) Replacement windows should attempt to duplicate originals in style, type

and material. If an exact match is not possible, windows with similar styles and operation should be installed.

## 10.1.3 Storefronts

a) Main entrances should always have a prominent position in the main façade accentuated with architectural features (i.e. canopies, etc)



Figure 10. Feature entrance with doors, glazing, steps, should be preserved.

- b) Protect and maintain entrances where they are key elements in defining the character of the building.
- c) Conserve important features such as doors, glazing, lighting, steps, balustrades etc.
- d) The style of the heritage doors should be preserved where possible, respecting the shape of the opening and the surrounding trim.
- e) The design and construction of a contemporary entrance that is compatible with the character of the building is encouraged where the original design is unknown.

The 1999 Implementation Study also has the following guidelines considered relevant for inclusion:

- f) New storefronts should employ contemporary design using traditional elements sensitive to the building and streetscape;
- g) Storefronts should maintain the traditional element of three horizontal divisions - base (panels), middle (shop windows), and top (fascia board for signage and cornice);
- h) At the first storey level, maintain the top fascia board and cornice line as the most important element of the streetscape as a means of maintaining a continuous and unifying horizontal

band. Vertical lines should be less prominent and form secondary features of the storefront;

- i) Where vertical elements are used, maintain alignment through the upper and lower storey's
- j) Use storefront awnings where appropriate below the storefront cornice or signboard and maintain a minimum height of 2.2 meters at their lowest point.

#### 10.1.4 Materials and Colour

- a) Where undertaking renovations, repairs, replacement or restoration, use of the same original materials is encouraged.
- b) Signs of age or irregularities in the older work and materials should be respected and restored not covered up or obscured.
- c) Heritage buildings should retain their original colours where possible. Non-traditional colours such as primary colours and bright tones should be discouraged. In addition, coordinated heritage colour schemes within the Uptown should be considered.



Figure 11. Use materials that are similar to original materials and accentuate building features.

## 10.2 Building Design

The purpose of the Building Design guidelines is to provide direction for new development, renovations, repairs and rehabilitation so that all work complements, respects and enhances the existing heritage character and ensures all buildings are in keeping with the old historic core character of Uptown.

Special attention needs to be given to buildings in the transition zones (i.e. east of Victoria Avenue, north of Nelson Street, west of Albert Street and south of Settingrington Street). Development should incorporate architectural elements, materials, massing, height and colors that are used in the older historic core so as to make it more pedestrian oriented and establish a cohesive identity for Uptown.

As part of new buildings, architectural design adds significantly to the character of not only the new building but also Uptown. Consistent with the 1999 Implementation Study, these guidelines

recognize that it is not feasible or advisable to replicate historical and period architecture. Rather good urban design allows for modern building to incorporate design elements that respond to the historical context and theme of Uptown. Elements to consider include but are not limited to wall detailing, window types, colour/texture, door lintels, window lintels/sills, shutters, cornices, and lighting.

### 10.2.1 Building Façades

- a) The façades of new development should be articulated to reflect the rhythm of adjacent buildings.
- b) The use of false fronts or false upper storey's to present the appearance of a building that is greater than its actual height is discouraged.



Figure 12. Rear facades facing public spaces should be upgraded.



Figure 13. New development should incorporate heritage elements such as cornice lines within modern design.

- c) Ensure that building façades are constructed from high quality traditional building materials such as brick, stone, wood etc. that are appropriate for the older historic core. Exterior materials should be limited to no more than two complementary material to avoid cluttering and overly complex appearances.
- d) Where rear façades abut public spaces such as streets, parking areas and open spaces, façades should be upgraded so that they are attractive and well-lit, to create a safe and comfortable pedestrian environment.
- e) New development and renovations to existing buildings should incorporate heritage elements within modern design.
- f) Consistent with the 1999 Implementation Strategy, contemporary materials (i.e. aluminum, coloured glass, tiles, etc.) may be considered in new developments together with traditional materials. Contemporary materials should be used as an accent for no more than 30% of a front façade.
- g) New construction should incorporate a cornice at the roof or parapet to visually accent the upper limit of the façade, in a manner consistent with the cornice on nearby or adjacent buildings.
- h) Screen all roof mounted mechanical equipment from view by incorporating screens into the design of the building.

### 10.2.2 Building Orientation and Massing

- a) New buildings should consider and respect the scale, material and massing of adjacent buildings through the following measures identified in these guidelines and those of the 1999 Implementation Strategy:

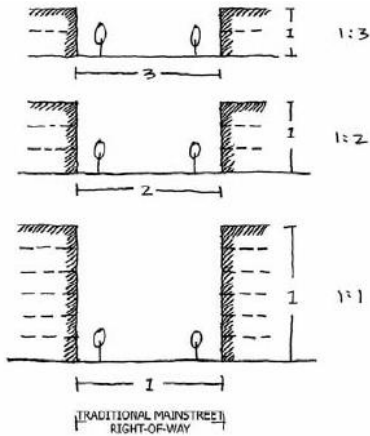


Figure 14. Building height to street width ratio

Source: City of Ottawa

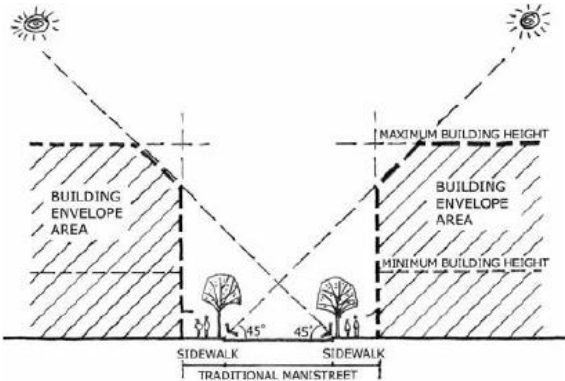


Figure 15. Sun angle of 45-degree ensures adequate light on mainstreets.

Source: City of Ottawa

- b) The height and width of a new building should be massed to a ration of 1:2 or 1:3 (façade ratio of width to height). In other words, a minimum two storey and maximum three storey ‘street wall’ is required to ensure an appropriate enclosure to the street.
- c) Buildings should be differentiated or ‘broken’ into horizontally orientated 1 storey bases with 1 to 2 upper storey’s in order to contribute to a pedestrian friendly street environment;
- d) The massing of the building will be subject to 45-degree angular plane originating from the centre line of the street right-of-way.
- e) ‘Boxy’ and slab like design is to be avoided with large wall areas to be broken into smaller blocks with respect to the historical pattern and proportion of surrounding buildings;
- f) New single storey buildings should not be permitted in Uptown but single storey additions which are complimentary to existing structures may be considered.
- g) All buildings should orient to and address the street with clearly defined entry points that are fully accessible from the sidewalk.
- h) For alterations, renovations or new construction, the existing at-street front lot setbacks should be retained.

- i) Building setbacks should take into consideration the existing 'street wall' which is characteristic of Uptown. Infill development should match the pre-established 'street wall' setback of adjacent buildings in order to maintain a continuous street wall. Exceptions may be made where the sidewalks are too narrow allowing for sidewalk cafés in the summer months.
- j) Modest setbacks of new buildings will be permitted in certain conditions where placement will enhance the prominence of the building or provide an opportunity to create outdoor space for the business.



Figure 16. Two-storey to three-storey building heights ensure continuation of the 'street-wall'.

- k) Large wall areas should be broken up by the introduction of architectural elements such as display windows and columns to help reduce the scale of the building.
- l) Encourage the redevelopment of existing single-storey buildings to mixed-use, multi-storey buildings to re-establish the form and pattern of the older historic core.

Relevant sections of the 1999 Implementation Strategy regarding building heights form part of these guidelines and include:

- m) Heritage buildings in the same block should generally be uniform in height with a maximum variation in height of 25%.

- n) Maximum building height shall consider street width, role of the street within Uptown, location within the public urban space, prominence of the location and microclimate;
- o) Infill buildings abutting existing structures should match adjoining building height or provide a clear offset in height to maintain visual integrity. Architectural features (i.e. mechanical penthouses, clock towers, etc) are not subject to height limitations;
- p) New or renovated buildings abutting lower buildings should transition to the existing building using window locations, maintaining horizontal building elements, and the use of gables and roof structures;
- q) Buildings with attic spaces under sloped roofs may be 30% higher than the maximum recommended height as long as habitable areas under the roof structure are limited to one storey.



Figure 18. New buildings should transition to existing buildings through the use of window locations and maintaining horizontal building elements.

- r) A combination of building height and setbacks will be used to ensure that overshadowing is minimized in the public space. Where there is potential for overshadowing of public spaces, development applications shall include a shadow impact analysis;

- s) Infill development within Uptown is recommended to retain a 2 to 3 storey height limit at the front building line. New building adjacent to or within Gateway locations should not exceed 4 storey's;

### 10.2.3 Storefront Entrances and Windows

a) Building entrances should be off the main street, directly accessible from the sidewalk, and should be distinguished from the rest of the building wall through the use of architectural features, materials, lighting, canopies and signage.

b) Replacement windows should use the same material as the original window materials such as wood frames, where possible.

c) Storefront windows should provide views into the interior of the store as well as have displays indicating the type of goods sold.

d) Storefront windows should be repaired or replaced to increase the amount of glazing and open up display windows to the street.

e) Awnings should be simple and should be incorporated into the design of the building. They should also project far enough over the sidewalk to provide shade or rain protection for pedestrians and not be lower than 2.2 meters at any point.

f) Storefront entrances should be barrier free and provide access to all individuals. Entrances with barriers should be made accessible through the use of ramps and automated doors.

g) Windows on the street level should not be boarded up or obstructed from view but should showcase the goods and services offered. Upper storey windows that are boarded up should be restored to original condition. Where the windows in place are in poor condition, it should be repaired using matching or compatible materials.

h) New doorways should occur within a recess wide enough to include a sidelight or portion of the display window. Narrow, single door recesses should be avoided.



Figure 19. Storefront entrances should be barrier free and windows should display goods.

## 10.2.4 Materials and Colours

- a) Brick with stone accents are the preferred materials. Stucco is desirable but should not be excessively used in Uptown as brick should continue to be the dominant material.



Figure 20. Brick and stucco are encouraged along with earthier tones and subdued colours.

- b) Concrete and aluminum cladding should be avoided. Contemporary materials should be limited to 30% of the area of the building's street façade;
- c) Exterior materials should be limited to no more than two complementary materials to avoid clutter and creating an overly complex appearance;
- d) Building walls and facades should be of warmer earthier tones and subdued colours.
- e) The use of primary colors on large areas should be avoided.

## 10.2.5 Awnings

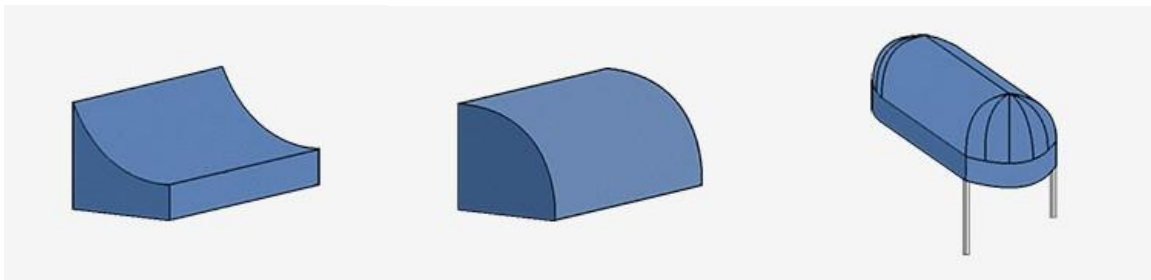
- a) Fixed awnings that are made of high quality materials are encouraged to provide pedestrian shelter, solar control and visual interest.
- b) Awnings are encouraged to be structurally incorporated into the building design provided they are integrated with heritage details and are made of permanent durable materials. Consideration will be given to other types of awnings; however, they must be constructed of high quality materials that are weather and



Figure 21. Permanent awnings built into the design of the building.

solar resistant to ensure durability and longevity.

- c) Fabric awnings such as high quality canvas woven cloth can be visually appealing. Since these materials are less permanent than structurally incorporating an awning into the building, proponents will be required to demonstrate the durability and longevity of the proposed awning material. In addition, the Municipality's Property-Standards By-law and/or Sign By-law may be updated to include provisions for upkeep and appearance of awnings.
- d) Other materials such as metal, vinyl, rubber, plastics and other fabrics are discouraged as they may easily deteriorate, fade or strip are discouraged. Consideration may be given to alternative awning treatments where the Municipality is satisfied with the durability of the material.



**Figure 22. Concave, convex and elongated bull nose entrance awnings are discouraged.**

Source: [www.bgawning.com](http://www.bgawning.com)

- e) Temporary, retractable, convex/concave, dome shaped, elongated bull nose entrance awnings, canopies with sidewalk supports and interior lighted awnings are not permitted and will not be eligible for funding.
- f) As part of the review process for an application, the Municipality will consider how a proposed awning will integrate with adjacent buildings. Cooperation and coordination between adjacent building owners is expected in order to develop consistency in the design and appearance of awnings.
- g) Fixed awnings should be traditionally sloped top shape or casement awnings with fascia skirting for signage. Signage on the valence of the awning should be limited.
- h) Awnings should be mounted in a location that respects the original design of the building such as storefront bays, piers and columns, decorative moldings, and window and door patterns. Awnings should be proportional to the storefront and not be exaggerated in scale.

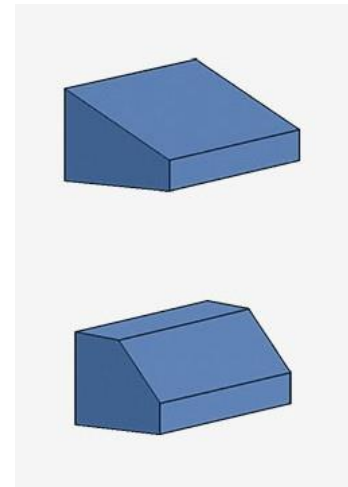


Figure 23. Traditional sloped top and casement awning

Source: [www.bgawning.com](http://www.bgawning.com)

### 10.3 Signage

The Municipality of Leamington regulates signage through its Sign By-Law which should be amended to be more restrictive and to reflect the Uptown Urban Design Guidelines. Signage in Uptown is a major concern with out-dated signage and non-descriptive business signs which should be replaced or updated by explicable, attractive and cohesive signage. The three methods by which the Municipality can successfully implement these signage guidelines include:

- i. Through the Municipal Sign By-law;
- ii. Conditions attached to a CIP grant; and

- iii. By generally encouraging business owners to erect visually pleasing and acceptable signage.



Figure 24. Signage must be clear, attractive, updated, comprehensible and complementary to the business.



Figure 25. Municipal signage should be updated to include new municipal hall address, Green P signs and directions to Uptown features.

The following guidelines have been developed by partially using the 1999 Implementation Strategy, and encourage the use of signs which are compatible in size, style, colour, shape and materials to the character of Uptown.

Guidelines that will be implemented through Sign By-law:

- a) Signs that obscure, rather than complement, architectural elements should not be permitted.
- b) The Municipality may consider sign locations within the right-of-way where they do not interfere with safety or municipal operations.
- c) Where there is more than one storefront in a building, each of the original storefronts should have individual and repeating signboards.
- d) Billboards, animated signs that depict motion, digital signs, portable and roof signs should not be permitted. However, portable sandwich boards in accordance with municipal Sign By-law will be permitted.

- e) Pedestrian scale window and awning signs should be small and positioned to minimize interference with nearby signs.
- f) Information on signs should be minimized.

Guidelines that will be implemented through the Urban Design Guidelines:

- a) The most appropriate materials for signage in the Uptown are wood, brass, stone and bronze. If contemporary material are considered then they should blend with the building and surroundings.
- b) Colours should be selected by considering the overall façade appearance and adjoining building colour schemes.
- c) Historic symbols and lettering is encouraged. Back lit signs are discouraged.
- d) Signage should respect the building scale, architectural features and streetscape design.
- e) Commercial signage should be integrated into the building and surrounding streetscape. The use of standard corporate signs that do not reflect the Uptown's signage guidelines are discouraged.
- f) Commercial signage should not dominate the features of gateway areas.
- g) Signage directing visitors to bicycle parking areas should also be located along the main streets.
- h) Bicycle friendly signage such as 'Walk Your Bike' signs should be posted in areas of high bicycle traffic.

Guidelines that will be encouraged through education and outreach to business owners:

- a) Signs in other languages are permitted but signs in English are encouraged. Eliminate visual clutter.
- b) Signs need to be updated to convey the nature of the existing business being advertised. Repair and maintain building signage that is in poor condition should be undertaken as soon as possible.

## 10.4 Gateways and Vistas

Gateways are important in signifying a transition from one area to another, creating a sense of arrival to Uptown. Gateways also introduce the visitor to the theme and character of a space through the use of building materials, landscaping and lighting that are continued throughout the district. In addition, gateways help enhance orientation and civic pride by providing a 'sense of place' to visitors through landscaping, signage, and public art.



Figure 26. Gateway welcome signage incorporating high quality materials and landscaping help create a sense of place.

Source: City of Picton

A review of the Implementation Study design guidelines and subsequent work to date reveals that “Gateway” features presented are a long-term goal for the Uptown that will require more financial investment and should coincide with future capital work projects.

- a) The gateway concept presented in the previous BIA plans should be developed in the long-term in order to enhance entry into Uptown.
- b) The primary access points into the Uptown are considered gateways. The previous plans identified the four gateway locations at Erie Street North and Nelson Street and John Street; Talbot Street West and Mill Street and Albert Street; Talbot Street and Russell Street; and Talbot Street and Victoria Street.
- c) The adjustment of the boundary of the Community Improvement Plan Area will require the northern gateway to be erected at the intersection of Erie Street North and Clark Street. The concept of the northern gateway shall remain the same with the exception that the open space of the old municipal hall and Fountain Park be incorporated into the design.
- d) Gateway options may include brick/wood pillars with welcome signage or themed lighting and flags as these effectively announce entry into the Uptown.
- e) Maintain views along Erie Street, Talbot Street and Mill Street.
- f) Design corner buildings at major intersections with vertical elements with visual interest to promote visibility, help orient visitors and create a sense of place.

- g) Gateways need to be immediately identifiable to pedestrians and vehicular traffic upon approach.
- h) Incorporate public art, signage, paving, lighting and high quality materials into the design of the gateways.
- i) Materials used should be consistent with materials of building façades and streetscape elements.

## 10.5 Lighting

The intent of the lighting guidelines is to provide a direction for businesses and the Municipality to update the existing Uptown streetlights. Lighting should reinforce the historical sense of place and



Figure 27. Example of gateway themed lighting in historic district in Denver.

Source: Larimer Associates

theme of the area while contributing to people's sense of safety and the overall amenity of the public space. Successful commercial areas rely on appropriate site lighting.

- a) Gateway locations should use accent lighting to highlight the entrances to Uptown at night.
- b) Appropriate lighting levels and consistency of coverage should be provided in parking areas to assist both pedestrian and vehicular circulation.
- c) Height and intensity of light standards should be sensitive to adjacent land uses.
- d) The level of illumination in pedestrian areas should range between 10 lux and 20 lux. To minimize dark areas, there should be a reasonably high degree of uniformity (3:1 ratio) in the illumination.
- e) Erie and Talbot Streets should consider higher levels of illumination as lights are updated.
- f) Higher level road lighting should be complemented with lower level pedestrian lighting that directs light downwards. Lighting should be co-located on existing poles to reduce clutter and infrastructure.
- g) Affix additional amenities such as banner signage and hanging flower pots to light standards or hydro poles to add visual interest and character.

- h) Accent or themed lighting should be considered as a means of drawing attention to municipal, heritage and buildings that contribute positively to Uptown character.

## 10.6 Parking, Streetscape, Access and Movement

The intent of the guidelines within this section is to provide ways to improve the appearance of parking areas while increasing safety and security for users. Screening and streetscape



Figure 28. Rear of businesses may be used as spaces for cafés and patios.

Source: Quebec City



Figure 29. Landscaping should buffer parking area from sidewalks.

Source: City of Ottawa

treatments need to balance between blocking views to parked vehicles while allowing adequate sightlines for pedestrian safety to ensure efficient movement of vehicles and people.

- a) Parking areas of new development should be situated at the rear of the building.
- b) Rear façades should be upgraded and maintained in the same way as storefronts as opportunities exist to create active retail space such as back-of-lot cafés. This will also encourage pedestrians to park in the municipal lots and walk to the main street.
- c) Erect signage like that of the City of Toronto 'Green P' parking signage in order to direct visitors from the parking lots to the main street shops, open spaces, public buildings and landmarks in Uptown. The 'Green P' signs should be erected on hydro poles directing vehicles to the parking lots as well as on the existing decorative municipal parking lot signs to announce free parking.
- d) Design pedestrian access routes for comfort and safety. Provide sufficient lighting, directional signage, amenities (trash receptacles, benches) and visually appealing pedestrian pathways.
- e) Private parking lots should be paved and well maintained to ensure a standard of attractiveness for residents and visitors.
- f) Landscaping, such as shrubs around the parking lots should be considered in order to screen views of the parked cars. Landscaping to screen parking lots should use shrubs with a mature height of no more than 1.2 meters. Shade trees are encouraged within or around parking areas and should have a branching height no lower than 1.5 meters. Some, but not all, specimens should be evergreen for year round benefit.
- g) Plant species in the public realm and in the vicinity of car parks should be salt tolerant.
- h) Planting beds can also be used for improving the amenity of parking areas and should be a minimum of 2.0 meters wide to promote healthy plant growth.
- i) Surface parking areas that are adjacent to sidewalks should be designed with adequate buffers such as landscaping and/or bollards.



Figure 30. 'Green P' parking lot signage should be erected along the main street and on existing decorative parking signage, pending approval from the City of Toronto.

Source: City of Toronto

- j) Curb ramps should be used to improve accessibility and to provide a proper transition between the road and curb.
- k) Accessible parking spaces should be located as close as possible to building entrances and be clearly identified by signs.
- l) Cluster above grade utilities, such as utility boxes, garbage and recycling receptacles, loading docks, air conditioner compressors, utility meters and transformer, wherever possible to minimize clutter. Also landscaping around such areas is encouraged to screen them from view.
- m) Ensure bicycle parking is in high traffic areas, visible locations such as building entrances and pedestrian walkways, open spaces and in proximity to public buildings.
- n) Space along sidewalks is limited. Street furniture and infrastructure should be 'nested' to make more efficient use of space.
- o) Bicycle storage should be located in a manner that does not impeded pedestrian circulation.
- p) Lighting affixed to buildings and free standing should be encouraged to accentuate and animate buildings and spaces.

## 10.7 Sidewalk Cafés

Sidewalk cafés add vitality to the street. The purpose of the Sidewalk Café Guidelines is to encourage business owners to create open spaces that provide vitality to the street and allow people to gather without potential conflicts with pedestrians.



Figure 31. Sidewalk deviation constructed of wood to allow for cafe space and continuous access for pedestrians.

Source: Transport Canada

- a) Sidewalk cafés should be encouraged throughout Uptown without encumbering pedestrian movement.
- b) In the short to medium term, sidewalk cafés may be established through the erection of a temporary sidewalk deviation. The long term solution is the construction of bulb-outs that will allow for year round outdoor retail or patio space.
- c) Small sidewalk cafés require 1.4 metres for a single row of tables and chairs. A minimum clearance of 2.1 metres should be provided.
- d) Sidewalk cafés should be designed to contribute and integrate into the streetscape. Tall fencing and landscaping should be avoided.

- e) Material and landscaping should be high quality and reflect the character of the building and business.

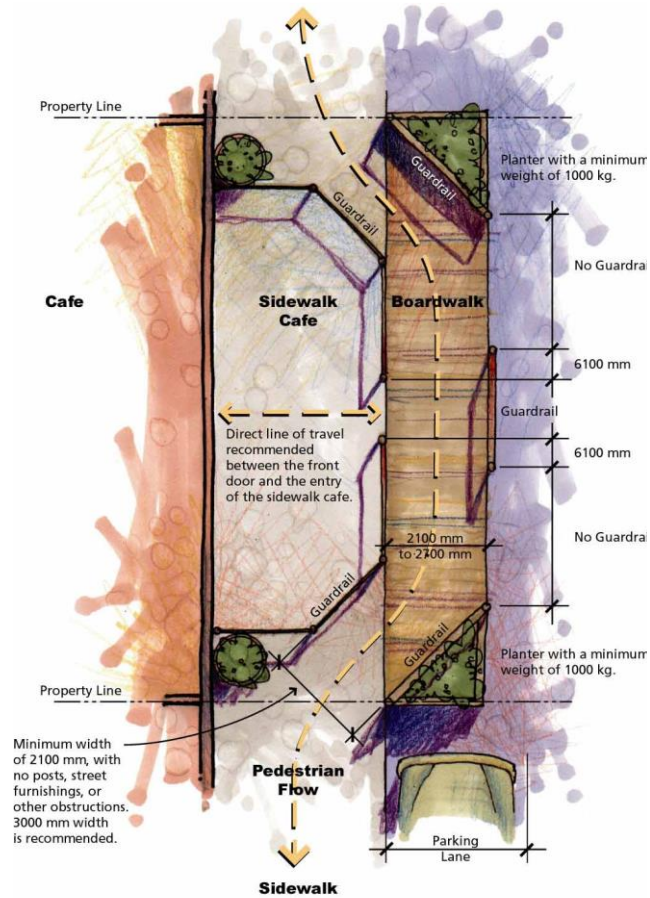


Figure 32. Diagram showing construction of temporary sidewalk to allow for a sidewalk café.

Source: Transport Canada

## PART D: APPENDICES

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### Appendix A: Action Plan 2012-2024

**Figure 4: ACTION PLAN: UPTOWN LEAMINGTON COMMUNITY IMPROVEMENT PLAN**

ACTION	BUDGET FOR 2012-2024													Total
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	
Adopt Uptown CIP														
Council Endorses Uptown CIP Action Plan														
Establish Budget for Uptown CIP														
OPA initiated to consider alternative to CIP														
Administration and Program Setup														
Building Exterior and Façade Improvement Grant	\$20,000	\$90,000	\$90,000	\$90,000	\$90,000	\$30,000	\$50,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$1,660,000
Renovation Grant Program	\$20,000	\$90,000	\$90,000	\$90,000	\$90,000	\$20,000	\$25,000							\$425,000
Residential Development Charges Grant Program		\$36,000	\$36,000	\$36,000	\$36,000									\$144,000
Municipal Fee Grant Program		\$20,000	\$20,000	\$20,000	\$20,000									\$80,000
Sidewalk Café Program		\$12,000	\$12,000	\$12,000	\$12,000									\$48,000
Business Relocation, Expansion and Start-Up Grant		\$28,000	\$28,000	\$28,000	\$28,000									\$112,000
Public Gathering Space Revitalization Grant				\$50,000										\$50,000
Municipal Parking Lot Landscaping Program			\$40,000											\$40,000
Municipal Signage Improvement Program	\$20,000	\$70,000												\$90,000
Initiate Business Signage, Property Standards and Bike Management Program		\$10,000	\$5,000	\$5,000	\$5,000									\$25,000
Initiate Public Art Initiative					\$10,000									\$10,000
Public/Private Partnership Program														\$0
Private Lot Improvement														\$0
Bulb-out Program														\$0
	\$60,000	\$356,000	\$321,000	\$331,000	\$291,000	\$50,000								\$1,409,000
Uptown CIP Commencement	Financial Incentive	Other Revitalization Tools				Additional Considerations								