

Town of Perth

Downtown Perth Community Improvement Plan Implementation Advisory Panel

Subject:	Terms of Reference	Effective:	June 27, 2017
Applies to:	Downtown Perth Community Improvement Plan	Replaces:	By-law No. 2013-4207-3
Issued by:	Director of Community Services	Approval:	By-law No. 2017-4207-4

A. **Background**

The Downtown Perth Community Improvement Plan (CIP) is intended to promote ongoing revitalization and improvement of Downtown Perth through the provision of Town Leadership Initiatives and Financial Incentive Programs for property owners over a ten year period. The plan is based upon the Council-adopted Community Improvement Plan By-law No. 4173.

A key component of the CIP is the creation of an Implementation Advisory Panel. The Downtown Perth Community Improvement Implementation Advisory Panel (CIP Implementation Advisory Panel) will serve to evaluate the implementation of the CIP and oversee the preparation of an annual report to Council that assesses the performance of the CIP and suggests priorities for future programs.

Goal

The goal of the Downtown Perth Community Improvement Plan (CIP) and the duly appointed CIP Implementation Advisory Panel is to improve the prosperity, beautification and cultural heritage assets of Downtown Perth by:

- Promoting and encouraging communication and coordination between the Town of Perth, the Downtown Heritage Perth Business Improvement Area, the Heritage Management Advisory Panel, and the Perth Community Development Committee and by engaging residents and business owners of Downtown Perth;
- Supporting activities that protect and enhance the unique architectural, cultural heritage and historic assets of Downtown Perth;
- Stimulating investment in the physical building stock and encouraging and upholding property maintenance standards;
- Encouraging the development of new residential units through the conversion/rehabilitation of under developed space, adaptive re-use of heritage buildings and appropriate and compatible infill and intensification;
- Supporting activities that assist in retaining and promoting growth of existing businesses and the establishment of new businesses;
- Improving both environmental and economic sustainability in Downtown Perth through the provision of sustainable solutions to beautification and streetscapes and encouraging energy efficiency improvements in buildings;

- Attracting visitors and tourists by encouraging the enhancement of key tourism assets of Downtown Perth, including its unique architectural character, its cultural heritage features, the Tay river and Tay Basin, and;
- Educating businesses, residents and landowners about the Community Improvement Plan, its programs and fostering an understanding of the importance of heritage resources to the well-being of the community.

B. Authority

Authority of the CIP Implementation Advisory Panel is limited to the range of matters described in this Terms of Reference.

1. The CIP Implementation Advisory Panel shall not communicate externally on behalf of the Town or the participating parties except in a capacity related to the undertaking of its mandate.
2. Council, having established the CIP Implementation Advisory Panel and this Terms of Reference, hereby delegates authority to the CIP Implementation Advisory Panel for approval of CIP Facade and Signage Grants having a value of not less than \$500 and not more than \$5,000 and to execute Community Improvement Project Commitment Agreements ensuring the execution and protection of the works for which a grant has been approved. Further, the Advisory Panel shall have the authority to approve CIP Facade and Signage Grants having a value of less than \$500 for projects involving public health and safety improvements; including but not limited to, ice guards and improved accessibility.
3. Council, having established the CIP Implementation Advisory Panel and this Terms of Reference, hereby delegates authority to the CIP Implementation Advisory Panel for approval of CIP Building Code Compliance and Energy Retrofit Loan Program loans having a value of not more than \$20,000 per unit for works and to ensure the execution and protection of the works for which a loan has been approved.
4. Council, having established the CIP Implementation Advisory Panel and this Terms of Reference, hereby delegates authority to the CIP Implementation Advisory Panel for approval of CIP Tax Increment Rebate Program applications having a minimum investment value of \$100,000 subject to review/approval by the Town's Treasurer and Solicitor.
5. A motion of the CIP Implementation Advisory Panel shall be deemed sufficient authorization for the Mayor and Clerk to sign the Community Improvement Plan Facade and Signage Agreement, Building Code Compliance and Energy Retrofit Loan Program Loan Agreement and Tax Increment Rebate Program Agreement.
6. Agreements shall be signed by the owner and/or the owner's formally authorized agent and by the Mayor and Clerk.
7. Upon receipt of a resolution from the CIP Implementation Advisory Panel approving the project, the Agreements shall be signed by the owner and by the Mayor and Clerk.

8. The CIP Implementation Advisory Panel shall have authority to resolve disputes between applicants with regard to completion of approved projects and grants to be awarded under the Façade and Signage Improvement Program and for disputes for grant values of \$5,000, or less the decision of the CIP Implementation Advisory Panel shall be final.
9. The CIP Implementation Advisory Panel shall have authority to resolve disputes between applicants with regard to projects and monies to be loaned under the Building Code Compliance and Energy Efficiency Retrofit Program. Those applicants wishing to appeal to Council may do so. Conversely, disputes with a Building Inspector or Chief Building Official (CBO) regarding the Ontario Building Code are resolved in court or other sanctioned forum.
10. The CIP Implementation Advisory Panel shall have authority to resolve disputes between applicants with regard to Tax Increment Rebate Program projects in consultation with the Town's Treasurer. Those applicants wishing to appeal to Council may do so.

C. Scope

1. Review, process, and approve under delegated authority all applications for Financial Incentive Programs in accordance with the eligibility requirements of the CIP and the terms and conditions of each respective program.
2. Ensure the monitoring, evaluation and refinement of the CIP programs by establishing program effectiveness measures and assessing program impacts within the community improvement project area.
3. Overseeing the implementation of Town Leadership Initiatives (as described in the consultant's, MMM Group, report) as well as monitoring the progress of Town Leadership Initiatives.
4. Overseeing and ensuring preparation of the annual report which assesses the performance of the CIP and suggests priorities for future program funding.
5. Generally acting as spokespersons for the CIP and promoting its benefits to the community. Presenting and promoting CIP programs and the annual report and generally reporting back to the agencies they represent.
6. Issues of an administrative or staffing nature shall not form part of the scope.

D. Reports To

The Downtown Perth Community Improvement Plan Implementation Advisory Panel reports to the Committee of the Whole of the Town of Perth.

E. Composition

1. Membership:

The Downtown Perth Community Improvement Plan Implementation Advisory Panel shall consist of the following members.

1.1. Voting Members:

- a. Two (2) elected representatives of the Town of Perth
- b. One (1) representative of the Perth Community Development Committee
- c. One (1) representative of the Downtown Heritage Perth Business Improvement Area
- d. One (1) representative of the Heritage Management Advisory Panel

1.2. Absence:

Any citizen member who is absent from three (3) consecutive regular meetings without leave of absence or without satisfactory reason shall forthwith cease to be a member and the Recording Secretary/Technical Advisor shall advise the Clerk.

1.3. Resignation of Citizen Members:

Any member wishing to resign shall provide their resignation in writing to the Chair with a copy to the Clerk.

1.4. Filling Vacancies:

Vacancies shall be filled per the Procedure By-law and shall be brought to the attention of the agency or participating party having appointed the individual responsible for the vacancy and shall be filled as soon as possible with another suitable representative.

1.5. Term:

1. Membership: See Procedure By-law, s. 4.4.2.

2. Standing Advisory Panel:

The Downtown Perth Community Improvement Plan Implementation Advisory Panel is a standing Advisory Panel of the Council. The term of the CIP Implementation Advisory Panel is indefinite and it may be only disbanded by Council.

Once annually, during the budget review process, Council may review the status of the CIP Implementation Advisory Panel and may add membership consistent with any new program implemented or may disband the CIP Implementation Advisory Panel in the event that all CIP programs are suspended in a given budget year.

2. Structure:

Chair and Vice-Chair:

For the initial mandate of the CIP Implementation Advisory Panel the Chair will be one of the Council representatives with the second Council representative acting as Vice Chair.

3. Support Resources:

The CIP Implementation Advisory Panel support resources shall consist of designated staff from the Town of Perth.

3.1. Technical Advisors:

Two (2) Town of Perth staff persons: The Director of Planning and the Director of Community Services will provide technical advice and oversee the preparation of Committee reports. Other Town staff shall provide additional support as required.

3.2. Recording Secretary / Program Administrative Implementation Support:

The Economic Development Coordinator shall provide primary administrative support to the Panel. In the absence of the Economic Development Coordinator, the Directors shall be responsible for ensuring a staff member is available as a Recording Secretary / Program Administrative Implementation Support. The Coordinator shall report to the Director of Community Services and collaborate with the Director of Planning in undertaking the following responsibilities:

- a. Coordination and participation pre-application meetings with potential applicants;
- b. Responding to inquiries in relation to the CIP, its programs and administration;
- c. Preparing agendas and application review packages for CIP Implementation Advisory Panel meetings and acting as Recording Secretary.

3.3. Attendance:

Attendance by a Technical Advisor and Recording Secretary shall be mandatory for all meetings.

F. Procedures

1. In conducting its business, the CIP Implementation Advisory Panel shall at all times abide by any and all prescribed legislation (federal, provincial and municipal) in addition to any applicable policies and procedures of the partner governing bodies.
2. The CIP Implementation Advisory Panel shall generally meet on a monthly basis subject to the need to review applications, or at the call of the Chair.
3. A quorum of members must be present at all times to conduct business of the CIP Implementation Advisory Panel.
4. The Recording Secretary will provide a digital copy of the agenda to CIP Implementation Advisory Panel members a minimum of 48 hours prior to a meeting. Minutes will be taken and circulated to the members within seven (7) days of a meeting.

5. The CIP Implementation Advisory Panel shall evaluate all applications to the Façade Improvement Program pursuant to the FIP score sheet or such updated version of the score sheet as approved by the Panel from time to time.
6. The CIP Implementation Advisory Panel shall evaluate all applications to the Building Code Compliance and Energy Efficiency Retrofit Program pursuant to the score sheet or such updated version of the score sheet as approved by the Panel from time to time.
7. The CIP Implementation Advisory Panel shall evaluate all applications to the Tax Increment Rebate Program pursuant to the score sheet or such updated version of the score sheet as approved by the Panel from time-to-time.
8. The CIP Implementation Advisory Panel shall generally evaluate applications on the consensus of its members using the standardized score sheets or criteria.
9. The CIP Implementation Advisory Panel shall review the annual monitoring and implementation report which will outline the progress of all CIP programs approved by Council during the year and include any effectiveness or performance measures established for each program. The report shall include recommendations from staff and the CIP Implementation Advisory Panel with regard to the implementation of programs for the next budget year. Once deemed to be acceptable by the CIP Implementation Advisory Panel the report will be recommended to Committee of the Whole for consideration during the budget process.

G. Financial Resources

1. The CIP has a budget for the implementation of the Façade Improvement Program and the Building Code Compliance and Energy Efficiency Retrofit Loan Program. The programs to be funded in a given calendar year will be established at the time of budget approval. Approved funding projects under the Façade Improvement Program will be to a maximum of 33% of the projects eligible costs to a maximum of \$5,000 per building. The minimum allowable grant will be \$500.
2. Approved funding projects under the Building Code Compliance and Energy Efficiency Retrofit Loan Program will be to a maximum of 50% of the projects average constructions costs to a maximum of \$20,000 per unit for works related to *Ontario Building Code* upgrades or for works related to energy efficiency improvements or works done to make buildings accessible under the Accessibility for Ontarians with Disabilities Act (AODA).
3. Approved projects under the Tax Increment Rebate Program will be to a minimum of \$100,000 of investment as calculated by the Town's Treasury Department in consultation with the Municipal Property Assessment Corporation (MPAC).
4. After October 15th of any given year, the CIP Implementation Advisory Panel may approve additional funding for projects previously approved within that year, to a limit of 30% over the projected cost, up to a maximum amount of \$5,000.

5. The Town of Perth shall be responsible for the bookkeeping/accounting relating to the approved activities of the CIP.

H. Quorum

Reference Procedure By-law, s.10.2.

I. Remuneration

There is no annual stipend for members of the Downtown Perth Community Improvement Plan Implementation Advisory Panel.