



Brownfields

Community Improvement Plan (CIP)



Table of Contents

- 1.0 Administration, Interpretation and Plan Overview 3
 - 1.1 Administration of the Brownfields Community Improvement Plan (CIP) 3
 - 1.2 Glossary of Key Terms..... 3
 - 1.3 Overview of the Brownfields CIP..... 3
- 2.0 Introduction 3
 - 2.1 What is a Community Improvement Plan (CIP)?..... 3
 - 2.2 What are Brownfield Sites? 3
 - 2.3 Background to the Brownfields Program and the CIP..... 4
 - 2.4 Objectives of the Brownfields Redevelopment Strategy, Programs and the CIP ... 4
- 3.0 Legislative and Planning Authority 5
 - 3.1 2020 Provincial Policy Statement (PPS) 5
 - 3.2 The Planning Act and Municipal Act, 2001..... 5
- 4.0 Brownfields Redevelopment Strategy 5
 - 4.1 Goals and Objectives..... 6
 - 4.2 “Levelling the Playing Field” with Greenfield Development 6
- 5.0 Community Improvement Project Areas..... 7
- 6.0 Brownfields Program – Financial Incentives..... 7
 - 6.1 Brownfields Program and the Planning Process 8
 - 6.2 Administration of the Brownfields Program 8
 - 6.3 General Program Requirements 9
 - 6.4 Eligible Rehabilitation Costs..... 11
 - 6.5 Initial Study Grant (ISG)..... 12
 - 6.5.1 Purpose..... 12
 - 6.5.2 Duration 12
 - 6.5.3 Eligible Properties 12
 - 6.6 Brownfields Financial Tax Incentive Program (BFTIP)..... 14
 - 6.7 Tax Increment-Based Rehabilitation Grant Program (TIRGP) 17
 - 6.8 Municipal Brownfields Reserve Fund (MBRF) 22
 - 6.9 Tax Arrears Cancellation – Program for Failed Tax Sale Properties..... 23
 - 6.10 Development Charges & Building Permit Fees 25

7.0 Financial Aspects 25

 7.1 General Budget Considerations 25

 7.2 Brownfields CIP Program – Financial Aspects 25

8.0 Implementation 26

 8.1 Amendments to this 2022 Brownfields CIP 27

 8.2 Monitoring of the Brownfields Program and CIP 28

 8.3 Implementation Guides 28

Appendix A: Glossary of Key Terms 29

Appendix B: Excerpt from Brighton Official Plan 35

Appendix “C” – Candidate Brownfield Sites 37

DRAFT

1.0 Administration, Interpretation and Plan Overview

1.1 Administration of the Brownfields Community Improvement Plan (CIP)

A working group comprised of senior municipal staff shall be formed to evaluate applications and administer the Plan.

1.2 Glossary of Key Terms

The terminology associated with the Brownfields CIP is an important element and is key to understanding the Municipality's Brownfields Redevelopment Strategy, the Brownfields Program components and the process. A glossary of key terms is included as Appendix A and the key terms are capitalized throughout the document.

1.3 Overview of the Brownfields CIP

The purpose of the Brownfields CIP is to formulate and implement a Brownfields Redevelopment Strategy and to provide a framework for financial incentives to encourage private sector investment in the Rehabilitation and redevelopment of Brownfield Sites in the approved Community Improvement Project Areas. The sections of this Brownfields CIP describe the Legislative and Planning Authority (Section 3), the Municipality's Brownfields Redevelopment Strategy (Section 4), the approved Community Improvement Project Areas (Section 5), the available Financial Incentive Programs (Section 6), the Financial Aspects of the Plan (Section 7), and Plan Implementation (Section 8).

2.0 Introduction

2.1 What is a Community Improvement Plan (CIP)?

A Community Improvement Plan (CIP) is a tool to allow a municipality to direct funds and implement policy initiatives toward a specifically defined Community Improvement Project Area. Community Improvement Plans are intended to encourage Rehabilitation initiatives and/or stimulate development. Once implemented, the CIP allows municipalities to provide tax assistance, grants or loans as well as building fee and development charge waivers to assist in the Rehabilitation of lands and/or buildings within the approved Community Improvement Project Area.

2.2 What are Brownfield Sites?

Brownfield Sites are abandoned, vacant or underutilized properties where redevelopment is substantially complicated by real or perceived environmental Contamination as a result of historical commercial or industrial land uses. Brownfield Sites are often characterized by building deterioration, untidy appearance and inadequate infrastructure. While past use of a property may provide an indication of potential contamination, this can only be verified through on-site environmental investigations. Brownfield Sites can vary considerably in size and character and can include properties formerly used for factories,

dry cleaners or gasoline stations and lands subjected to unregulated landfilling. Brownfield Sites are often overlooked for redevelopment due to the significant financial costs and liability associated with site rehabilitation. Brownfield Sites are usually located within the urban area where infill redevelopment is desirable from a community sustainability perspective; however, may also be located in other areas within the Municipality of Brighton.

2.3 Background to the Brownfields Program and the CIP

The Municipality of Brighton has a number of properties that have been or may be impacted by former industrial or commercial uses and may be contaminated as a result of these historical activities. Left abandoned or vacant, Brownfield Sites represent lost property tax revenue, lost residential accommodation, and lost employment opportunities. Vacant and neglected Brownfield Sites can also present serious health and safety issues related to deteriorating buildings and/or surface debris present on the site.

In most cases, Brownfield Sites cannot compete with Greenfield Development. In addition to physical problems often associated with such sites, a variety of legal, financial and environmental obstacles discourage private sector redevelopment initiatives and reinvestment. If the property is to be rehabilitated and converted to a more sensitive use, such as residential, costly activities such as Phase I and II Environmental Site Assessments, site Rehabilitation, and the submission of a Record of Site Condition (RSC) are required in accordance with provincial standards. The purpose of the CIP is to formulate and implement a Municipal Brownfields Program, and its key financial components, through the provision of building permit fee and developments charge waivers, Tax Assistance and Rehabilitation Grants for environmentally compromised land and/or buildings in accordance with an approved Brownfields Redevelopment Strategy.

2.4 Objectives of the Brownfields Redevelopment Strategy, Programs and the CIP

The key objectives of the Brownfields Redevelopment Strategy, Programs and CIP are as follows:

- a. Identify and maintain a meaningful level of financial incentive and focus the benefits of the Brownfields Program and CIP on properties where the environmental encumbrances are significant and the redevelopment projects have the greatest community benefits;
- b. Improve the clarity and predictability of the Brownfields Program and simplify implementation by including implementation guides in the document; and
- c. Decrease the short-term financial impact on the Municipality from future brownfield financial incentive payments while maintaining effective financial incentives to level the playing field with Greenfield Development.

3.0 Legislative and Planning Authority

3.1 2020 Provincial Policy Statement (PPS)

The 2020 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Under Section 3 of the *Planning Act*, all municipal decisions regarding planning matters “shall be consistent with” applicable provincial policy. This includes municipal plans and policies, such as Community Improvement Plans.

Section 1.1.3.3 states that “Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including Brownfield Sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.” In addition, Section 1.7.1 notes that long-term economic prosperity should be supported by such initiatives as “maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets” and “promoting the redevelopment of Brownfield Sites”.

Finally, Section 3.2.2 speaks to the proper Rehabilitation of Brownfield Sites prior to any redevelopment or reuse by indicating that “Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effect. Many of the Rehabilitation of Brownfield Sites in Brighton will provide renewed areas for both homes and businesses throughout municipality thereby fostering economic growth, maximizing the use of existing infrastructure and improving environmental quality, health and safety, all in support of the policies of the PPS.

3.2 The Planning Act and Municipal Act, 2001

The *Planning Act* provides the statutory framework for the development of Community Improvement Plans (CIPs) in the Province of Ontario. A CIP is a tool that allows the Municipality to direct funds and implement policy initiatives toward a specifically defined Community Improvement Project Areas. Section 28 of the *Planning Act* allows municipalities, where community improvement policies are set out in their Official Plan, to designate by by-law a Community Improvement Project Area and to prepare a CIP for that Community Improvement Project Area. Section 365.1 of the *Municipal Act, 2001* provides that where a Community Improvement Project Area has been designated and a Community Improvement Plan is in effect in accordance with Section 28 of the *Planning Act*, the CIP may also provide a tax cancellation program specific to brownfield Rehabilitation.

4.0 Brownfields Redevelopment Strategy

The Municipality’s Brownfields CIP establishes the legislative, policy and financial framework for the Municipality of Brighton to promote the Rehabilitation and

redevelopment of Brownfield Sites in accordance with that strategy. The Brownfields Redevelopment Strategy set out in this Brownfields CIP is consistent with the 2014 PPS and the policies, goals and objectives of the Municipality's Official Plan. A key component of the Municipality's Brownfields Redevelopment Strategy is the financial incentives offered through the Brownfields Programs. These Programs are included in Section 7 of this Plan

4.1 Goals and Objectives

Council recognizes that successful Brownfield Site Rehabilitation and Redevelopment can result in significant environmental, economic and social community benefits. Those benefits include increased tax revenues, neighbourhood revitalization, employment, improved health and safety, new business and housing opportunities and reduced environmental risks. As such, the goals and objectives of the Municipality's Brownfields Redevelopment Strategy include:

1. Promoting the Rehabilitation, Redevelopment and adaptive re-use and overall improvement of Brownfield Sites throughout Brighton in a fiscally responsible and sustainable manner over the long term;
2. Encouraging private sector investment in the Rehabilitation and Redevelopment of Brownfield Sites by "levelling the playing field" with Greenfield Development through the financial incentives of the Municipality's Brownfields Program and CIP;
3. Maximizing the use of existing infrastructure, services and facilities by encouraging the redevelopment and intensification of abandoned, underutilized and vacant sites;
4. Increasing tax assessment and property tax revenue;
5. Improving the physical and visual quality of Brighton;
6. Increasing employment opportunities, economic activity and investment;
7. Improving the Municipality's overall environmental health and public safety in areas where Brownfield Sites are located; and,
8. Increasing community awareness of the economic, environmental and social benefits of Brownfield Site Rehabilitation and redevelopment.

4.2 "Levelling the Playing Field" with Greenfield Development

As part of this Brownfields Redevelopment Strategy, Council recognizes that Brownfield Sites pose financial challenges to Rehabilitation and Redevelopment. These challenges can make Brownfield Sites less attractive from a market perspective and may deter private sector investment. Through the Brownfields CIP, the Municipality will offer the financial incentive components of the Brownfields Program for the Rehabilitation and redevelopment of Brownfield Sites located within the Community Improvement Project Areas.

5.0 Community Improvement Project Areas

Only properties that are located in a Community Improvement Project Area (CIPA) will be eligible to apply for funding under the Municipality's Brownfields Program.

Location of a property within the CIPA does not guarantee eligibility for funding under the Brownfields Program. Not all properties within the CIPA are contaminated and not all Contamination presents a sufficiently large burden to the redevelopment of a property to justify the approval of municipal financial incentives. While past use of a property may provide an indication of potential Contamination, this can only be verified through on-site investigations. Only properties that are contaminated and require Rehabilitation, and where required by law, submission of a Record of Site Condition, to permit the proposed change in land use in accordance with provincial regulations and standards will be eligible for the Brownfields Program.

All urban and rural lands within the boundary of the Municipality of Brighton shall be designated as The Community Improvement Project Area as approved by Council.

6.0 Brownfields Program – Financial Incentives

The premise of the Municipality's Brownfields CIP is to provide a suite of tax-based benefits that "level the playing field" with respect to the Redevelopment of Brownfield Sites compared with Greenfield Development. The key financial incentive components of the Brownfields Program are Tax Assistance, Rehabilitation Grants and the waiver of Building Permit Fees and Development Charges. The property Tax Assistance program includes the reduction or cancellation of both the municipal and education portions of the property taxes during the Rehabilitation and/or Development Period. The Rehabilitation Grants are based on the approved eligible Rehabilitation costs and are offered as financial incentives designed to promote the Rehabilitation and redevelopment of Brownfield Sites. The waiver of Building Permit Fees and Development Charges are further incentives intended to promote redevelopment of Brownfields Sites. For the purposes of the Brownfields CIP, the grants operate similar to a rebate. All fees and annual property taxes must be paid in full, and then the grant(s) will be paid back to the Property Owner in accordance with the details of the Brownfields Program as outlined in this CIP. The financial incentive components of the Brownfields Program will be administered by the Municipality.

Importantly, the maximum amount of Tax Assistance, Rehabilitation Grants, Building Permit fees and Development Charge waivers cannot exceed the approved eligible costs of site Rehabilitation. As a result, the approved eligible Rehabilitation costs (refer to Section 6.4) are a central component of the Brownfields Program and are key to the amounts of the Tax Assistance and/or Rehabilitation Grant and/or Building Permit fee and Development Charge waivers that may be available. It should be noted that each application for one of the financial incentive components will be considered on its own merits and all properties may not be eligible for 100% of the financial incentives offered. Prior to the issuance of any Rehabilitation Grant payments, the Eligible Property must be

rehabilitated in accordance with the applicable provincial legislation, regulations and guidelines and, where required by law, a Record of Site Condition (RSC) must be submitted to the Ministry of the Environment and Climate Change (MOECC). The financial incentive components of the Brownfields Program are directed at the private sector and are designed to encourage private sector investment and reinvestment, development, and construction activity on contaminated properties and within contaminated buildings in the Community Improvement Project Area (CIPA). As such, properties within the CIPA that are owned, or that were owned within the previous 10 years (from the date of submission of an application for the Municipality's Brownfields Program), by an upper level of government, their agencies or crown corporations, are **not** eligible for funding under the Brownfields Program.

6.1 Brownfields Program and the Planning Process

The implementation of the Brownfields Program is an integral part of the Development process of a site. It is therefore, directly linked to the land use planning process. The Rehabilitation of a property or building is expected to be undertaken as part of the site preparation component of a Development project.

The planning component of an application may involve an extensive land use review as in the case of either an Official Plan or a zoning by-law amendment. Alternatively, the review may be site intensive in its focus as in the case of a site plan analysis. It may also be subject to a plan of subdivision, a plan of condominium or a severance approval, with applicable Development conditions and agreements.

In addition to the planning process and approvals, a Remedial Work Plan will apply. The level of environmental standard attained for the site through the Remedial Work Plan has a direct bearing on the future land uses that may be permitted. These standards, and the land uses permitted, are set out in *Ontario Regulation 153/04*.

The land use limits imposed by the environmental standards affect both the planning process and the financial incentive components of the Brownfields Program. The range of land uses proposed for a site may not be feasible in light of the environmental constraints imposed on the site by past uses and practices. The eventual land use(s) permitted on the site have a direct bearing on the assessment value of the land and therefore, the value of the Tax Assistance and Rehabilitation Grant components of the Brownfields Program.

An application for financial assistance through the Brownfields Program for a property located within the defined Community Improvement Project Area (CIPA) of the CIP shall be reviewed on a site-specific basis. It is expected that most of the Brownfields Program applications will be processed in conjunction with a planning application(s).

6.2 Administration of the Brownfields Program

6.2.1 Priority Focus of the Brownfields Program

Eligible properties will be evaluated by the Municipality on a site-by-site basis using the following criteria:

1. The submitted environmental studies have confirmed that the degree of site Contamination and encumbrance by other liabilities is extreme to the degree that Rehabilitation and Redevelopment is clearly not feasible without financial assistance;
2. The site is a “stigmatized” site, to the extent that the use or sale of the property, even if cleaned up, is unlikely to be successful, but the clean-up and redevelopment of which will likely act as a major catalyst for improvement/revitalization of the area in which it is located;
3. c. The site is causing major land use compatibility issues;
4. The proposed project will attract significant private sector investment resulting in increases in property tax revenues, employment and/or residential opportunities;
5. The proposed project will showcase innovative site Rehabilitation approaches, technologies or risk assessment approaches;
6. The site is acquired by the applicant through the Municipality’s Tax Sale process; and/or
7. The site, or liability for the site, is owned by the Municipality and has been or will be divested in whole or in part to the applicant and significant Contamination or other encumbrances are present.

6.3 General Program Requirements

The following is a list of general eligibility criteria and requirements applicable to **all** of the financial incentive components of the Brownfields Program:

1. With the exception of the Phase II Environmental Site Assessment, Remedial Action Plan, and/or Site Specific Risk Assessment costs not covered by the Initial Study Grant, the financial incentive components of the Brownfields Program are not offered retroactively. Only those Rehabilitation or development activities undertaken or costs incurred after the date of approval of this Brownfields CIP, or after the effective date of any approved amendments to this Brownfields CIP will be eligible for funding.
2. The total of all Rehabilitation Grants, Tax Assistance and Building Permit fees and Development Charges waivers provided in respect of an Eligible Property under the financial incentive components of the Brownfields Program cannot exceed the total of the approved eligible Rehabilitation costs with respect to that property or building.
3. Although eligible Rehabilitation costs may be applicable to more than one of the financial incentive components of the Brownfields Program offered through this CIP, no two components can be used to repay the same cost. Also, where other sources of government and/or non-profit organization funding (federal, provincial, municipal, Federation of Canadian Municipalities, etc.) are anticipated or have been secured,

these must be declared on the applicable application(s) and cannot be used to reimburse the same costs.

4. Eligible Properties must be located in a Community Improvement Project Area. Properties within a Community Improvement Project Area that are owned, or that were owned within the previous 10 years (from the date of submission of an application for the Municipality's Brownfields Program), by an upper level of government, their agencies or crown corporations, are **not** eligible for funding under the Brownfields Program.
5. The current Property Owner cannot be responsible for causing the on-site Contamination that requires Rehabilitation.
6. The Municipality reserves the right to audit the cost of project feasibility studies, environmental studies, and/or environmental Rehabilitation works that have been approved under the financial incentive components of the Brownfields Program, at the expense of the Property Owner.
7. The Municipality is not responsible for any costs incurred by the Property Owner in relation to any of the financial incentive components of the Brownfields Program, including without limitation, costs incurred in anticipation of receipt of a Rehabilitation Grant and/or Tax Assistance.
8. Municipal staff, officials, and/or agents of the Municipality may inspect any property that is the subject of an application for any of the financial incentive components of the Brownfields Program.
9. If the Property Owner is in default of any of the general or program specific requirements, or any other requirements of the Municipality, the Municipality may delay, reduce or cancel the approved Rehabilitation Grant and/or Tax Assistance.
10. The Municipality may discontinue any of the financial incentive components of the Brownfields Program at any time and at its sole discretion, but Property Owners with approved Rehabilitation Grants and/or Tax Assistance will still receive said Rehabilitation Grant and/or Tax Assistance, subject to conformity with the applicable general and program specific requirements of this CIP.
11. Eligible Properties for the Brownfields Financial Tax Incentive Program (BFTIP) and/or the Tax Increment-Based Rehabilitation Grant Program (TIRGP) must have a Phase II Environmental Site Assessment (ESA) completed that indicates environmental Rehabilitation of lands or buildings is required to obtain a Record of Site Condition (RSC) to allow a change to a more sensitive land use, or to enable the proposed redevelopment where a RSC is not required by provincial law. Only properties that are contaminated with respect to Ministry of the Environment and Climate Change standards as to the proposed use of the property will be eligible for the financial incentive components of the Brownfields Program. The Property Owner shall release all environmental information about an Eligible Property to the Municipality.

12. Outstanding work orders, and/or orders or requests to comply issued by the Municipality, and/or other charges from the Municipality (including any tax arrears and local improvement charges) must be satisfactorily addressed prior to the payment of any Rehabilitation Grant or Tax Assistance.
13. Only the Property Owner of an Eligible Property can apply for and receive the Tax Assistance and/or Rehabilitation Grant. Written authorization shall be required from the Property Owner for any agent acting on their behalf.
14. Property Owners shall declare if the subject property is designated under Part IV or Part V of the *Ontario Heritage Act*, or is adjacent to a property that is designated under the *Ontario Heritage Act*.
15. The Property Owner or their agent shall submit the applicable completed application(s) with the required supporting documentation, including a development proposal and concept plan for the Eligible Property. Only complete applications will be processed.
16. Property Owners for the BFTIP and/or TIRGP will be required to enter into a Brownfield Site Agreement with the Municipality that will specify the terms and conditions of Council's approval of any of the financial incentive components of the Brownfields Program, the relevant conditions of any associated planning and/or environmental approvals, and the specifics of the property Tax Assistance and/or Rehabilitation Grant to be received.
17. Proposed developments or redevelopments that will result in uses that are completely or partially exempt from payment of municipal property taxes are not eligible for the financial incentive components of the Brownfields Program of this CIP.
18. Each application will be considered on its own merits and may not be eligible for 100% of the benefits offered under the financial incentive components of the Brownfields Program.

6.4 Eligible Rehabilitation Costs

The eligible costs required to Rehabilitate an Eligible Property are central to the financial incentive components of the Brownfields Program of this CIP. These items all relate to the environmental Rehabilitation of the property and the implementation of the Remedial Action Plan. The eligible Rehabilitation costs include the following:

1. Up to 50% of the cost of environmental Rehabilitation: The eligible Rehabilitation costs shall only include those costs incurred over and above normal construction work, due to environmental contaminants that must be removed or managed in order to achieve the provincial soil, groundwater or sediment standards required for a Record of Site Condition;
2. Up to 50% of the costs of placing clean fill and grading in the areas where excavation was required for site Rehabilitation: The eligible costs for placement of clean fill and grading shall only include those costs incurred over and above normal construction work, due to environmental contaminants that must be removed or managed in order

to achieve the provincial soil, groundwater or sediment standards required for a Record of Site Condition;

3. Up to 50% of the cost of a Phase II Environmental Site Assessment, Remedial Action Plan, and/or Site Specific Risk Assessments not covered by the Initial Study Grant or other sources of government or non-profit funding;
4. Up to 50% of the cost of preparing a Record of Site Condition (RSC);
5. Up to 50% of the cost of demolishing abandoned, underutilized or derelict buildings on the property;
6. Up to 50% of the cost of establishing an Environmental Monitoring Program, and the cost of operating and maintaining the environmental technologies, where said technologies are directly related to the Rehabilitation of the site, as specified in the Remedial Action Plan and Certificate of Property Use (CPU). The cost may be based on either the present value of future costs or the pro-rated costs, for a maximum period of twenty (20) years; and
7. Up to 50% of the cost, or the shared portion of the cost, of the following Leadership in Energy and Environmental Design (LEED) Program components:
8. Fees paid to the Canada Green Building Council (CaGBC) for registration of the project within any of the LEED rating systems supported by the CaGBC; and,
9. Fees paid to the Canada Green Building Council (CaGBC) for certification of the project within any of the LEED rating systems supported by the CaGBC.

6.5 Initial Study Grant (ISG)

6.5.1 Purpose

The purpose of the Initial Study Grant (ISG) is to promote the undertaking of environmental studies that result in a more complete understanding with respect to the type, concentration and location of Contamination that exists on a Brownfield Site, the potential costs of Rehabilitation, and development of a plan to remove, treat or otherwise manage the Contamination found on the property. This will also assist the Property Owner in acquiring the environmental information needed to determine if the property will be eligible for other financial incentive components of the Brownfields Program.

6.5.2 Duration

Applications for an Initial Study Grant will be received until **December 31, 2027**.

6.5.3 Eligible Properties

Only properties located in a Community Improvement Project Area are eligible to apply for an ISG.

6.5.4 Grant Requirements

Property Owners or their agents are eligible to apply for funding under the ISG, subject to meeting the General Program Requirements set out in Section 6.3 of this CIP, the requirements outlined in this Section 6.5, and the availability of funding as approved by

Council. Further details with respect to eligibility requirements are contained in the “Initial Study Grant Implementation Guide”. A Phase I ESA does not provide detailed information with respect to the type of Contamination and the costs of site Rehabilitation therefore Phase I ESAs are **not** eligible for funding under the ISG Program. To be eligible to apply for an ISG, a Phase I Environmental Site Assessment (ESA) must have been completed on the property and must show that the property is suspected to be contaminated.

6.5.5 Grant Description

The ISG will provide a matching grant of up to 50% of the cost of eligible environmental studies to a maximum total grant of \$10,000 and two studies per property or project
Eligible studies include:

- Phase II Environmental Site Assessment (ESA);
- Remedial Action Plans; and
- Site-Specific Risk Assessment (SSRA).

The foregoing studies shall be for the purposes of:

1. confirming and describing Contamination on the property; and/or
2. surveying designated substances and hazardous materials on the property; and/or
3. developing a plan to remove, treat or otherwise manage the Contamination found on the property.

An ISG will only be offered on Eligible Properties where successful Rehabilitation and/or Redevelopment of the property is reasonably feasible.

6.5.6 Application Process

Applications will be processed and approved subject to the availability of funding as approved by Council. Only complete applications will be processed. An ISG application may be submitted in advance of any other Brownfields Program application(s) being filed or filed concurrently with any other application(s). ISG applications must include a detailed study work plan, a cost estimate for the study, and a description of the planned development, including any planning applications that have been submitted and/or approved. Where other sources of funding for the conduct of environmental studies are anticipated or have been secured, these must be declared as part of the ISG application. Further details with respect to the application requirements and process are contained in the “Initial Study Grant Implementation Guide”.

Review and evaluation of an application and supporting materials against the ISG Program eligibility requirements will be undertaken by the Planning and Development Department with input from other Municipal departments. A staff report will be prepared for submission to Council with a recommendation to approve or reject the ISG application. The Property Owner will be notified in writing of Council’s decision. If Council approves the application, an Initial Study Grant By-law will be passed confirming the approval and outlining any associated conditions for the ISG.

6.5.7 Initial Study Grant By-law

The Initial Study Grant By-law sets out the terms of the grant including, but not limited to, the following:

1. the total funding to be granted to the Property Owner for the preparation of the study or studies;
2. a clear description of the final study product;
3. the conditions and schedule for the release of the ISG funds to the Property Owner; and,
4. the administrative submissions required from the Property Owner or their agent regarding completion of the study or studies and proof of invoicing, billing and payments.

6.5.8 Grant Payments

Grants approved under the ISG component of the Brownfields Program will be provided to the Property Owner following submission and Municipal review of the final completed study together with the original invoice confirming that the study consultants have been paid in full. The Property Owner or their agent shall submit one electronic copy and one hard copy of all studies to the Municipality. The Property Owner shall also provide the Municipality with permission to circulate the studies to internal Municipal departments, and to advise other project proponents that a study or studies exist. However, the study or studies will not be released by the Municipality, unless required by law.

The ISG amount will be the lesser of the cost estimate provided by the consultant conducting the study or the actual cost of the study. The ISG may be reduced or cancelled if the study is not completed, not completed as approved, or if the consultant that conducted the study is not paid. The ISG will lapse if not claimed within two years of the approval of the application, unless a request for an extension is submitted in writing and approved prior to the grant lapsing.

6.5.9 Grant is Not Retroactive

The ISG is not offered retroactively for any study undertaken, or costs incurred, prior to the Property Owner receiving Council approval for the ISG.

6.6 Brownfields Financial Tax Incentive Program (BFTIP)

6.6.1 Purpose

The purpose of the BFTIP (Tax Assistance) is to encourage private sector Rehabilitation of Brownfield Sites for future redevelopment purposes by cancelling all or a portion of the municipal property taxes to offset the approved eligible Rehabilitation costs incurred by the Property Owner.

6.6.2 BFTIP Duration

Applications for the BFTIP will be received until **December 31, 2026**

6.6.3 Eligible Properties

An Eligible Property for the BFTIP must be located in a Community Improvement Project Area. The property must have an approved Phase II Environmental Site Assessment that,

as of the date the Phase II ESA was completed, confirmed that the property was contaminated and did not meet the standards of the *Environmental Protection Act* to permit a Record of Site Condition to be filed in the Environmental Site Registry.

6.6.4 BFTIP Requirements

Property Owners or their agents are eligible to apply for funding under the BFTIP, subject to meeting the General Program Requirements set out in Section 6.3 of this CIP and the requirements outlined in this Section 6.6. Further details with respect to eligibility requirements are contained in the “BFTIP and TIRGP Implementation Guide”.

6.6.5 BFTIP Description

The BFTIP allows for the cancellation of up to 100% of municipal property taxes. Tax Assistance will only apply during the Rehabilitation Period and/or the Development Period of the project in accordance with the provisions of the *Municipal Act, 2001*. The maximum Tax Assistance available shall be equal to or less than the total of the approved eligible Rehabilitation costs (refer to Section 6.4 for a description of the eligible costs). The municipal portion of the property Tax Assistance will terminate when the total Tax Assistance provided (municipal and education) equals the total approved Rehabilitation costs, OR, on the date that the Occupancy Period begins (refer to Appendix A for definition), OR such earlier period otherwise stipulated in the Tax Assistance By-law.

The Minister of Finance may match the municipality’s BFTIP Tax Assistance through the cancellation of the education portion of the property tax. This exemption may commence at the start of the Rehabilitation Period and continue through the Development Period. The education portion of the property Tax Assistance will terminate when the total Tax Assistance provided (municipal and education) equals the total approved eligible Rehabilitation costs, OR, after three years, OR such earlier period otherwise stipulated in the Tax Assistance By-law. The education portion of the Tax Assistance will also terminate if the property approved for Tax Assistance is severed, subdivided, sold or conveyed. Any conditions imposed by the Minister of Finance with respect to the cancellation of the education portion of the property tax will be included in the Tax Assistance By-law.

In accordance with the provisions of the *Municipal Act, 2001*, Tax Assistance will be suspended where the Property Owner has not paid all of the taxes for the previous years during the Rehabilitation and Development Periods (subject to any specific exceptions provided for in the Tax Assistance By-Law or in the Brownfield Site Agreement). Where the Property Owner defaults on the provisions of the Tax Assistance By-law or the Brownfield Site Agreement, all Tax Assistance granted during the Rehabilitation and Development Periods will become due for repayment in full, with interest.

6.6.6 Application Process

Applications will be processed and approved on a first come, first served basis. Property Owners and their agents should pre-consult with the Municipality to confirm BFTIP eligibility. Applications for the BFTIP may be filed concurrently with applications for one

or more of the other financial incentive components of the Brownfields Program, as outlined in this CIP, and must include, among other matters:

1. A description of the development concept, concept plans, total project construction value, phasing and timing, and a summary of any planning applications that have been submitted and their status;
2. Details of any Initial Study Grant received;
3. A detailed description of the eligible Rehabilitation works to be completed together with a cost estimate for each of the eligible works;
4. The current property assessment and an estimate of future assessment based on the Development proposal;
5. Supporting technical studies and reports including Phase I or II ESA's and/or a SSRA; the Remedial Action Plan; the Rehabilitation approach under consideration (i.e. full-depth, stratified, or risk assessment); the Environmental Monitoring Program; and, any eligible LEED Program cost estimates.

The Municipality, upon request from and on behalf of the Property Owner, will forward an application to the Minister of Education for matching education property Tax Assistance under the BFTIP, and forward the draft Tax Assistance By-law and the standard Brownfield Site Agreement template to the Province for review and consideration. Only complete BFTIP applications will be processed. Further details with respect to the application requirements and process are contained in the "BFTIP and TIRGP Implementation Guide".

Review and evaluation of the BFTIP application and supporting materials against Program eligibility requirements will be undertaken by the Planning and Development Department. The application may be circulated to other municipal departments for review and comment. A staff report will be prepared for submission to Council with a recommendation to approve or reject the BFTIP application, together with the draft Tax Assistance By-law, where applicable. If the application is approved by Council, Municipal staff will negotiate a Brownfield Site Agreement with the Property Owner or their agent in which the financial elements of the BFTIP may be linked with the components of the Remedial Action Plan and any applicable conditions and/or requirements of any associated planning, building or engineering approvals. If the application is approved, the Property Owner and their agent will be notified about the start date of the eligibility of costs and the next steps in the process.

6.6.7 Tax Assistance By-law

Only one by-law is required to provide Tax Assistance to an Eligible Property under the BFTIP. If the By-law includes matching provincial Tax Assistance for the education portion of the property taxes, the by-law may be divided into two parts dealing with the specifics of each portion of the tax cancellation. The draft by-law must be submitted to the Minister of Finance for approval prior to Council adoption. The by-law will include, but not be limited to, the following:

1. the current assessment value and tax levy on the property;

2. the anticipated duration of the Rehabilitation Period, as identified in the Remedial Action Plan;
3. the anticipated duration of the Development Period, as estimated in conjunction with the planning, building and engineering approval processes;
4. the obligations of the Property Owner to repay the Tax Assistance in certain prescribed circumstances; and
5. an acknowledgement that the Municipality is not becoming a partner in the project and is not assuming any management, care or control of the project by virtue of providing municipal property Tax Assistance (BFTIP).

6.6.8 Tax Cancellation

The cancellation of property taxes commences after Council's approval of the Tax Assistance By-law and the execution of the Brownfield Site Agreement and may continue through the Rehabilitation and/or Development Periods, or such other period as stipulated in the by-law.

6.6.9 BFTIP is Not Retroactive

With the exception of eligible study costs not fully covered by the Initial Study Grant or other sources of funding, the BFTIP funding is not offered retroactively for any Rehabilitation and/or redevelopment activities undertaken, or costs incurred, prior to Council passing the Tax Assistance By-law and/or the Property Owner entering into a Brownfield Site Agreement with the Municipality.

6.7 Tax Increment-Based Rehabilitation Grant Program (TIRGP)

6.7.1 Purpose

The purpose of the TIRGP is to encourage private sector Rehabilitation and adaptive reuse of Brownfield Sites by providing an annual grant to help pay for eligible site Rehabilitation costs incurred by the Property Owner that are not fully covered by the BFTIP. The TIRGP is used to fund the Rehabilitation Grant and the Municipal Brownfield Reserve Fund (MBRF).

6.7.2 TIRGP Duration

For projects within the CIPA applications for the TIRGP will be received until **December 31, 2026**. Rehabilitation Grants that are approved by Council will continue to be paid after December 31, 2026, until the approved eligible Rehabilitation costs have been recovered, or until December 31, 2035, whichever occurs first.

6.7.3 Eligible Properties

An eligible property for the TIRGP must be located in a Community Improvement Project Area and must require environmental Rehabilitation and/or risk assessment/management.

6.7.4 TIRGP Requirements

Property Owners and their agents are eligible to apply for funding under the TIRGP, subject to meeting the General Program Requirements set out in Section 6.3 of this CIP, the requirements outlined in this Section 6.7, and the availability of funding as approved by Council. Further details with respect to TIRGP eligibility requirements are contained in the “BFTIP and TIRGP Implementation Guide”.

Each property selected to participate in the TIRGP will be eligible for a maximum of one Rehabilitation Grant. In addition, the Eligible Property shall be rehabilitated and developed such that the amount of work undertaken is sufficient, at a minimum, to result in an increase in the assessed value of the property.

6.7.5 TIRGP Description

The Rehabilitation Grant is designed to help Property Owners of Brownfield Sites in the Community Improvement Project Areas offset the majority of the costs of Rehabilitation and redevelopment in order to level the financial playing field between Brownfield Sites and Greenfield Development. The grant is also intended to pay for other brownfield related costs, such as building demolition and the placing of clean fill and grading. The maximum amount of the Rehabilitation Grant is based on the increase between the pre-development taxes and post-development taxes for the property and is calculated by taking the value of the approved eligible Rehabilitation costs and subtracting the Initial Study Grant amount and the municipal and education portions of the Tax Assistance.

The amount of municipal taxes (“Base Rate”) will be determined before commencement of the project. The increase in the municipal portion of the property taxes will be calculated as the difference between the Base Rate and the amount of municipal taxes levied as a result of re-evaluation by the Municipal Property Assessment Corporation (MPAC) following project completion and occupancy. The Rehabilitation Grant does not exempt Property Owners from an increase/decrease in municipal taxes due to a general tax rate increase/decrease, or a change in assessment for any other reason. The TIRGP does not exempt Property Owners from paying the education portion of the property taxes.

The Rehabilitation Grant is paid to the Property Owner on a “pay-as-you-go” basis; i.e., the Property Owner pays for the costs of the Rehabilitation and development up-front and pays all property taxes each year. The Property Owner (current or future) is then reimbursed through an annual grant once the project is complete and occupied. The annual grant to the Property Owner equals 80% of the pre- and post-development tax difference. Twenty percent of the tax difference will be directed by the Municipality to the Municipal Brownfield Reserve Fund (MBRF) to provide for Municipal participation in the Brownfields Redevelopment Strategy (refer to Section 6.9).

The Rehabilitation Grant will lapse if the development has not been started within five years and completed within seven years of the signing of the Brownfield Site Agreement.

For approved projects, the amount of the Rehabilitation Grant will be set out as a maximum amount within a Brownfield Site Agreement. If, during the course of the work,

the scope of the work changes, or actual costs are greater or less than the estimated costs, the total amount of the Rehabilitation Grant shall not be increased

6.7.6 Application Process

Applications will be processed and approved on a first come, first served basis. Property Owners and their agents should pre-consult with the Municipality's Planning and Development Department to confirm TIRGP eligibility. Applications for the TIRGP may be filed concurrently with applications for one or more of the other financial incentive components of the Brownfields Program, as outlined in this CIP, and must include, among other matters:

1. A description of the development concept, concept plans, total project construction value, phasing and timing, and a summary of any planning applications that have been submitted and their status;
2. A detailed description of the eligible Rehabilitation works to be completed together with a cost estimate for each of the eligible works;
3. The current property assessment and an estimate of future assessment based on the development proposal (the estimated post-project assessed value will be used to calculate the estimated annual and total grant, and the estimated duration of grant payments);
4. Supporting technical studies and reports including Phase I or II ESA's and/or a SSRA; the Remedial Action Plan; the Rehabilitation approach under consideration (i.e. full-depth, stratified, or risk assessment); the Environmental Monitoring Program; and, any eligible LEED Program cost estimates.

Only complete TIRGP applications will be processed. Further details with respect to the application requirements and process are contained in the "BFTIP And TIRGP Implementation Guide".

Review and evaluation of the TIRGP application and supporting materials against Program eligibility requirements will be undertaken by the Planning and Development Department. The application will be circulated to other Municipal departments for review and comment. A staff report will be prepared for Council with a recommendation to approve or reject the TIRGP application together with the draft by-law to approve financial incentives, where applicable, which will establish the maximum amount of financial incentives and the start date of eligible costs and approval to enter into a Brownfields Site Agreement (refer to Section 6.7.9). The TIRGP Grant By-law (refer to Section 6.7.8) will also be presented with this report to Council. The Property Owner and their agent will be notified in writing of Council's decision. If the application is approved, the Brownfields Financial Incentives By-law will be given three readings and the TIRGP Grant By-law will be given first and second readings only, and the Property Owner and their agent will be notified about the start date for the eligibility of costs and the next steps in the process.

Once the site Rehabilitation works are complete, the Property Owner or their agent files a Record of Site Condition (RSC), as per *Ontario Regulation 153/04*, with the Ministry of

Environment and Climate Change (MOECC) and provides the Municipality with a copy of the MOECC acknowledgement of receipt of the RSC. Once an Occupancy Permit has been issued, the property has been re-assessed by MPAC, and one year of property taxes have been paid, the Property Owner or their agent notifies the Planning and Development Department. Staff will present a report to Council confirming the amount and duration of the Rehabilitation Grant payments and requesting third and final reading of the TIRGP Grant By-law.

6.7.7 Brownfield Financial Incentives By-law

A Brownfield Financial Incentives By-law is prepared for each application to establish the maximum amount of financial incentives and the start date of the eligible costs for the project. It is intended that each Brownfield Financial Incentives By-law will address the following:

1. the property identification;
2. the value of the Rehabilitation Grant;
3. an acknowledgement that a decision on the Financial Incentives By-law will not constrain the Municipality's decisions on any other matter related to the property;
4. the Eligibility Date, which is the start date of the eligible Rehabilitation costs; and
5. an acknowledgement that the Municipality is not becoming a partner in the project and is not assuming any management, care or control of the project by virtue of providing the financial incentives.

The Brownfield Financial Incentives By-law will be given three readings and adopted by Council, provided that Council approves the application.

6.7.8 TIRGP Grant By-law

A TIRGP Grant By-law is prepared for each TIRGP application in order to establish the site-specific financial details of the grant components of the TIRGP to be applied to the project. It is intended, in general terms, that each TIRGP Grant By-law will, at a minimum, address such matters as the following:

1. the property identification;
2. the Remedial Action Plan and approved eligible Rehabilitation costs;
3. the value of the Rehabilitation grant;
4. the value of the TIRGP to be used to deliver the grant monies;
5. the detailed duration and schedule of the Rehabilitation Grant payments; and
6. an acknowledgement that the Municipality is not becoming a partner in the project and is not assuming any management, care or control of the project by virtue of providing the Rehabilitation Grant (TIRGP).

The TIRGP Grant By-law cannot be given third and final reading and adopted by Council until the property Rehabilitation is complete and the Property Owner has submitted all invoices for the approved eligible Rehabilitation costs and satisfied all other conditions for receipt of the TIRGP grants as set out within a Brownfield Site Agreement.

6.7.9 Brownfield Site Agreement

The Brownfield Site Agreement must be executed by the Property Owner prior to Council approval of the BFTIP or TIRGP application. The agreement shall be executed by the Municipality upon receipt of Council approval of the BFTIP or TIRGP application. The agreement shall establish the financial elements of the Brownfields Program and the obligations of the Property Owner and the Municipality. The agreement will be modified, as required, to recognize the uniqueness of each Brownfield Site and the associated environmental constraints and development challenges. The timing of the project, as well as any phasing, or staging, and performance requirements, may also be addressed in the agreement.

Without limiting its generality, the Brownfield Site Agreement may include such matters as the following:

1. The term of the agreement;
2. Any Development Period phasing and/or timing;
3. The Property Owner's representations and obligations;
4. Monitoring and audit of eligible Rehabilitation cost details;
5. The Municipality's representations and obligations;
6. Grant calculation and payment;
7. Defaults and remedies and indemnity; and
8. An acknowledgement that the Municipality is not becoming a partner in the project and is not assuming any management, care or control of the project by virtue of providing Tax Assistance (BFTIP) or a Rehabilitation Grant (TIRGP) or an Initial Study Grant (ISG).

Once executed by all parties, the Brownfield Site Agreement must be registered against the title of the Eligible Property to which it applies. Approval and execution of the agreement is not a guarantee that funding will be provided. All conditions and obligations, as set out in the agreement, must be complied with by the Property Owner in order to be entitled to the Rehabilitation Grant or any other financial incentives set out within the agreement.

6.7.10 Grant Payments

When the benefits of the Tax Assistance (BFTIP) end, the Rehabilitation Grant (TIRGP) may begin, with a request from the Property Owner, provided that the requirements of the Brownfield Site Agreement have been met and an Occupancy Permit has been issued by the Municipality, reassessment of the property has taken place by the Municipal Property

Assessment Corporation (MPAC), and the Property Owner has paid the property taxes in full for the year in which the grant is to be provided. The Municipality may make the grant payments for up to 10 years following the effective date for the new assessment, or up to the value of the approved eligible Rehabilitation costs, whichever occurs first. The total value of the Rehabilitation Grant, the BFTIP tax assistance (both municipal and education) and the Initial Study Grant cannot exceed the total value of the approved eligible Rehabilitation costs.

TIRGP grant payments will only begin to be paid in the year that the TIRGP request is made by the owner and the third reading of the TIRGP by-law has been passed by Council. TIRGP grant payments are not retroactive and previous year's municipal property taxes will not be held by the Municipality and paid out when the TIRGP payments start.

If a building(s) erected on an Eligible Property is demolished during the Occupancy Period, the remainder of the monies to be paid out under the grant shall be forfeited.

6.7.11 TIRGP Eligible Costs Are Not Retroactive

With the exception of eligible study costs not fully covered by the Initial Study Grant or other sources of funding, the TIRGP funding is not offered retroactively for any Rehabilitation and/or redevelopment activities undertaken, or costs incurred, prior to Council approving the TIRGP application and the Property Owner entering into a Brownfield Site Agreement with the Municipality.

6.8 Municipal Brownfields Reserve Fund (MBRF)

6.8.1 Purpose

The Municipal Brownfield Reserve Fund (MBRF) is intended to facilitate direct Municipal financial involvement in the Rehabilitation and redevelopment of Brownfield Sites in the Community Improvement Project Areas.

6.8.2 MBRF Duration

When the TIRGP ends with the last grant payments paid out possibly as late as December 31, 2035, the MBRF may also end. However, if the Municipality wishes to continue the MBRF beyond the life of the TIRGP, it may do so by continuing to direct up to 20% of the tax increment assigned to former Brownfield Sites into the fund, without amendment to the CIP. Alternatively, the Municipality may conclude the MBRF and return any funds remaining in it to general revenue.

6.8.3 MBRF Description

The MBRF will receive 20% of the municipal tax increment that is retained by the Municipality as a result of properties participating in the TIRGP Rehabilitation Grant, and other monies as may be allocated by Council. As funds accrue in this account, the Municipality can use these funds to rehabilitate and develop key strategic parcels or publicly held lands in the Community Improvement Project Area. The MBRF will function as a revolving fund with any surplus monies deposited back into it. Funds in the MBRF

will be utilized only for municipal involvement in Brownfield Sites located within the Community Improvement Project Area.

The Finance Department will administer the MBRF, in consultation with other Municipal departments as necessary. It is intended that the cost of administering the MBRF portion of the Brownfields Program may be drawn as authorized by Council, as required, from the fund.

6.9 Tax Arrears Cancellation – Program for Failed Tax Sale Properties

6.9.1 Purpose

The purpose of this program is to stimulate the Rehabilitation and redevelopment of properties in tax arrears by third parties. The program allows the Municipality to cancel the taxes owing on a property after a Failed Tax Sale as an incentive to a potential purchaser to acquire and Redevelop the property. The cancellation of property taxes after a failed tax sale is authorized by the *Municipal Act, 2001*.

6.9.2 Program Description and Process

The *Municipal Act, 2001* authorizes the Municipality to conduct a public sale of properties in tax arrears. The Municipality will, as soon as a property is eligible, place the property up for tax sale to maximize the prospects of a successful sale. Where no successful purchaser has been identified in response to the public sale, the Act authorizes the Municipality, for a period of 24 months, to enter upon a Failed Tax Sale property for the purpose of inspecting the lands and conducting environmental investigations and testing as deemed necessary. During this period the Municipality can decide if it wishes to exercise the option of taking ownership or deem the property to be surplus to Municipality needs and offer it for sale.

If the decision is made to **acquire the property for municipal purposes**, the Municipality would undertake the following:

1. Identify the proposed use for the property;
2. Undertake the appropriate Environmental Site Assessments and/or Risk Assessments to determine the cost of rehabilitating the property (these studies could be funded through the MBRF);
3. If the ESAs are acceptable, prepare a report to Municipal Council recommending acquisition of the property for municipal purposes;
4. If approved by Council, the Municipality Vests the property and cancels the tax arrears; and,
5. The property is rehabilitated, if necessary, and then developed for municipal purposes. The cost of site Rehabilitation could be funded through the MBRF.

If the property is deemed to be surplus to Municipal needs, the Municipality would undertake the following:

1. Undertake Environmental Site Assessments and/or Risk Assessments to determine the cost of rehabilitating the property (these studies could be funded through the MBRF);
2. Determine the market value for the property (the Municipality may requisition an appraisal at this time the cost of which could be funded through the MBRF);
3. Initiate a request for proposals (RFP) process. This process will include a requirement that the property must be rehabilitated within five years of Municipal vesting (taking ownership). Responses to the RFP must include the following:
 - a. A description of the proposed redevelopment plan including floor areas, land use, unit breakdown, height, timing and any proposed phasing;
 - b. A Rehabilitation plan that provides an overview of the Rehabilitation approach if a Record of Site Condition (RSC) is required;
 - c. A financial plan that includes proposed purchase price, cost of the redevelopment and detailed estimate of Rehabilitation costs;
 - d. A description of the proposed community benefits (e.g. jobs created, affordable housing units, post-development tax revenue for the Municipality); and
 - e. A description of the proponent's experience, qualifications and understanding of the project;
 - f. Award the RFP to the successful proponent;
 - g. Enter into an Agreement of Purchase, Sale and Redevelopment with the proponent;
 - h. Submit a report to Municipal Council with recommendations to Vest the property, cancel the tax arrears and declare the property to be surplus to Municipal needs;
 - i. The Agreement of Purchase, Sale and Redevelopment with the proponent specifies the proponent's obligations, default provisions, and any other requirements specified by the Municipality. Agreement conditions may include, but not be limited to, the following:
 - The proponent agrees to complete all required Environmental Site Assessments or Risk Assessments by Qualified Persons and in accordance with provincial standards;
 - The Proponent agrees to carry out site Rehabilitation to permit the filing of a Record of Site Condition and to comply with any Certificate of Property Use issued under the *Environmental Protection Act* or agrees to carry out an adaptive reuse project on the property in conformity with applicable environmental guidelines;
 - The proponent agrees to complete site Rehabilitation within five years of the Municipality Vesting (taking ownership of) the property;

- The proposed use of the property will generate tax revenues for the Municipality; and
 - The proponent agrees to indemnify the Municipality for any legal claims or regulatory orders associated with the property;
- j. Transfer title to the property to the proponent.

Prior to finalizing the sale, the potential for funding under the Brownfields Program would be discussed with the proponent through pre-application consultation where the options for a development proposal will be explored. If the preliminary discussions indicate that the property meets the eligibility criteria outlined in Sections 6.3 through 6.7 of this CIP, the proponent would be encouraged to submit the appropriate application(s).

6.10 Development Charges & Building Permit Fees

Relief from development charges and building permit Fees, either in whole or in part, is at the sole discretion of Council. Council may use its sole discretion to exempt any Brownfields Development Site from development charges and/or building permit fees in order to stimulate Development or Redevelopment of the property.

7.0 Financial Aspects

7.1 General Budget Considerations

The fiscal health of the Municipality of Brighton is a priority of Council, embedded in its Strategic Plan and Official Plan. The Brownfields CIP Programs will have a direct impact on the Municipality's annual operating budget.

7.2 Brownfields CIP Program – Financial Aspects

7.2.1 Program Expenses

The expenses that are required to support the Brownfields Program include:

1. Staffing Administrative Costs: Staff resources are needed to coordinate applications received for the Brownfields Program (review and processing of applications, monitoring the program, providing status reports to Council, etc.).
2. Studies: These costs are associated with the Initial Study Grant and are limited to a maximum of two studies per Eligible Property with a maximum grant of **\$20,000** per property.
3. Miscellaneous expenses: These include costs incurred to assist with further environmental research, and data management.

7.2.2 Financial Benefits of the Brownfields Program

The Municipality may realize financial benefits associated with the Brownfields Program. One of the principal benefits is the increased property assessment and associated tax revenues that result from the Rehabilitation and redevelopment of Brownfield Sites (refer to Section 7.2.3 below). For each Eligible Property proposed for Rehabilitation and development, the Municipal Property Assessment Corporation (MPAC) may be asked to provide an estimate of the reassessed value anticipated once site Rehabilitation and

development are complete. This estimated assessment value is used to determine the annual Rehabilitation Grant payment amount and the duration of the grant payments. Once the site is developed and occupied, the grants paid to the Property Owner will be based on the actual assessed value of the property as confirmed by MPAC.

A portion of the incremental municipal tax differential between the pre-development and post-development taxes is initially allocated to pay the approved Rehabilitation Grant. After the approved eligible Rehabilitation costs are paid to the Property Owner and any development charge or building permit fee exemptions are paid into the respective funds. That portion of the incremental tax differential then becomes part of the Municipality's annual tax revenues. These long-term tax revenues for the property result from the short-term financial incentives invested in the Rehabilitation and redevelopment of Brownfield Sites through the Brownfields Program.

Another financial benefit is derived from the portion of the incremental increase in tax revenue which is transferred into the Municipal Brownfield Reserve Fund (MBRF). The MBRF is intended to fund the municipality's participation in the Brownfields Program. This fund allows the Municipality to rehabilitate and to offer for sale Brownfield Sites with future Development potential. The realization of this future Development potential within the Community Improvement Project Area will help to stimulate growth and encourage land use intensification.

A less tangible financial benefit is the compounding appreciation effect in the areas surrounding brownfield redevelopments. Redevelopment of a property that has been vacant or underutilized for many years and stigmatized due to site Contamination for new residential, commercial or industrial land uses, can have a positive effect on surrounding properties. The value of the surrounding properties may increase due to the improved environmental and aesthetic quality of the area leading to further private sector investment in the revitalization of residential areas, employment areas and the downtown. In addition to the significant environmental, economic and social community benefits articulated in Section 4 of this CIP, an additional benefit to the Municipality is that the Rehabilitation of a contaminated property will help to ensure its future marketability and reduce the likelihood of the property falling into tax arrears. It is difficult to market or secure mortgages/loans on contaminated land due to unknown risk. Rehabilitating these properties could reduce tax arrears and the possibility of a tax sale registration that could culminate in a Failed Tax Sale that potentially results in the tax arrears being cancelled by the Municipality.

8.0 Implementation

The administration of the Brownfields Program is carried out in accordance with the policies in Section 6 of this CIP. The following sub-sections here provide additional information about the implementation of other components of the Brownfields Program, including: amendments to the CIP; monitoring of the Brownfields Program; and the implementation guides.

8.1 Amendments to this 2022 Brownfields CIP

Amendments may be made to this CIP in accordance with the following:

1. Council may discontinue any of the components of the Brownfields Program, without an amendment to this CIP, if, in the opinion of Council, the goals of this CIP are not being met.
2. Council may vary the components of the Brownfields Program, without an amendment to this CIP, if, in the opinion of Council, the goals of this CIP are not being met, provided that the variation does not exceed the maximum amount of Tax Assistance and Rehabilitation Grants permitted through the Brownfields Program and this CIP.
3. Council may discontinue the Rehabilitation Grant component of the TIRGP at any time. However, Property Owners entitled to receive Rehabilitation Grants prior to the closing of the TIRGP, will continue to receive the grants as determined through the approved TIRGP Grant By-law and/or Brownfield Site Agreement with the Municipality.
4. Council may discontinue the Initial Study Grants at any time. However, Property Owners entitled to receive the Initial Study Grant prior to the closing of the grants component of the program, will receive any Initial Study Grant that had already been approved upon completion of the approved study.
5. When the Rehabilitation Grants end with the last grant payments paid out, possibly as late as December 31, 2035, the Municipal Brownfield Reserve Fund (MBRF) will also end. At that time, if Council wishes to continue the MBRF, it may do so by continuing to direct 20% of the tax increment assigned to former Brownfield Sites into the fund, without amendment to this CIP. Alternatively, the Municipality may conclude the MBRF and return any monies remaining in the MBRF account to general revenue.
6. Any additions to the financial incentive components of the Brownfields Program will require a formal amendment to the Brownfields CIP in accordance with Section 28(5) of the *Planning Act*, requiring notice of a public meeting, at least one public meeting and adoption by Council.
7. Minor changes to the Brownfields CIP will not require Council approval or an amendment in accordance with Section 28 of the *Planning Act*, provided the change(s) conform to the Official Plan, applicable provincial legislation, and meet the intent and purpose of the Brownfields CIP. These minor changes may include, but are not necessarily limited to:
 - a. Minor changes that arise as a result of amendments to legislation or the Official Plan;
 - b. Minor changes to application requirements, eligibility and evaluation criteria, and process;
 - c. Changes to the appendices of this CIP.

8.2 Monitoring of the Brownfields Program and CIP

The Municipality of Brighton Brownfields Redevelopment Strategy, Brownfields Program, and Community Improvement Plan will be evaluated from time to time by staff and Municipal Council. The purpose of the monitoring will be:

1. To determine the overall effectiveness and relevance of the financial incentive components of the Brownfields Program and the related policies, procedures, processes and funding levels;
2. To identify any required modifications to the Brownfields Redevelopment Strategy, Brownfields Program or CIP; and,
3. To assist Municipal Council in determining the continuation of the Brownfields Program.

Staff will provide Council with a Brownfields Program overview report on an annual basis, if needed, which will include information with respect to:

1. The number of Initial Study Grant applications submitted/approved and the total value of the grants;
2. The number, nature and extent of projects for which BFTIP and TIRGP applications have been submitted;
3. The number of BFTIP and TIRGP applications approved;
4. The value of Municipal contributions through the financial incentive components of the Brownfields Program and the corresponding private sector investment;
5. The changes in property assessment values on redeveloped Brownfield Sites;

8.3 Implementation Guides

Detailed Implementation Guides for the administration of the Initial Study Grant, the BFTIP Tax Assistance, and TIRGP Rehabilitation Grant will be prepared and will be included as part of the Brownfields Program application packages. The Implementation Guides will set out general and specific requirements for each component of the program and outline the application and approvals processes.

Appendix A: Glossary of Key Terms

The following terms are defined for the purposes of this Brownfields CIP

Base Rate: Means the municipal tax assessment of an Eligible Property prior to the commencement of Rehabilitation and/or redevelopment.

Brownfield Financial Tax Incentive Program (BFTIP): Means the financial mechanism, established pursuant to Section 365.1(1) of the *Municipal Act, 2001*, which is used by the municipality to cancel the municipal portion of the property tax and to apply to the Minister of Finance for cancellation of the education portion of the property tax during the Rehabilitation and/or Development Periods of the Brownfields CIP Program, subject to specified time limits.

Brownfield Sites: Means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Brownfield Site Agreement: Means an agreement entered into between the Municipality and the Property Owner and registered against the title of an eligible property that establishes the amount and duration of the Rehabilitation grant payments and the obligations of the Property Owner and the Municipality.

Brownfields Program: The program that the Municipality uses to offer Tax Assistance and Rehabilitation Grants to the owners of Eligible Properties for the Rehabilitation and redevelopment of Brownfield Sites.

Brownfields Redevelopment Strategy: Means the Municipality's plan to promote the Rehabilitation and redevelopment of Brownfield Sites in accordance with provincial regulations, the Municipality's Official Plan, and the Municipality's Brownfields CIP.

Certificate of Property Use: Means a Certificate issued under the *Environmental Protection Act* that requires the Property Owner to do any of the following:

- a. Take any action that is specified in the Certificate to prevent, eliminate or ameliorate any adverse effect that has been identified in the Risk Assessment, including installing any equipment, monitoring any contaminant or recording or reporting information for that purpose;
- b. Refrain from using the property for any use specified in the Certificate or from constructing any building specified in the Certificate on the property.

Community Improvement Plan (CIP): Means a tool under the *Planning Act* that allows a municipality to direct funds and implement policy initiatives towards a specifically defined Community Improvement Project Area.

Community Improvement Project Area (CIPA): Means a municipality, or an area within a municipality, where in the opinion of Council, community improvement is desirable

because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings, or for any other environmental, social or community economic development reason.

Contamination or Contaminated: Means a chemical which is present in soil, groundwater or sediment at a concentration greater than background levels, or which exceeds the concentration established in *Ontario Regulation 153/04* for the existing or proposed land use.

Council: Means the Council of The Municipality of Brighton.

Development (Redevelopment): Means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act or the Building Code Act.

Development Period: Means, with respect to an eligible property, the period of time starting on the date the Rehabilitation Period ends and ending on the earlier of:

- a. the date specified in the by-law providing Tax Assistance for the property; or
- b. the date that the Tax Assistance provided for the property equals the sum of:
 - i. the cost of any action taken to reduce the concentration of contaminants on, in or under the property to permit a Record of Site Condition to be filed in the Environmental Site Registry under Section 168.4 of the *Environmental Protection Act*, and
 - ii. the cost of complying with any Certificate of Property Use issued under Section 168.6 of the *Environmental Protection Act*.

Eligibility Date: Means the date after which eligible remediation costs intended for the tax cancellation through the Brownfield Financial Tax Incentive Program (BFTIP) and rebate through the Tax Increment-Based Rehabilitation Grant Program (TIRGP) can be incurred by the Property Owner. The Eligibility Date will be the date that Municipality Council approves the application provided to the Municipality by the Property Owner and approval of the Brownfield Financial Incentives By-law for the property.

Eligible Property: Means property for which a Phase II Environmental Site Assessment has been conducted and that:

- a. is included under Section 28 of the *Planning Act* in a Community Improvement Project Area for which a Community Improvement Plan is in effect containing provisions for Tax Assistance; and,
- b. as of the date the Phase II Environmental Site Assessment was completed, did not meet the standards that must be met under Subparagraph 4 i of Subsection 168.4(1) of the *Environmental Protection Act* to permit a Record of Site Condition to be filed under that Subsection in the Environmental Site Registry; and,
- c. that meets the eligibility criteria and requirements as set out in the 2017 Brownfields CIP.

Environmental Monitoring Program: Means a program of work designed to monitor environmental conditions within the air, soil, groundwater or sediment of a property that is normally undertaken during and after Rehabilitation to assess the performance of environmental Rehabilitation work over time. Environmental Monitoring Programs are often required to support risk-based Rehabilitation approaches.

Failed Tax Sale: Means when successful purchaser has not been identified in response to a public property tax sale, the *Municipal Act, 2001* authorizes the Municipality, for a period of 24 months, to enter into a Failed Tax Sale process on a property.

Fees: Means any Building Permit Application fees paid to the Municipality of Brighton in accordance with the Municipal Fee By-law.

Greenfield Development: Means the creation of planned communities within an urban area on previously undeveloped land with no or limited constraints imposed by previous uses, buildings or infrastructure.

Initial Study Grant: Means a grant to promote the undertaking of environmental studies that result in a more complete understanding of the type, concentration and location of Contamination that exists on a Brownfield Site.

Municipality: Means the Corporation of the Municipality of Brighton.

Municipal Brownfield Reserve Fund: Means the fund established by the Municipality into which a portion of the incremental tax increase generated by approved development on an eligible property is directed annually to enable the Municipality's direct participation in the Rehabilitation and redevelopment of publicly-owned Brownfield Sites in the Community Improvement Project Areas.

Occupancy Permit: Means a permit issued by the Municipality's building department certifying that a building or part of a building is in compliance with the applicable building codes and other laws and indicating that the building or part thereof is in a condition suitable for occupancy by the use or intended use.

Occupancy Period: Means the time period that begins when the Development Period is complete and an occupancy permit has been issued by the Municipality for all or a portion of the building(s) on an Eligible Property. The Occupancy Period may continue for up to a maximum of 10 years or until the approved eligible Rehabilitation costs have been recaptured by the Property Owner.

Off-Site Management Plan: Means a plan that monitors a known, off-site impact from a source property that has moved onto an adjacent property. It generally contains detailed monitoring and sampling plans for soil and groundwater, fluid levels and organic vapour concentrations on a regular basis to maintain an audit of the subsurface conditions.

Phase I Environmental Site Assessment (ESA): Means an assessment of property conducted in accordance with the applicable regulations, by or under the supervision of a Qualified Person, to determine the likelihood that one or more contaminants have

affected any land or water on, in or under the property. Generally, a Phase I ESA gathers information on a property from an historical use perspective. The investigation usually includes a site visit, a records review, and interviews with individuals who have specific knowledge of the property.

Phase II Environmental Site Assessment (ESA): Means an assessment of property conducted in accordance with the applicable regulations, by or under the supervision of a Qualified Person, to determine the location and concentration of one or more contaminants in the land or water on, in or under the property. The Phase II ESA is undertaken to confirm the presence or absence of potential Contamination identified during the Phase I ESA. The Phase II ESA utilizes soil and groundwater samples to identify contaminants and the level of Contamination relative to Provincial standards, and to locate the contaminated areas on site. The Phase II ESA may also begin to develop some possible Rehabilitation measures and begin to assess any potential land use limitations.

Property Owner: Means the person or persons or corporation registered as the owner of the eligible property on title in the Land Registry Office.

Qualified Person: Means an individual with qualifications and/or credentials related to a field of study and who is therefore appropriate for conducting a study and/or providing an expert opinion that has been required by the Municipality. The qualifications and credentials of the Qualified Person must be to the satisfaction of the Municipality, or where appropriate, are defined by relevant legislation, regulation and standards.

Record of Site Condition (RSC): Means a record that sets out the environmental condition of a property at a particular point in time, based on environmental site assessments conducted by a qualified person. An RSC must be filed in the provincial Ministry of Environment and Climate Change registry before the change of use of a property from industrial or commercial to residential or parkland or any lands to be dedicated to the Municipality.

Rehabilitation: Means any actions or efforts taken to reduce the concentration of contaminants on, in or under an Eligible Property that result in the productive reuse of lands or buildings within the Community Improvement Project Areas.

Rehabilitation Grant: Means an annual grant to the Property Owner based on the increase between the pre-development and post-development taxes. The maximum amount of the grant is calculated by taking the value of the approved eligible Rehabilitation costs and subtracting the Initial Study Grant amount and the tax assistance amount. The Rehabilitation Grant payments are paid by the Municipality for up to 10 years or up to the value of the approved eligible Rehabilitation costs, whichever occurs first.

Rehabilitation Period: Means, with respect to an Eligible Property, the period of time starting on the date on which the by-law providing Tax Assistance for the property is passed and ending on the earliest of:

- a. the date that is 18 months after the date that the Tax Assistance begins to be provided; or
- b. the date that a Record of Site Condition for the property is filed in the Environmental Site Registry under Section 168.4 of the *Environmental Protection Act*; and
- c. the date that the Tax Assistance provided for the property equals the sum of,
 - i. the cost of any action taken to reduce the concentration of contaminants on, in or under the property to permit a Record of Site Condition to be filed in the Environmental Site Registry under Section 168.4 of the *Environmental Protection Act*; or
 - ii. the cost of complying with any Certificate of Property Use issued under Section 168.6 of the *Environmental Protection Act*.

Remedial Action Plan: Means the plan that focuses on the Rehabilitation strategy (full-depth, stratified, risk assessment) for the clean-up of a property, the work plan, the uses proposed for the property and the level of environmental standard to be attained, and the costs associated with implementation. The Remedial Action Plan is based on the results of the Phase II ESA investigation and analysis and is formally recognized as a Phase III ESA. The Remedial Action Plan and the development proposal are closely linked.

Restoration: Means improving the quality of, rehabilitating, cleaning up or managing soil, groundwater or sediment, so that the property will be suitable for its intended use.

Risk Assessment: Means the scientific examination of the nature and magnitude of risk to define the effects on both human and other receptors of the exposure to contaminants, as prescribed by law, which is prepared in accordance with the applicable regulations by or under the supervision of a Qualified Person.

Risk Management: Means the implementation of a strategy or measures to control or reduce the level of risk estimated by the Risk Assessment.

Site Specific Risk Assessment (SSRA): Means a study that is adopted as a component of the Remedial Action Plan and may affect building type, building location, park areas, excavation potential and parking lots. These elements of the development concept may be designed in such a manner that they effectively seal any contaminants without any unnecessary disturbance. As a result, the Remedial Action Plan and the development proposal are closely linked.

Tax Assistance: Means, with respect to an Eligible Property, the cancellation or deferral of all or a portion of the taxes for municipal and education purposes pursuant to a by-law passed by Council as part of the BFTIP Program.

Tax Assistance By-law: Means a by-law passed by Council pursuant to the provisions of the *Municipal Act, 2001* to provide Tax Assistance to an Eligible Property on such conditions as Council may determine, and said by-law may apply during the Rehabilitation Period, the Development Period, or both.

Tax Increment-Based Rehabilitation Grant Program (TIRGP): Means the financial mechanism that takes the post-development municipal portion of the property taxes paid by the Property Owner and uses the calculated difference between the pre-development tax levy and the post-development tax levy to pay to the Property Owner the annual Rehabilitation Grant, and to contribute monies to the Municipal Brownfield Reserve Fund (MBRF), for a maximum period of 10 years, or until the value of the approved eligible Rehabilitation costs has been recovered by the Property Owner, whichever occurs first.

Vest or Vesting: Means to give an absolute right to title or ownership, including to real property, and is the term used in the applicable portions of the *Municipal Act, 2001* and the *Planning Act*. Applicants are encouraged to seek legal advice to confirm the correct understanding of this and other aspects.

DRAFT

Appendix B: Excerpt from Brighton Official Plan

6.0 Community Improvement Policies

This plan recognizes that a need exists to upgrade the Municipality's physical infrastructure, buildings, recreational facilities and the arrangement of existing land uses, particularly in all of the Hamlets. Furthermore, the Council of the Municipality of Brighton recognizes the need to maintain and rehabilitate the Municipality's physical environment and therefore is committed to ongoing improvement where deficiencies and / or opportunities exist. With this in mind this section contains the Municipality's objectives for community improvement and identifies the areas within the Municipality's selected improvement.

6.1 Planning Principles

A goal of this Plan to encourage the improvement, upgrading and correction of deficiencies in municipal, social and recreational services as well as the improvement of private lands. It is also a goal of this Plan to continue to make the Municipality of Brighton an attractive and safe place in which to live, work and visit, and to maintain and improve the economic base of the Municipality through the promotion of jobs, new capital investment and increases in the municipal tax base. As such, Council adopts the following community improvement objectives:

1. To improve and upgrade the Municipality's environment and, in particular, to address deficiencies with respect to the residential, commercial, industrial, recreational and community facility uses in Hamlets by:
 - a. Upgrading municipal services;
 - b. Increasing the efficiency of the movement of vehicular and pedestrian traffic;
 - c. Minimizing land use conflicts; and,
 - d. Enhancing the aesthetic quality of the area.
2. To encourage and support efforts by the private sector to maintain and improve existing buildings and structures;
3. To undertake community improvement projects in a manner that is fiscally responsible, recognizing the anticipated growth and various functions of the community including its social and economic roles;
4. To improve and upgrade municipal facilities and services including those serving institutional, recreational, cultural, and social and community related functions;
5. To encourage the preservation of the Municipality's heritage buildings and historical resources;
6. To enhance the Municipality's ability to accommodate new development and economic growth and to foster a favourable climate for private investment;
7. To ensure that buildings and property are maintained to acceptable standards;
8. To undertake a monitoring program to review budgeting and program direction in respect to attainment of specific policies;
9. To encourage the rehabilitation of environmentally compromised land and/or buildings through appropriate remediation; and,
10. To encourage growth within settlement areas through intensification and redevelopment.

6.2 Community Improvement Area Selection Criteria

In selecting and designating Community Improvement Areas pursuant to Section 28 of the *Planning Act*, Council shall have regard for deficiencies related to roads, sidewalks, lighting or other municipal services and residential, commercial, industrial, cultural, community facility and recreational buildings, structures or areas. In more specific terms the selection and designation of community improvement areas shall be undertaken where a number of the following deficiencies or opportunities have been identified:

1. Roads in need of improvement such as resurfacing and / or reconstruction;
2. A need for new or the replacement of existing sidewalks;
3. A need for new or the replacement of existing storm water drainage systems
4. and / or a need for improved drainage on particular properties;
5. A need for new or the replacement of existing street lighting;
6. A need for new or the replacement of outdated traffic signals or traffic directional
7. information signs;
8. A need for new or the upgrading of existing recreational facilities or lands;
9. A need for new or the upgrading of existing institutional and community facilities or lands;
10. A need for new or the upgrading of existing cultural and social facilities or lands;
11. A deficiency in the amount, variety and/or quality of housing to meet the needs of the Municipality's residents;
12. A deficiency in off-street and / or on-street parking resulting in traffic hazards and inconvenience;
13. A deficiency in the aesthetic or structural quality of streetscapes particularly in existing commercial areas;
14. A deficiency in traffic circulation or access; and,
15. In addition to the criteria noted above, consideration for the selection and designation of community improvement areas may also be given in circumstances where the following situations have been identified:
 - a. Conflicts between existing land uses;
 - b. Environmental problems such as flood susceptibility, noise or odour;
 - c. The presence of lands and/or buildings that may require detailed environmental site assessments or designated substances surveys and the implementation of appropriate and necessary remediation;
 - a. Man-made hazards such as level crossings, abandoned buildings, etc.; and,
 - b. In the case of vacant or under-used lots or blocks with good potential for
 - d. development or redevelopment.

6.3 Community Improvement Areas

The whole of the Municipality of Brighton is identified as a Community Improvement Area. It is the intent of this Plan that community improvement projects be undertaken as needed. However, prior to approving any improvement plans, Council must be satisfied that it can reasonably finance and afford the Municipality's share of any costs. Schedule "E" identifies certain areas within the rural portion of the Municipality which have been identified previously as Community Improvement Areas "A – F". The Municipality may consider further adjustments to these areas and may identify

Community Improvement Project Areas within the Brighton Urban Area by means of the passage of a By-law under Section 28 (2) of the *Planning Act*, RSO 1990 as amended, delineating CIP Project Areas. Adoption of a Community Improvement Plan for a Project Area will require the passage of a further By-law under Section 29(5), of the *Planning Act*, RSO 1990 as amended.

6.4 Phasing of Community Improvement

The intent of this Plan is improvements will be undertaken only when funding is available.

6.5 Implementation

In implementing this Plan's community improvement goals and objectives, Council may:

1. Designate by By-law, any part of the Municipality of Brighton as a Community Improvement Project Area(s) on the basis of the criteria outlined in Sections 6(3) and 6(4);
 - a. Use whatever public funding is available from federal or provincial government agencies, including that available through the Ontario Heritage Act;
 - b. Incorporate any other relevant municipal programs into the Community Improvement Plan;
 - c. Encourage the participation of the private sector in the implementation of the Community Improvement Plan, and encourage private initiatives regarding the rehabilitation, redevelopment, conversion and environmental remediation of lands and / or buildings and where appropriate, support infill development and redevelopment;
 - d. Support and encourage the participation of local community groups, service clubs, ratepayer associations and other public organizations in the implementation of the Community Improvement Plan;
 - e. Improve, acquire or dispose of land and/or buildings in a designated area in accordance with the Community Improvement Plan;
 - f. Develop and enforce a maintenance and occupancy standards by-law pursuant to the provisions of Section 15.1 of the Building Code Act;
 - g. Undertake the preparation of Community Improvement Plans and the development of community improvement programs pursuant to Section 28 of the *Planning Act*, and,
 - h. Consult with the Conservation Authority in circumstances involving natural hazards (flooding, erosion and dynamic beaches), natural heritage, water quality and quantity, and stormwater management

Appendix “C” – Candidate Brownfield Sites

DRAFT