

City of Peterborough

Central Area Community Improvement Plan

TABLE OF CONTENTS

1.0	Introduction	
1.1	Purpose	4
1.2	Community Improvement Project Area	5
1.3	Central Area Opportunities and Challenges	5
2.0	Legislative Authority	
2.1	Planning Act	8
2.2	Municipal Act	9
3.0	Guiding Planning Policies	
3.1	Official Plan (December 2009 Office Consolidation)	10
3.2	Official Plan Amendment No. 142	14
3.3	Provincial Policy Statement (2005)	15
3.4	Growth Plan for the Greater Golden Horseshoe (2006)	15
4.0	Peterborough Central Area Community Improvement Plan	
4.1	Goals and Objectives	17
4.1.1	Goals	17
4.1.2	Objectives	17
4.2	Community Improvement Plan	17
4.2.1	Façade Improvement Program	18

4.2.2	Central Area Revitalization (Tax Increment Based) Grant Program	20
4.2.3	Brownfields Tax Assistance Program	21
4.2.4	Municipal Incentive Grant Program	26
4.2.5	Residential Conversion and Intensification Grant Program	27
4.3	General Administration Provisions Applicable to Incentive Programs	29
5.0	Implementation and Interpretation	
5.1	Funding	31
5.2	Monitoring	31
5.3	Amendments	31
	Appendix A – Façade Improvement Grant Program Administration	32
	Appendix B – Central Area Revitalization Tax Increment Based Program Administration	36
	Appendix C – Brownfields Tax Assistance Grant Program Administration	40
	Appendix D – Municipal Incentive Grant Program	44
	Appendix E – Residential Conversion and Intensification Grant Program	48

1.0 INTRODUCTION

The Peterborough Central Area Community Improvement Plan (CIP) is a tool that is intended to stimulate the revitalization and investment in the Central Area. CIP's are used widely across Ontario, and particularly in downtowns, to focus and initiate change and redevelopment. In accordance with Section 28 of the *Planning Act*, the Central Area CIP encourages investment in the Central Area by providing for financial incentives that may be applied to eligible properties for purposes that conform to the goals, objectives, and policies of the CIP. Eligible properties must be located within the Central Area Target Area designated on Schedule "H" – Community Improvement of the Official Plan.

The Central Area CIP has been prepared in accordance with the statutory requirements of the Planning Act and has had the benefit of a full consultation process.

1.1 Purpose

The purpose of this CIP is to assist in the revitalization and enhancement of the Central Area as a focal area for public and private investment. CIP provides City Council with a broader authority to encourage and implement public and private investment in the Central Area.

Public Sector Investment

The passage of a by-law designating the Central Area as identified on Schedule J of the Official Plan as a community improvement project area and the CIP provides the City with the ability to become more directly involved in the redevelopment of property within the Central Area for the purpose of community improvement, including:

- The acquisition or preparation of property for community improvement;
- Construction, rehabilitation or improvement of buildings on land held by the City; and
- The sale, lease or disposal of land and buildings held by the City of the purpose carrying out the CIP.

Private Sector Investment

In order to stimulate private investment, the CIP provides for financial incentive programs that will make grants or loans available to Central Area properties to:

- Improve the appearance of streetscapes and buildings, including built cultural heritage resources, through facades improvements;

- Promote sustainable development including energy efficiency through façade improvements;
- Encourage the redevelopment of underutilized buildings; and/or
- Stimulate the creation of residential development/redevelopment in the Central Area.

1.2 Community Improvement Project Area

Section 28 of the *Planning Act* allows municipalities, if they have provisions in their official plans relating to community improvement, to designate by by-law a “community improvement project area” and prepare and adopt a community improvement plan (CIP) for such an area.

The *Planning Act* defines a “community improvement project area” as a municipality or an area within the municipality, the community improvement of which in the opinion of the Council, is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason”.

Subsection 28(4) of the *Planning Act* requires that the Community Improvement Project Area be designated by a by-law prior to approving a CIP.

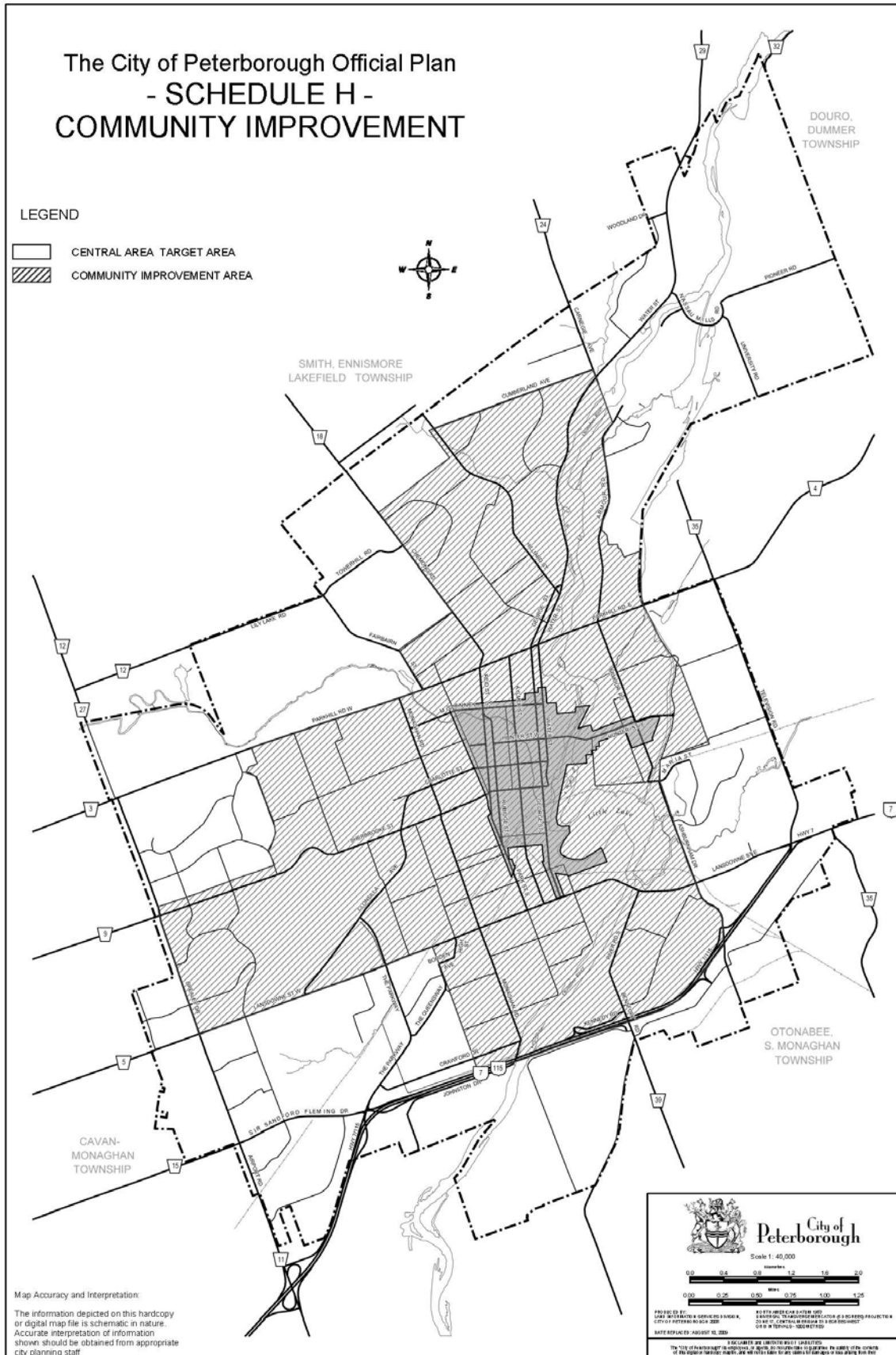
On September 12, 2011, Council adopted a by-law designating the Central Area Target Area as shown on Figure 1, as a Community Improvement Project Area pursuant to Section 28(2) of the *Planning Act*.

1.3 Central Area Opportunities and Challenges

The Central Area has been the economic and cultural centre of Peterborough since its establishment in 1825. It is the focus of the broad range of public and private uses that make the Central Area the civic, cultural, social and economic centre of the City.

The Central Area supports a broad mix of uses within a 239 hectare area with a density of approximately 70 residents and jobs per hectare. There are approximately 6,000 people living and 12,000 employees working in the Central Area (2006).

The City of Peterborough is committed to a healthy and vibrant downtown as a desirable place for people to live, work, conduct business, engage in civil and social activities, and pursue cultural and recreational interests. This commitment is evidenced through public investment in community facilities such as the Market Hall, Del Crary



Park and Millennium Square, major infrastructure investment in roads and streetscape improvements and continued investment in the Otonabee River Trail.

The revitalization of the Central Area also requires the complementary participation of the private-sector, through the reinvestment and establishment and expansion of new office and retail businesses and the development of new residential projects.

In May 2009, City Council approved a new Central Area Master Plan which provided an update to the planning strategies that had guided the traditions of this priority area of Peterborough. One of the key strategies identified in the Central Area Master Plan is the adoption of a Central Area CIP to provide a suite of financial incentives to promote private investment throughout the Central Area.

The purpose of this Plan is to attract more public and private sector investment to help ensure the long-term economic, social and cultural vitality of the Central Area. To achieve this, the City is committed to taking a role in stimulating Downtown investment to attract private development and redevelopment in Peterborough's Central Area.

2.0 LEGISLATIVE AUTHORITY

The legislative authority for Community Improvement Plans and related incentives and powers is derived from the *Planning Act* and the *Municipal Act*.

2.1 Planning Act

The *Planning Act* is the primary vehicle and provides for the establishment of community improvement project areas where the Official Plan contains provisions related to community improvement and the “community improvement project area” is designated by by-law pursuant to Section 28 of the *Planning Act*.

Once a “community improvement project area” has been designated by by-law, a municipality may then prepare a “community improvement plan” for the project area.

Under Section 28 of the *Planning Act*, “Community Improvement” means:

“the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefore, as may be appropriate or necessary.”

For the purpose of carrying out a Community Improvement Plan that has come into effect, a municipality may engage in the following activities within the Community Improvement Project Area:

- a) acquire, hold, clear, grade or otherwise prepare land for community improvement (28 (3));
- b) construct, repair, rehabilitate or improve buildings on land acquired or held by it in the community improvement project area in conformity with the community improvement plan (28(6));
- c) sell, lease, or otherwise dispose of any land and buildings acquired or held by it in the community improvement project area to any person or government authority for use in conformity with the community improvement plan (289(6)); and

- d) make grants or loans, in conformity with the community improvement plan, to register owners, assessed owners and tenants of lands and buildings within the community improvement project area, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole or any part of the eligible costs of the community improvement plan (28(7)).

Section 28(7) of the *Planning Act* provides for grants and loans for eligible costs established in an approved CIP related to:

- environmental site assessment;
- environmental remediation;
- development;
- redevelopment;
- construction and reconstruction of lands and buildings for rehabilitation purposes; and
- the provision of energy efficient uses, buildings, structures, works, improvements or facilities.

The *Planning Act* restricts the total value of all grants and loans made under the *Planning Act* and tax incentives under the *Municipal Act* (where applicable) from exceeding the eligible costs defined in the CIP.

2.2. Municipal Act

Pursuant to Section 106 (3) of the *Municipal Act*, municipalities are exempt from the prohibition on providing assistance through the granting of bonuses when exercising its authority under Section 28 (6), (7) or (7.2) of the *Planning Act* within Community Improvement Areas. Bonusing includes: giving or lending any property of the municipality including money, guaranteed borrowing, leasing or selling any municipal property at below fair market value; and giving a total or partial exemption from any levy, charge or fee.

3.0 GUIDING PLANNING POLICIES

3.1 Official Plan (December 2009 Office Consolidation)

The Official Plan places high priority on the enhancement of the Downtown, and describes the Central Area as Peterborough's "traditional centre" and the "historic heart of the community". The importance of the Central Area to the entire community is referenced throughout the Official Plan, in particular, the strategic direction of the Central Area found in Section 2.3, the detailed land use policies in Section 4.3.2, and the specific Central Area Planning Strategies provided in the updated Central Area Master Plan in Section 10.6.

Examples of this policy direction include:

- **2.3 COMMERCIAL STRUCTURE**
- **2.3.1 RULES AND COMPONENTS**

The urban structure of Peterborough and its image and identity as a community are profoundly influenced by the locational pattern of commercial functions carried on in the City.

The essence of Peterborough's commercial structure is illustrated by [Figure 1](#). This commercial structure includes, on a base illustrating the major transportation network serving the City and the schematic distribution of commercial land uses, the following major structural elements:

- *Central Area*
- *Shopping Nodes*
- *Special Policy Area*
-

These are not necessarily areas exclusively devoted to commercial use.

The Central Area, is the Historic heart of the community and has the broadest range of commercial activity within the City. It is the prime focus of office, cultural and entertainment uses as well as a diverse range of retail facilities including specialty stores, regional uses and services, in addition to stores and services which support its resident population. It is also much more than a commercial area and provides the focus for government activities, community and recreational uses, higher density and specialized forms of housing, heritage sites and buildings, tourist facilities, as well as the site of several key industries. Differing land use designations (identified by Section 4.3.2 and Schedule J of the Plan) reflect this diversity.

- **2.3.2 COMMERCIAL STRUCTURE GOALS AND OBJECTIVES**

It is the intention of this Plan that the actions of the City, in carrying out its responsibilities with respect to the planning of commercial land uses and the development approval process for commercial developments, shall be guided by the following goals and objectives:

g) To maintain the economic vitality, historic and community value of the Central Area, by encouraging the development, redevelopment and rehabilitation of the area for a diverse range of uses, including retailing of all types, office uses, entertainment, cultural and recreation facilities, tourism and hospitality facilities, other types of service commercial uses and businesses, as well as governmental, institutional, residential and community uses. It is the intent of this Plan that, in most instances, Central Area lands will be rezoned to permit the full range and density of uses contemplated for various areas subject to site plan approval and other implementation processes.

h) To increase the amount and intensity of residential uses in and around the Central Area by supporting appropriate multi-unit residential or mixed-use development and redevelopment.

i) To undertake, by both direct municipal action and the encouragement of action by other parties, a programme of on-going improvements in the Central Area to enhance the efficiency, convenience, safety and appearance of the area and the activities it accommodates, including streetscape improvements, waterfront and riverside enhancement, infrastructure upgrading, facilities for off-street and on-street parking, improved vehicular connections and circulation

patterns, and facilities for those not travelling by private automobile, including improvements for pedestrians, the elderly and physically-challenged, and those using transit services, taxis, and transportation for the disabled.

- **2.3.3 CENTRAL AREA**

a) The planned function of the Central Area is to be a multi-faceted activity centre for the City and surrounding region, incorporating retailing of all types, business and professional offices, entertainment, cultural and recreation facilities, tourism and hospitality facilities, other types of service commercial uses and businesses, a number of important industries as well as governmental, institutional, residential and community uses.

b) In order to maintain and enhance the breadth, depth and continued viability of the Central Area's functions, it is intended that the land use policies for those portions of the Central Area most suited for commercial uses be permitted the broadest practical range of retail and other commercial uses. At the same time, however, the following are regarded as the particular priority functions for the Central Area:

i) those types of small scale higher-order retail facilities such as specialty shopping and comparison shopping which attract and serve residents from throughout the City and surrounding region, business and professional offices, service commercial uses, entertainment facilities including cinemas and theatres, and hospitality and tourist facilities, governmental and community facilities, and

ii) the food, drug and convenience shopping functions, personal services and other facilities which are of particular significance in reinforcing the attractiveness of the Central Area and nearby areas of Peterborough for residential purposes and in maintaining convenience and service for the population residing in those areas.

c) As office development is important to the planned function of the Central Area, new offices in Shopping nodes shall only be small scale and limited to the Shopping Centre Designation. Notwithstanding the office development opportunity prescribed in Section 4.2.6 and 4.3, zoning applications for new office permissions in commercial designations outside of the Central Area, with the exception of major sites referenced in Section 2.3.6 will be deferred

until a new Downtown Master Plan has been approved by Council as an amendment to this Plan. The new Master Plan will include an assessment of the office inventory, office vacancies and the impact of vacancies on the planned function of the Central Area. The Master Plan will also provide policies to promote a healthy office sector in the Central Area.

- **4.3.2 CENTRAL AREA**

4.3.2.1 The Central Area is Peterborough's traditional centre, consisting of the downtown core and other central lands. This area accommodates the largest and most diverse concentration of central place functions in the City, including retail, office, service, entertainment and other commercial uses, as well as governmental, institutional, residential and community activities. Retail uses are a significant component of this mix of activities, and includes a broad range of comparison shopping, specialty outlets and more localized facilities related to the needs of nearby residents and the downtown working population. The form of development in the Central Area is more intensively urban than any of the City's other commercial areas.

The retail and service activities and other facilities in the Central Area are collectively the most significant location for the provision of specialized and higher-order functions serving the diverse needs of residents, businesses and institutions of Peterborough and of the surrounding regional area which looks to Peterborough for those functions not available locally.

- **10.6.3 OBJECTIVES OF THE MASTER PLAN**

The goal of this Master Plan is to promote the continued growth and development of the Central Area. The specific objectives are as follows:

a) To confirm that the priority functions of the Central Area, worthy of protection, are Entertainment and Cultural Uses, Major Office Uses, and Institutional Uses;

b) To stabilize and strengthen the retail function of the Central Area, in particular, food, services and convenience shopping for residents of the Central Area;

c) To encourage new residential development, particularly in higher density or mixed-use forms, that will add to the vitality of the

Central Area and create an expanding local market for retail growth;

d) To promote the quality of life in Central Area neighbourhoods;

e) To foster pedestrian connectivity throughout the Central Area particularly the completion of linkages to the Otonabee River, Little Lake and Jackson Creek, new trail and walkway development, and the further development of the Otonabee River Trail;

f) To continue the program of improvements to municipal infrastructure including streetscapes and storm water management systems; and

g) To promote the unique function of each Sub-area within the Central Area through targeted economic development strategies.

- **10.6.4 PROGRAM OF CENTRAL AREA ENHANCEMENTS**

In order to achieve progress on each objective identified in section 10.5.3, the City will, as can be reasonably accomplished through annual budget allocations, pursue a program of Central Area enhancement. The program of enhancement is identified in sections 10.6.4.1 to 10.6.4.7 and addressed in detail in the Background Study to the Master Plan. The specific strategies are unique to this planning period and do not preclude the continuation of established and successful initiatives that are not yet complete.

- **10.6.4.6 Strategies to Promote Economic Development**

f) The adoption of a Community Improvement Plan for the Central Area.

3.2 Official Plan Amendment No. 142 (November 20, 2009)

Official Plan Amendment No. 142 was adopted by Council on August 10, 2009 and approved by the Province on November 20, 2009, to bring the City's Official Plan into conformity with the planning framework of the Growth Plan for the Greater Golden Horseshoe. The Amendment added a new Schedule to the Official Plan which illustrated growth plan elements including an Urban Growth Centre. The Urban Growth Centre represents an area closely resembling the "Commercial Core" area of the Central Area.

3.3 Provincial Policy Statement (2005)

The 2005 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning development. The proposed CIP is consistent with the applicable provisions of the PPS, and implements the following polices:

- 1.1.3.1 Settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted.
- 1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety.
- 1.4.3 c) Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area by directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected need.
- 1.6.2 The use of existing infrastructure and public service facilities should be optimized, wherever feasible, before consideration is given to developing new infrastructure and public service facilities.
- 1.7.1 b) Long-term economic prosperity should be supported by maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets.
- 1.8.1 c) Planning authorities shall support energy efficiency and improved air quality through land use and development patterns which focus major employment, commercial and other travel-intensive land uses on sites which are well served by public transit where this exists or is to be developed, or designing these to facilitate the establishment of public transit in the future.
- 2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

3.4 Growth Plan for the Greater Golden Horseshoe (2006)

The provincial Growth Plan identifies Downtown Peterborough as an “Urban Growth Centre”, which must be planned:

- as a focal area for investment in institutional and region wide public services,

as well as commercial, recreational, cultural and entertainment uses;

- to accommodate and support major infrastructure;
- to serve as a high density major employment centre that will attract provincially, nationally or internationally significant employment uses; and
- to accommodate a significant share of population and employment growth.

The Growth Plan also requires that Downtown Peterborough be planned to achieve a minimum density of 150 residents and jobs (combined) per ha by the year 2031. The current density of Peterborough's Urban Growth Centre is approximately 100 residents and job per ha.

4.0 PETERBOROUGH CENTRAL AREA COMMUNITY IMPROVEMENT PLAN

4.1 Goals and Objectives

The downtown of any City is both a measure of the general health of the municipality as well as an indicator of economic health, civic pride and history of a community. A healthy downtown is a significant factor in attracting knowledge based workers and new economy business to the City.

This CIP will help to enhance the Peterborough Central Area as the community's focus for public and private sector investment.

4.1.1 Goals

The overall goals of the CIP are to ensure that the Central Area is:

- a) An attractive, vibrant, multi-functional urban centre.
- b) A focal area for investment in residential, employment, retail, entertainment, recreational, arts and cultural, institutional, civic and public service uses, and major infrastructure investment.

4.1.2 Objectives

The objectives of the Central Area CIP are:

- a) Providing for public sector investment.
- b) Stimulating private sector investment.
- c) Improving the appearance of the Central Area streetscape and buildings, including built cultural heritage resources, through façade improvements.
- d) Promoting the renovation and reuse of underused and contaminated properties.
- e) Promoting sustainable development including energy efficiency through façade improvements.

4.2 Community Improvement Program

The following outlines the programs to be implemented and establishes the related guidelines, eligible costs, and application procedures. The administrative details of the

specific programs may be changed by Council without requiring a formal amendment to the Community Improvement Plan as outlined in Section 5.3.

4.2.1 Façade Improvement Grant Program

a) Background

The Façade Improvement Grant Program would provide grants to property owners who rehabilitate and improve the facades (including signs) of buildings within the Central Area Target Area. Façades will include rear facing facades where it has high public visibility.

b) Program Assistance

- i) The Façade Improvement Grant will provide a grant of 50 percent of the cost of eligible work up to \$15,000 per property address with one façade. An additional grant of up to \$15,000 may be issued for buildings on corner lots where façade improvements are proposed on both street facing facades. The upset limit for property with more than one municipal address, façade, owner or tenant, is \$30,000. A façade is the face of a building, usually the front, which has been designed with a particular style and incorporates design elements.
- ii) This program will commence on the day following Council approval of the Community Improvement Plan and continue for three years, unless specifically extended by Council By-law.

c) Eligibility Requirements

- i) The grant shall not exceed 50 percent of the costs of eligible work. No municipal address façade or owner/tenant shall receive more than a total of \$30,000 under this program within a five year period. Not more than 10% of the entire grant may be used for indirect costs, such as consultant, design or project management services.
- ii) All applications for assistance under this program will be considered subject to the availability of funding.
- iii) Any property owner within the Central Area Target Area may apply in writing to the City and must receive written approval prior to commencing any work related to the grant/loan.

- iv) The City reserves the right to inspect all completed eligible works to ensure the monetary value of work completed coincides with the monetary value of the work proposed as indicated on any approved grant application. Should the City deem the monetary value of work completed not to coincide with the monetary value of the work proposed, the City reserves the right to reduce the amount of the grant accordingly.
- v) The subject property shall not be in a position of property tax arrears.
- vi) The improvements to be undertaken shall conform to approved Council design guidelines, policies and regulations apply to the property.
- vii) Façade improvements and signs should maintain the historical character of the Central Area and the design drawings must be approved by the City in order to access funding for improvement. No grant shall be issued until such time as the eligible works are deemed to be complete by the City.
- viii) Outstanding Work Orders from the City's Fire Services or Building Division and requests to comply must be addressed prior to grant approval.
- ix) Grants will be paid on the basis of the actual cost of the eligible work and will be approved at the sole discretion of the City.
- x) Eligible works include:
 - repair or restoration of façade masonry, brickwork or wood;
 - repair, replacement or restoration or architectural features;
 - repair or replacement of windows or doors;
 - repainting, cleaning or re-facing of facades;
 - improvements to the appearance or access to entrances of commercial units;
 - installation or appropriate new signage or improvements to existing signage;
 - installation of appropriate new canopies and awnings or improvements to existing canopies and awnings; and
 - installation of appropriate new exterior lighting or improvements to existing exteriors.
- xi) Preference will be given to those properties that have a heritage designation or are eligible for such designation.

4.2.2 Central Area Revitalization (Tax Increment Based) Grant Program

a) Background

The intent of this program is to stimulate the remediation, rehabilitation or renovation of existing buildings, the redevelopment of previously developed sites that are now vacant, under-utilized sites or Waterfront Commercial properties that result in a significant investment.

b) Program Assistance

- i) This program would provide a grant to property owners who undertake the remediation, rehabilitation, restoration or redevelopment of their properties that results in a reassessment of the properties. The amount of the grant would be determined based upon the incremental increase in the municipal taxes and shall not exceed the value of the work that resulted in the reassessment. For this reason, the total value of the work, plus the amount of the municipal taxes paid prior to and after the redevelopment, would have to be known. "Municipal taxes" under this program refers to only the general portion of municipal taxes of the total taxes paid and would not include any other taxes or amounts, including but not limited to, education and all servicing charges.
- ii) It is proposed that this program would be implemented over a nine-year period. Owners of properties participating in this grant program who apply in any year of the program will be eligible for the full grant.

In the Central Area Target Area, the grant amount for this program shall not exceed 100% of the increase in the municipal portion of the taxes in years one to five of the program, decreasing to 80% in year six, 60% in year seven, 40% in year eight, 20% in year nine and with the owner paying the full amount of taxes in year ten.

In the Central Area Target Area, the grant will apply to the rehabilitation of existing buildings and redevelopment of vacant sites.

The property owner would be responsible for the full payment of taxes, after which the City would provide the grant. For that period beyond nine years, the owner would be required to pay the full amount of the taxes with no grant provisions.

- iii) A property owner may register their intent to participate in the grant

program by filing an application at the time of Building Permit application. The amount of municipal taxes paid would be determined, and upon completion of the works, the municipal taxes to be paid as a result of the reassessment by the Municipal Property Assessment Corporation (MPAC) would be calculated. The difference between the municipal taxes prior to the works being undertaken and the municipal taxes after the completion of the works would be the portion eligible for a grant under this program. The grant will be provided on a declining rate basis for a 9 year period with a grant generally equate to 100% of the incremented taxes for the redeveloped property in a year. (Year 1 is defined as the first full calendar year in which taxes are paid after the project has been completed and reassessed.) By using the Building Permit as the “trigger” for establishing participation in the program, the approximate value of the rehabilitation work to be undertaken can also be determined. As indicated above, the total value of the grant will not exceed the value of the work done. At the Building Permit stage, the construction value of the project is known, since this is what establishes the cost of the permit. In some cases, an audit may be required to confirm the construction value.

- iv) This program would not exempt property owners from an increase in municipal taxes due to a general tax rate increase or in a change in assessment for any other reason after the property has been improved, except by reason of an assessment appeal.

c) **Eligibility Requirements**

- i) Any property owner within the target area must apply in writing at the time of making an application(s) for a Planning or Building Permit approval.
- ii) The subject property shall not be in a position of property tax arrears.
- iii) Outstanding Work Orders from the City’s Fire Services or Building Division and requests to comply shall be addressed prior to grant approval.

4.2.3 Brownfields Tax Assistance Program (TAP)

a) **Background**

The purpose of the Brownfield Tax Assistance Program (TAP) is to encourage the remediation and rehabilitation of Brownfield sites by providing a cancellation of the property tax increase on a property that is undergoing or

has undergone remediation and development to assist with payment of the cost of environmental remediation. This program applies only to properties requiring environmental remediation and/or risk assessment/management.

b) **Program Assistance**

The legislative authority for the Brownfield TAP is established under Sections 365.1 (2) of the *Municipal Act, 2001* which allows municipalities to pass a by-law providing tax assistance to an eligible property in the form of cancellation of all or part of the taxes levied on that property for municipal and education purposes during the “rehabilitation period” and the “development period” of the property, as defined in Section 365.1 of the *Municipal Act, 2001*.

An “eligible property” for the Brownfields TAP is a property within the community improvement project area where a Phase II Environmental Site Assessment (ESA) has been conducted, and that as of the date the Phase II ESA was completed, did not meet the required standards under subparagraph 4i of Section 168.4(1) of the *Environmental Protection Act* to permit a Record of Site Condition (RSC) for the proposed use to be filed in the Environmental Site Registry.

“Rehabilitation period” means, with respect to an eligible property, the period of time starting on the date on which the by-law under subsection 365.1(2) 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;
- 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*, and
 - ii) the cost of complying with any certificate of property use issued under section 168.6 of the *Environmental Protection Act*; (“period de rehabilitation”).

“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 made under subsection 365.1(2); 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*; (“period of amendment”).

“Eligible costs” for the Brownfields TAP are the costs of any action taken to reduce the concentration of contaminants on, in or under the property to permit a record of site condition (RSC) for the proposed use to be filed in the Environmental Site Registry under Section 168.4 of the *Environmental Protection Act*. This includes the cost of:

- a) a Phase II ESA, Designated Substances and Hazardous Materials Survey, Remedial Work Plan, and Risk Assessment not disbursed by the ESA Grant Program;
- b) environmental remediation, including the cost of preparing a RSC;
- c) placing clean fill and grading;
- d) installing environmental and/or engineering controls/works as specified in the Remedial Work Plan and/or Risk Assessment;
- e) monitoring, maintaining and operating environmental and engineering controls/works, as specified in the Remedial Work Plan and/or Risk Assessment; and,
- f) environmental insurance premiums.

In no case will the total amount of tax assistance provided under the Brownfields TAP exceed the total of these eligible costs.

The municipal property tax assistance provided will cease when the total tax assistance provided equals the total eligible costs as specified above. Costs may be subject to an independent audit.

The matching education property tax assistance will cease:

- a) when the total tax assistance provided equals the total eligible costs as specified above; or,
- b) after such time period as is approved by the Minister of Finance, whichever comes first.

Matching education property tax assistance for eligible properties under the provincial Brownfields Financial Tax Incentive Program (BFTIP), or through any other replacement programs administered by the Province, is subject to approval of the Minister of Finance on a case by case basis, may be provided on a different schedule from the tax assistance provided by the City, and may be subject to additional conditions.

If a property that has been approved for Brownfields tax assistance is severed, subdivided, sold or conveyed prior to the end of the tax assistance period specified above, both the education property tax assistance and the municipal property tax assistance will continue to add to the property.

Any property approved for tax assistance will be subject to passing of a by-law by the City that authorizes the provision of the tax assistance. This by-law will contain conditions required by the City as well as conditions required by the Minister of Finance. In order for the by-law to apply to education property taxes, before it is passed by the City, the by-law must be approved in writing by the Minister of Finance.

Applications will be processed and approved on a first come, first serve basis, subject to availability of funding as approved by Council, with a higher priority being placed on applications for sites where planning approvals are not required or sites where planning applications have been submitted. Review and evaluation of an application and supporting materials against program requirements will be completed by City staff, which will then make a recommendation to City Council or Council's designate.

c) Eligibility Requirements

Applicants are eligible to apply for funding under this program, subject to meeting the general program requirements and the following program requirements:

- a) An application must be submitted to the City prior to the start of any remediation works to which the tax assistance will apply;

- b) The application must be accompanied by a Phase II ESA prepared by a qualified person that shows that the property does not meet the standards under subparagraph 4i) of Section 168.4(1) of the *Environmental Protection Act* to permit a Record of Site Condition (RSC) for the proposed use to be filed in the Environmental Site Registry;
- c) The application must be accompanied by a Phase II ESA, Remedial Work Plan or Risk Assessment prepared by a qualified person that contains:
 - i) an estimate of the cost of actions that will be required to reduce the concentration of contaminants on, in or under the property to permit a record of site condition (RSC) for the proposed use to be filed in the Environmental Site Registry under Section 168.4 of the *Environmental Protection Act*; and
 - ii) a work plan and budget for said environmental remediation and/or risk management actions;
- d) As a condition of the application, the City may require the applicant to submit a Business Plan for redevelopment of the property (as applicable), with said Plan to the City's satisfaction;
- e) The property shall be rehabilitated such that the work undertaken is sufficient to at a minimum result in an increase in the assessed value of the property;
- f) The total value of the tax assistance provided under this program shall not exceed total eligible costs. This includes the eligible costs of:
 - i) a Phase II ESA, Designated Substances and Hazardous Materials Survey, Remedial Work Plan, and Risk Assessment not disbursed by the ESA Grant Program;
 - ii) environmental remediation, including the cost of preparing a RSC;
 - iii) placing clean fill and grading;
 - iv) installing environmental and/or engineering controls/works as specified in the Remedial Work Plan and/or Risk Assessment;

- v) monitoring, maintaining and operating environmental and engineering controls/works, as specified in the Remedial Work Plan and/or Risk Assessment;
- vi) environmental insurance premiums;
- g) All property owners participating in this program will be required to enter into an agreement with the City that will specify the terms, duration and default provisions of the tax assistance;
- h) All Brownfields TAP applications and agreements must be approved by Council or Council's designate;
- i) Should the owner of the property default on any of the conditions in the by-law, the tax assistance provided (plus interest) will become payable to the City and Province;
- j) The owner shall file in the Environmental Site Registry a RSC for the property signed by a qualified person, and the owner shall submit to the City proof that the RSC has been acknowledged by the Ministry of Environment (MOE).

4.2.4 Municipal Incentive Grant Program

a) Background

The goal of this program is to provide an additional incentive to augment the other Central Area redevelopment programs and to facilitate and spur adaptive re-use and new construction activity in the Central Area by waiving most planning fees and refunding building permit fees. Specifically the refunds will apply to most municipal fees for planning application (e.g. zoning by-law amendments, minor variances, consents to sever, site plan control, etc.) and demolition and building permit applications. While planning approval fees can be waived, building permit fees cannot simply be waived as per provincial requirements. Therefore, the implementation of this aspect of this Grant Program is subject to Council approval of a budget item to refund these fees.

b) Program Assistance

Assistance will be in the form of 50% (for projects other than those creating new residential units) and a 100% (for new residential projects) waiving of fees for planning applications and refund of demolition and building permit

applications fees (to a maximum of \$50,000.00). Parkland dedication or cash-in-lieu will be waived for new developments and/or when required as a condition of Planning approval involving, for example, the creation of new lots.

c) Eligibility Requirements

- i. Any property owner(s) within the Central Area may apply in writing at the time of making an application or applications for a planning or building approval.
- ii. Tax payments for the subject property shall be up-to-date.
- iii. Outstanding work orders for the City's Building Division and/or the City's Fire Department and requests to comply must be addressed prior to grant approval.
- iv. The City will waive fees for a planning approval at the time of application. Any cash-in-lieu requirements will be waived at the time approvals are granted. The City will require payment of building permit fees at the building permit application stage. Upon final inspection of the completed and occupied project, fees collected will be refunded to the property owner(s).
- v. This program does not apply to any required performance securities to be posted by the proponent, required professional studies, or to expenses incurred by the applicant because of an appeal to the Ontario Municipal Board.

4.2.5 Residential Conversion and Intensification Grant Program

a) Background

This program is intended to promote the conversion of existing vacant commercial space into new residential units in the Central Area. This program would offer a grant to pay for conversion of existing commercial space to residential units and the construction of new units on vacant land. The target area for this program is the Central Area.

b) Program

This program will provide a grant to property owner(s) who rehabilitate/redevelop/convert their properties for residential purposes. In order to provide a significant and direct financial incentive, the maximum loan amount is to be calculated on the basis of \$10 per square foot of habitable

floor space as determined by the City, indexed annually as per construction index. The City will request security as may be required to secure the loan including the following: a promissory note; personal property security; personal guarantee(s); lien on the property to be improved; mortgage charge registered on the property to be improved; letter or credit in lieu of the second mortgage charge on the property (subject to the City's minimum equity requirement); such other security which may be appropriate.

c) Eligibility Requirements

- i. Assistance under this program will be considered subject to the availability of funding.
- ii. Any property owner(s) within the Central Area may apply in writing to the City and must receive approval prior to commencing any work related to the loan.
- iii. Tax payment for the subject property shall be up-to-date.
- iv. Outstanding work orders for the City's Building Division and/or the City's Fire Department and requests to comply must be addressed prior to loan approval.
- v. The proposed development must conform to the Zoning By-law, pertinent Official Plan policies, the Central Area Community Improvement Plan, City's Conservation Standards and Guidelines for Heritage Properties if designated or eligible, and any other documents (e.g. Façade improvement Manual, Urban Design Plan etc.) that the City deems relevant.
- vi. Drawings acceptable to the City must accompany any written request for approval under this program.
- vii. All costs associated with the conversion/renovation are to be borne by the owner(s) with the City retaining the right to assess the reasonableness and eligibility of costs under the terms of this program.
- viii. Upon sale or refinancing of the property, the full loan amount is due in full. The funding commitment is not transferable between owner(s).
- ix. Loans will be approved at the sole discretion of the City.

4.3 General Administration Provisions Applicable To Incentive Programs

The provision of any grant or loan as described in Sections 4.2.1, 4.2.2, 4.2.3, 4.2.4 and 4.2.5 is subject to the following general administration provisions:

- i) Owners, tenants and assignees of properties within the Central Area Community Improvement Project Area are eligible to apply for funding under the loan and grant program. Application may be made on a “first come first served basis” to the limit of the available funding, provided all eligible criteria and conditions are met for each program. Where applicable, tenants of properties may apply for funding with the written consent of the property owner.
- ii) All applicants shall be required to have a pre-consultation meeting with City staff prior to filing their applications, to determine factors such as program eligibility, scope or work and project timing.
- iii) Where other sources of government funding and/or non-profit organization funding to be applied against the eligible costs is anticipated or has been secured, these must be declared as part of the application and the loan/grant may be reduced on a pro-rated basis.
- iv) All arrangements for financial incentives under the program shall be to the satisfaction of the Treasurer for the City. All applicants who are approved will be required to enter into an agreement with the City approved by Council or it's designate. Actual costs may be subject to independent audit, at the expense of the property owner.
- v) Property taxes shall be in good standing at the time of application and throughout the length of any loan or grant commitment.
- vi) All proposed development shall conform to the Official Plan and Zoning By-law and other planning requirements. There shall be no outside work orders issued by the City against the property. In addition, all improvements shall be made pursuant to a building permit, and constructed in accordance with the Ontario Building Code where required.
- vii) Any property that has a heritage designation or is in the Heritage Property Tax Relief Program must be in compliance in these programs to be eligible for any CIP Programs.
- viii) The City may, at its discretion, and without further amendment to the Community Improvement Plan, extend or discontinue any program when and

as it deems appropriate. Notwithstanding this, participants in various programs prior to their closing may continue to receive approved grants after the closing of the program as determined through individual agreement with the City and subject to available funding approved by the City.

- ix) Final decisions with respect to applications and the allocation of funds shall be made by City Council, unless Council delegates it authority to staff. If Council delegates it authority, then an applicant shall be afforded the opportunity to appeal a staff decision to Council. The general administration of the program shall be the responsibility of the Planning and Development Services Department, in consultation with other departments as appropriate.
- x) The City will develop a handbook and/or set of guidelines for each incentive program that are intended to assist with interpretation and administration of the Plan by applicants and Staff.
- xi) Continuation of those programs requiring funding through the annual Capital Budget is subject to City Council approval of the Capital Budget.

5.0 IMPLEMENTATION AND INTERPRETATION

5.1 Funding

This Community Improvement Plan will be administered by the City of Peterborough. All programs require funding funded by the City based on a budget established by Council. Each year the funding allocation for the Central Area CIP will be evaluated and assessed by Council through the deliberations of the Central Area Operating and Capital Budget program.

5.2 Monitoring

The City shall conduct a review of the Community Improvement Plan programs a minimum of every five years with respect to their effectiveness. Monitoring will include reviewing the programs, the municipal financial contribution to the programs and the use of the programs.

5.3 Amendments

Council may review and amend any of the terms of any of the programs prescribed in this Community Improvement Plan and their application to specific target area, and make modifications to the boundaries of the target area without amendment to the Plan, provided that the general intent of the Plan is maintained.

Minor revisions, once approved by Council, will be forwarded to the Ministry of Municipal Affairs and Housing for their information.

Additions of other community improvement project areas and additions of grant or loan programs shall require an amendment to this Plan in accordance with the Planning Act.

APPENDIX A

Facade Improvement Grant Program Administration

Step 1 Application Submission

Applicants will be required to have a pre-application consultation meeting with City staff in order to determine program eligibility, proposed scope of work, and project timing, among other details. Staff will perform an initial site visit(s) and inspection(s) of the building/property, as necessary.

Before accepting an application, staff will screen the proposal and application. If the application is not within the Community Improvement Project Area, or the application clearly does not meet the program eligibility criteria, the application will not be accepted. If City staff determines that the application is not acceptable for one or more of the above noted reasons, the application will be returned to the applicant with a letter explaining the reason for not accepting the application. Acceptance of the application by the City in no way implies program approval.

The City may accept applications all year round for this program or may issue a Request for Applications (RFA) for this program once or twice per year depending on availability of funding and program interest.

The City may request that applications for this program be accompanied by supporting documentation, including but not necessarily limited to:

- a) photographs of the existing building facade;
- b) historical photographs and/or drawings;
- c) a heritage impact statement for designated or eligible properties;
- d) a site plan and/or professional design study/architectural drawings;
- e) specification of the proposed works, including a work plan for the improvements to be completed and construction drawings;
- f) two (2) cost estimates for eligible work provided by a licensed contractor.

If the application is approved, and the applicant elects to engage the contractor who provided the highest cost estimate, the City's grant contribution will be based on the lowest cost estimate. An application fee may be collected at the time of application.

Step 2 Application Review and Evaluation

Applications, supporting materials and documentation will be reviewed by a City staff committee against program requirements. Staff will determine the eligible works and costs.

The determination of eligible works and costs and the recommendation on the application will be guided by the City's Site and Building Design Guidelines and any other City approved guidelines, as amended from time to time, and other appropriate reference material as determined by staff.

For buildings designated under the *Ontario Heritage Act*, the façade restoration and improvement works must be supported by documentation in the form of historic photographs or drawings clearly showing the feature(s) to be restored or reconstructed. Any work that alters or impacts designated heritage attributes must be approved by the Heritage Preservation Office, the Municipal Heritage Committee, or City Council as applicable.

An application for a Commercial/Mixed Use Building Façade Improvement Grant will be approved by Council or Council's designate. A recommendation report will be prepared by City staff. If this report recommends approval of the application, a grant agreement satisfactory to the City Solicitor and City Treasurer will also be prepared. This agreement will contain conditions to ensure that the project is commenced and completed in a timely fashion. This agreement will be forwarded to the applicant to be

dated and signed. Once the signed agreement has been returned to the City, the Council application approval process can commence.

Step 3 Application Approval

The recommendation report along with the grant agreement (if recommendation report recommends approval) will be forwarded to City Council or Council's designate for consideration. If Council or Council's designate approves the application and grant agreement, the agreement will be executed (signed and dated) by City officials and a copy is provided to the applicant.

Step 4 Payment

Payment of the grant shall not take place until:

- a) the grant agreement has been executed by the applicant and the City;
- b) construction of the eligible works is completed;
- c) photographic evidence of the completed works (satisfactory to the City) has been submitted;
- d) staff have inspected the completed works (as necessary) to ensure that the project has been completed in accordance with the program application and grant agreement;

- e) invoices clearly showing the amount paid for all eligible works have been submitted;
- f) written verification that all contractors have been paid in full has been provided; and
- g) staff are satisfied with all reports and documentation submitted.

Prior to issuance of the grant payment, staff will check to ensure that all program requirements (general and program specific) and grant agreement requirements have been met. If all program requirements and grant agreement requirements have been met to the City's satisfaction, then the City will issue payment of the approved grant in conformity with the grant agreement.

City staff will monitor the project, periodically checking that the project is in compliance with the grant agreement requirements. Staff will take appropriate remedies as specified in the grant agreement if the applicant defaults on the agreement.

**Figure A-1 Facade Improvement Grant
Program Administration**

Step 1 Application Submission	Step 2 Application Review and Evaluation	Step 3 Application Approval	Step 4 Payment
<ul style="list-style-type: none"> •Pre-application meeting between City staff and applicant to review eligibility requirements. •Staff inspects building/site (as necessary). •If proposal is eligible to make an application, the applicant is provided with: <ul style="list-style-type: none"> a) Program Guide; b) Application Form; c) Site and Building Design Guidelines •Applicant submits application including required supporting documentation. •Application fee is collected (if applicable). 	<ul style="list-style-type: none"> • Staff checks application to ensure conformity with all program eligibility requirements. • Staff review and evaluate application and supporting documentation. • Staff determines eligible works and costs. • Staff prepares report to Council or Council’s designate, including recommendation and grant agreement. • Grant agreement is signed by applicant and returned to City staff. 	<ul style="list-style-type: none"> • A recommendation report and the grant agreement are forwarded to Council or Council’s designate for consideration. • If Council or Council’s designate approves the application and agreement, the agreement is executed by City officials and a copy is provided to the applicant. 	<p>The applicant provides the City with:</p> <ul style="list-style-type: none"> a) proof of completion of the project including “after” photos; b) invoices with description and cost of eligible works; c) proof of payment in full of contractors. • Staff conducts building/site inspection of completed works (as necessary). • Staff checks to ensure that all program and grant agreement requirements have been met. • Payment of approved grant amount is made to applicant or assignee. • Project is monitored to ensure that all program and grant agreement requirements continue to be met

APPENDIX B

Central Area Revitalization Tax Increment Based Administration

Step 1 Application Submission

Applicants will be required to have a pre-application consultation meeting with City staff in order to determine program eligibility, proposed scope of work, and project timing, among other details. City staff will perform an initial site visit(s) and inspection(s) of the building/property (if necessary).

Before accepting an application, City staff will screen the proposal and application. If the application is not within the Community Improvement Project Area, or the application clearly does not meet the program eligibility criteria, the application will not be accepted. If staff determines that the application is not acceptable for one or more of the above noted reasons, the application will be returned to the applicant with a letter explaining the reason for not accepting the application. Acceptance of the application by the City in no way implies program approval.

The City may request that applications for this program be accompanied by supporting documentation, including but not necessarily limited to:

a) photographs of the existing building facade;

b) historical photographs and/or drawings;

c) a heritage impact statement for designated or eligible properties;

d) a site plan and/or professional design study/architectural drawings;

e) specification of the proposed works including a work plan for the improvements to be completed and construction drawings;

f) professional design study/architectural drawings;

g) estimated project construction costs, including a breakdown of said costs;

g) impact studies such as traffic studies and studies of microclimatic conditions (sun, shadow, wind)

i) environmental reports and/or a Record of Site Condition (RSC);

j) a Business Plan; and,

k) any other financial information.

An application fee may be collected at the time of application.

Step 2 Application Review and Evaluation

Applications and supporting materials and documentation are reviewed by a City staff committee against program requirements and applicable City guidelines. City staff will determine the eligible works and costs. The determination of eligible works and costs and the recommendation on the application will be guided by the City's Site and Building Design Guidelines and any other City approved guidelines, as amended from time to time, and other appropriate reference material as determined by staff.

For buildings designated under the *Ontario Heritage Act*, the façade restoration and building improvement works must be supported by documentation in the form of historic photographs or drawings clearly showing the feature(s) to be restored or reconstructed. Any work that alters or impacts designated heritage attributes must be approved by the Heritage Preservation Office, the Municipal Heritage Committee, or City Council as applicable.

As an option, City staff will utilize the actual pre-project City property taxes and estimated post-project assessed value and applicable tax rates to calculate the estimated post-project property taxes, increase in City property taxes, and the estimated annual and total grant amount to be provided.

A recommendation report will be prepared by City staff. If this report recommends approval of the application, a grant agreement satisfactory to the City Solicitor and City Treasurer will also be prepared. This agreement will

contain conditions to ensure that the project is commenced and completed in a timely fashion. This agreement will be forwarded to the applicant to be dated and signed. Once the signed agreement has been returned to the City, the Council application approval process can commence.

Step 3 Application Approval

The recommendation report along with the grant agreement (if report recommends approval) is forwarded to Council or Council's designate for consideration. If Council or Council's designate approves the application and grant agreement, the agreement is executed (signed and dated) by City officials and a copy is provided to the applicant.

Step 4 Payment

Prior to payment of the grant, the applicant must provide the City with:

- a) photographic evidence of the completed project satisfactory to the City;
- b) other documentation proving completion of the project, e.g., engineer's report (if required);
- c) all final reports and documentation as required.

City staff will conduct a final building/site inspection (as necessary) to ensure that the project has been completed. Once the project is complete, an occupancy permit has been issued, and the property has been re-valued by the Municipal Property Assessment Corporation, the property owner will be sent a new tax bill. After the property owner has paid in full the new property taxes for one (1) year, the City will check to ensure that:

- a) the applicant has not filed any assessment appeals; and,
- b) all program and grant agreement requirements have been met.

in accordance with the grant application and agreement.

If all program and grant agreement requirements have been met to the City's satisfaction, then the City will calculate the actual tax increment and grant payment. The City will then issue payment of the grant in the form of a cheque in the amount specified as per the calculation of the actual grant payment.

City staff will monitor the project, periodically checking that the project is in compliance with all program and grant agreement requirements. City staff will take appropriate remedies as specified in the grant agreement if the applicant defaults on the agreement.

Figure B-1 Central Area Revitalization (Tax Increment Based) Grant Program Administration

Step 1 Application Submission	Step 2 Application Review and evaluation	Step 3 Application Approval	Step 4 Payment
<ul style="list-style-type: none"> • Pre-application meeting between City staff and applicant. • Staff inspects building/site (if necessary). • If proposal is eligible for funding, applicant is provided with: <ul style="list-style-type: none"> a) Program Guide; b) Application Form; c) Site and Building Design Guidelines. • Applicant submits application including all required supporting documentation. • Application fee is collected (if applicable). 	<ul style="list-style-type: none"> • Staff checks application to ensure conformity with all program eligibility requirements. • Staff review and evaluate application and supporting documentation. • (Optional) Staff calculates an estimated City tax increment, annual grant and total grant amount based on estimated post-project assessed value. • Staff prepares report to Council including recommendation and grant agreement. • Grant agreement is signed by applicant and returned to City staff. 	<ul style="list-style-type: none"> • A recommendation report and the grant agreement are forwarded to Council or Council's designate for consideration. • If Council or Council's designate approves the grant application and agreement, the agreement is executed by City officials and a copy is provided to the applicant. 	<ul style="list-style-type: none"> • Applicant provides the City with proof of completion of project, including: <ul style="list-style-type: none"> a) photographic evidence of the completed project satisfactory to City; b) actual cost of project; c) other documentation proving completion of the project, e.g., engineer's report (if required); d) all final reports and documentation as required. • Staff conduct building/site inspection (if necessary). • Staff review all final reports and documentation submitted for conformity with program and grant agreement requirements. • After property re-valuation by MPAC and once property taxes have been paid in full for 1 year, staff check to ensure applicant has not filed any assessment appeals and all program and grant agreement requirements have been met. • Staff calculates actual grant payment. • Payment of approved grant is made to applicant or assignee. • Each year, grant payment is recalculated and made to applicant or assignee after City checks to ensure all program and grant agreement requirements have been met. • Project is monitored to ensure all program and grant agreement requirements continue to be met.

APPENDIX C

Brownfields Tax Assistance Program (TAP)

Administration

Step 1 Application Submission

Applicants will be required to have a pre-application consultation meeting with staff in order to determine program eligibility, proposed scope of work, and project timing.

Staff will perform an initial site visit(s) and inspection(s) of the building/property (if necessary).

Before accepting an application, staff will screen the proposal and application. If the application is not within the Community Improvement Project Area, or the application clearly does not meet the program eligibility criteria, the application will not be accepted. If City staff determines that the application is not acceptable for one or more of the above noted reasons, the application will be returned to the applicant with a letter explaining the reason for not accepting the application. Acceptance of the application by the City in no way implies program approval.

Applications submitted to the City shall be accompanied by a Phase II ESA and/or Remedial Work Plan and/or Risk Assessment prepared by a qualified person that identifies and details estimated eligible costs and a work plan and budget for the proposed remediation. The City may also require submission of a Business Plan for the proposed redevelopment project.

An application fee may be collected at the time of application.

Step 2 Application Review and Evaluation

Applications and supporting materials and documentation are reviewed by a City staff committee against program requirements. City staff will determine the eligible works and costs.

The actual pre-project education and municipal property taxes and estimated post-project assessed value and applicable tax rates will be used to calculate the estimated post-project property taxes, increase in municipal property taxes, education property taxes, and the estimated maximum amount of municipal and education property tax assistance to be provided during the rehabilitation period and the development period (as defined under Section 365.1 (1) of the *Municipal Act, 2001*).

Where staff will be recommending approval of an application for Brownfields Tax Assistance, staff will prepare the following documents:

- a) A recommendation report to Council or Council's designate on the Brownfields Tax Assistance Program Application;
- b) a Brownfields Tax Assistance Program Agreement;
- c) a draft by-law to authorize municipal and education tax assistance under Section 365.1 of the *Municipal Act, 2001*; and
- d) an application to the Minister of Finance for matching education property tax assistance.

Staff will forward this information to the Minister of Finance. Matching education property tax assistance through the Brownfield Financial Tax Incentive Program (BFTIP), or through any other replacement programs administered by the Province is subject to approval by the Minister of Finance. Once written approval of the by-law is received from the Minister of Finance, any conditions or restrictions specified by the Minister will be included in the by-law.

Step 3 Application Approval

The Minister of Finance is currently prepared to authorize municipal applications for matching education property tax

assistance for a maximum of three (3) years from the date of the passing of the by-law. Applications seeking matching education property tax assistance for a longer period are subject to approval of the Minister of Finance. The City may continue to offer municipal tax assistance up to the time period specified for City tax assistance in the by-law, or when the total tax assistance provided equals the total eligible costs, whichever comes first. The matching education property tax assistance may be provided on a different schedule from the tax assistance provided by the City and may be subject to additional conditions.

A recommendation report will be prepared by staff. If this report recommends approval of the application, a grant agreement satisfactory to the City Solicitor and City Treasurer will also be prepared. This agreement will contain conditions to ensure that the project is commenced and completed in a timely fashion. This agreement will be forwarded to the applicant to be dated and signed.

The recommendation report, the Agreement (dated and signed by the applicant), and the by-law will then be forwarded to Council (or Council's designate) for consideration. If Council or Council's designate approves the Brownfields TAP Application and the Agreement, and adopts the by-law, the agreement will be executed by the authorized City officials and a copy will be provided to the applicant. A copy of the by-law, including all information prescribed by Ontario Regulation 274/04 will be forwarded to the Minister of Municipal Affairs and Housing and the

Minister of Finance within 30 days of passing of the bylaw by the City.

Step 4 Payment

Where the Minister of Finance has approved an application for matching education property tax assistance, the municipal property tax assistance and education property tax assistance will begin when Council passes the Minister of Finance approved by-law for tax assistance.

Once remediation of the property is complete, the property owner shall file in the Environmental Site Registry a Record of Site Condition (RSC) for the property signed by a qualified person, and the owner shall submit to the City proof that the RSC has been acknowledged by the Ministry of the Environment (MOE). The owner shall, within 30 days of filing the RSC, notify the City of the filing, and

within 30 days after receiving said notice, the City shall advise the Minister of Finance of the filing of the RSC.

The Ministry of Finance's tax assistance will be given as a tax deferral followed by cancellation to the landowner when conditions are met. During the deferral and cancellation stage, the landowner would not be required to pay the education taxes that have been deferred or cancelled. The City has the option of providing conditional tax assistance, which means that the tax assistance will not be provided until the landowner has first met municipal conditions related to the rehabilitation and development of the lands. Under a conditional tax assistance scenario, the City has decided to provide no deferral, only cancellation when conditions are met. The full municipal taxes are payable and collected until these conditions have been satisfied. Once the conditions have been satisfied, the City would provide the accumulated tax assistance to the landowner as identified in the by-law.

Figure C-1 Brownfields Tax Assistance Program Administration

Step 1 Application Submission	Step 2 Application Review and Evaluation	Step 3 Application Approval	Step 4 Payment
<ul style="list-style-type: none"> • Pre-application meeting between City staff and applicant. • Staff inspects building/site (as necessary). • If proposal is eligible for funding, applicant provided with: <ul style="list-style-type: none"> a) Program Guide; and, b) Application Form. • Applicant submits application including all required supporting documentation. • Application fee is collected (if applicable). 	<ul style="list-style-type: none"> • Staff checks application to ensure conformity with all program eligibility requirements. • Staff review and evaluate application and supporting documentation. • Staff calculates estimated maximum amount of municipal and education property tax assistance. • Staff prepare the following documentation: <ul style="list-style-type: none"> a) a recommendation report on the application; b) an agreement; c) a draft by-law; and, d) an application to the Minister of Finance for matching education property tax assistance. • Items a)- d) above are forwarded to the Minister of Municipal Affairs and Housing. • Ministry of Finance approval is received in form of a letter from Minister of Finance. • Any conditions specified by the Minister of Finance are included in the by- law 	<ul style="list-style-type: none"> • A recommendation on the Application, the Agreement (dated and signed by the applicant) and the by-law are forwarded to Council (or Council's designate) for consideration. • Council approves the tax assistance and passes bylaw*. • The Agreement is executed by City officials and a copy is provided to the property owner. • A copy of by-law and information as prescribed by Ontario Regulation 274/04 is forwarded to Minister of Municipal Affairs and Housing and Minister of Finance within 30 days of passing of by-law. 	<ul style="list-style-type: none"> • Within 30 days of filing an RSC, the property owner notifies the Town that an RSC has been filed and provides the City with proof that the RSC has been acknowledged by the MOE. • The City notifies the Minister of Finance that an RSC has been filed within 30 days of receiving notice from the owner. • Staff conduct building/site inspection (if necessary). • Staff review all final reports and documentation submitted for conformity with program and grant agreement requirements. • Staff calculates actual tax assistance. • Each year, tax assistance is recalculated. • Project is monitored to ensure all programs and grant agreement requirements continue to be met.

APPENDIX D

Municipal Incentive Grant Program Administration

Step 1 – Application Submission

Only owners of properties are eligible to apply for this program.

Applicants will be required to have a pre-application consultation meeting with City staff in order to determine program eligibility, proposed scope of work, project timing and preliminary development concept including proposed building size, height and density, number of residential units, gross floor area of residential and commercial space and other project details. This pre-application meeting shall occur prior to commencement of any works to which the development charge grant will apply.

City staff will perform an initial site visit(s) and inspection(s) of the building/property (as necessary).

Before accepting an application, City staff will screen the proposal and application. If the application is not within the Community Improvement Project Area, or the application clearly does not meet the program eligibility criteria, the application will not be accepted. If City staff determines that the application is not acceptable for one or

more of the above noted reasons, the application will be returned to the applicant with a letter explaining the reason for not accepting the application. Acceptance of the application by the City in no way implies program approval.

The City may request that applications for this program be accompanied by supporting documentation, including but no necessary limited to:

- a) a site plan and/or professional design study/architectural drawings;
- b) specification of the proposed works including a work plan for the improvements to be completed and construction drawings;
- c) a heritage impact statement for designated or eligible properties;
- d) professional design study/architectural drawings;
- e) estimated project study/architectural drawings;
- f) impact studies such as traffic studies and studies of microclimatic conditions (sun, shadow, wind);
- g) environmental reports and/or or Record of Site Condition (RSC);
- h) a Business Plan; and
- i) any other financial information.

Step 2 – Application Review and Evaluation

Applications and supporting materials and documentation are reviewed by a City staff committee against program requirements and application guidelines.

The recommendation on the application will be guided by the City's Site and Building Design Guidelines and any other City approved guidelines, as amended from time to time, and other appropriate reference material as determined by staff.

For buildings designated under the Ontario Heritage Act, any façade restoration and improvement works must be supported by documentation in the form of historic photographs or drawings clearly showing the features(s) to be restored or reconstructed. Any work that alters or impacts designated heritage attributes must be approved by the Heritage Preservation Office, the Municipal Heritage Committee, or City Council as applicable.

If the application meets the general and program specific requirements and is approved, the Municipal Incentive Grant will be applied at the time of issuance of building permit.

A recommendation report will be prepared by City staff. If this report recommends approval of the application, a grant agreement satisfactory to the City Solicitor and City Treasurer will also be prepared. This agreement will contain conditions to ensure that the project is commenced and completed in a timely fashion (or the grant approval is lost). The agreement will be forwarded to the applicant to be dated and signed. Once the signed agreement has been returned to the city, the Council application approval process can commence.

Step 3 – Application Approval

The recommendation report along with the Grant Agreement (if report recommends approval) is forwarded to Council or Council's designated for consideration. If Council or Council's designate approves the application and grant agreement, the agreement is executed (signed and dated) by City officials and a copy is provided to the applicant.

Step 4 – Payment

The City will waive the municipal fee normally payable at the time of application and cash-in-lieu requirements resulting from planning approvals.

The City will collect the building permit fee, at the time of building permit issuance as the Municipal Incentive Grant. Prior to payment of the grant (if applicable), the applicant must provide the City with:

- a) photographic evidence of the completed project satisfactory to the City;
- b) other documentation proving completion of the project, i.e. engineer's report (if required); and
- c) all final reports and documents are required.

City staff will conduct a final building/site inspection (as necessary) to ensure that the project has been completed in accordance with the grant application and agreement. Once the project is complete and an occupancy permit has

been issued, City staff will ensure that all program and grant agreement requirements have been met to the City's satisfaction. The City Treasurer will then issue payment of the grant in the amount collected for the actual grant payment and refund the Building Permit fees account.

Figure D-1 Municipal Incentive Grant Program Administration

Step 1 Application	Step 2 Application Review and Evaluation	Step 3 Application Approval	Step 4 Payment
<ul style="list-style-type: none"> • Pre-application meeting between City Staff and applicant • Staff inspects building/site (if necessary) • If proposal is eligible for funding, applicant is provided with: <ul style="list-style-type: none"> a) Program Guide; b) Application Form; c) Site and Building Design Guidelines • Applicant submits application including all required supporting documentation 	<ul style="list-style-type: none"> • Staff check application to ensure conformity with all program eligibility requirements and City guidelines. • Staff review and evaluate application and supporting documentation. • Planning application fees are waived at time of application and building permit fees are applied at the time of building permit issuance. • Staff prepare report to Council including recommendation with regard to the municipal fees grant and a grant agreement. • Grant agreement is signed by applicant and returned to City Staff 	<ul style="list-style-type: none"> • A recommendation report and the grant agreement are forwarded to Council or Council's designate for consideration. • If Council or Council's designate approved the grant application and agreement, the agreement is executed by City official and a copy is provided to the applicant. 	<ul style="list-style-type: none"> • The application provides the City with proof of completion of project, including: <ul style="list-style-type: none"> a) photographic evidence of completed project satisfactory to City; b) other documentation proving completion of the project, i.e. engineer's report (if required); c) all final reports and documentation as required. • Staff conduct building/site inspection of occupied buildings (if necessary). • Staff review all final reports and documentation submitted for conformity with program and grant agreement requirements. • Staff calculate grant based on development charges paid at time of building permit issuance. • Payment of the grant is the amount collected as the Municipal Incentive Grant and is made to the applicant.

APPENDIX E

Residential Conversion and Intensification Grant Program Administration

Step 1 Application Submission

Applicants will be required to have a pre-application consultation meeting with City staff in order to determine program eligibility, proposed scope of work, and project timing, among other details. Staff will perform an initial site visit(s) and inspection(s) of the building/property, as necessary.

Before accepting an application, staff will screen the proposal and application. If the application is not within the Community Improvement Project Area, or the application clearly does not meet the program eligibility criteria, the application will not be accepted. If City staff determines that the application is not acceptable for one or more of the above noted reasons, the application will be returned to the applicant with a letter explaining the reason for not accepting the application. Acceptance of the application by the City in no way implies program approval.

The City may accept applications all year round for this program or may issue a Request for Applications (RFA) for this program once or twice per year depending on availability of funding and program interest.

The City may request that applications for this program be accompanied by supporting documentation, including but not necessarily limited to:

- a) photographs of the existing building facade;
- b) historical photographs and/or drawings;
- c) a heritage impact statement for designated or eligible properties;
- d) a site plan and/or professional design study/architectural drawings;
- e) specification of the proposed works, including a work plan for the improvements to be completed and construction drawings;
- f) two (2) cost estimates for eligible work provided by a licensed contractor.

If the application is approved, and the applicant elects to engage the contractor who provided the highest cost estimate, the City's grant contribution will be based on the lowest cost estimate. An application fee may be collected at the time of application.

Step 2 Application Review and Evaluation

Applications, supporting materials and documentation will be reviewed by a City staff committee against program

requirements. Staff will determine the eligible works and costs.

The determination of eligible works and costs and the recommendation on the application will be guided by the City's Site and Building Design Guidelines and any other City approved guidelines, as amended from time to time, and other appropriate reference material as determined by staff.

For buildings designated under the *Ontario Heritage Act*, the improvement works must be supported by documentation in the form of historic photographs or drawings clearly showing the feature(s) to be restored or reconstructed. Any work that alters or impacts designated heritage attributes must be approved by the Heritage Preservation Office, the Municipal Heritage Committee, or City Council as applicable.

A recommendation report will be prepared by City staff. If this report recommends approval of the application, a loan agreement satisfactory to the City Solicitor and City Treasurer will also be prepared. This agreement will contain conditions to ensure that the project is commenced and completed in a timely fashion. This agreement will be forwarded to the applicant to be dated and signed. Once the signed agreement has been returned to the City, the Council application approval process can commence.

Step 3 Application Approval

The recommendation report along with the loan agreement (if recommendation report recommends approval) will be forwarded to City Council or Council's designate for consideration. If Council or Council's designate approves the application and grant agreement, the agreement will be executed (signed and dated) by City officials and a copy is provided to the applicant.

Step 4 Payment

Payment of the grant shall not take place until:

- a) the grant agreement has been executed by the applicant and the City;
- b) staff are satisfied with all reports and documentation submitted.

Prior to issuance of the grant payment, staff will check to ensure that all program requirements (general and program specific) and grant agreement requirements have been met. If all program requirements and grant agreement requirements have been met to the City's satisfaction, then the City will issue payment of the approved grant in conformity with the loan agreement.

City staff will monitor the project, periodically checking that the project is in compliance with the grant agreement requirements. Staff will take appropriate remedies as

specified in the grant agreement if the applicant defaults on the agreement

Figure E-1 Residential Conversion and Intensification Grant Administration

Step 1 Application Submission	Step 2 Application Review and Evaluation	Step 3 Application Approval	Step 4 Payment
<ul style="list-style-type: none"> •Pre-application meeting between City staff and applicant to review eligibility requirements. •Staff inspects building/site (as necessary). •If proposal is eligible to make an application, the applicant is provided with: <ul style="list-style-type: none"> a) Program Guide; b) Application Form; c) Site and Building Design Guidelines •Applicant submits application including required supporting documentation. •Application fee is collected (if applicable). 	<ul style="list-style-type: none"> • Staff checks application to ensure conformity with all program eligibility requirements. • Staff review and evaluate application and supporting documentation. • Staff determines eligible works and costs. • Staff prepares report to Council or Council's designate, including recommendation and grant agreement. • Grant agreement is signed by applicant and returned to City staff. 	<ul style="list-style-type: none"> • A recommendation report and the grant agreement are forwarded to Council or Council's designate for consideration. • If Council or Council's designate approves the application and agreement, the agreement is executed by City officials and a copy is provided to the applicant. 	<p>The applicant provides the City with:</p> <ul style="list-style-type: none"> • Staff checks to ensure that all program and loan agreement requirements have been met. • Payment of approved grant amount is made to applicant or assignee. • Project is monitored to ensure that all program and grant agreement requirements continue to be met