City of Belleville

BROWNFIELDS COMMUNITY IMPROVEMENT PLAN

JULY 2007,
As updated November 2011
City of Belleville Community Improvement Plan
Copyright © 2007 [The Corporation of the City of Belleville]

This Community Improvement Plan, produced pursuant to Section 28 of the Ontario Planning Act, has been funded jointly by the Corporation of the City of Belleville and the Federation of Canadian Municipalities. Specifically, this Plan has been produced with the assistance of the Green Municipal Fund, financed by the Government of Canada and administered by the Federation of Canadian Municipalities. Policies adopted in this Plan are solely those of the City of Belleville. All incentive programs offered through this Plan are funded by the City of Belleville unless otherwise noted.
# City of Belleville Brownfields Community Improvement Plan

1. **Introduction**
   - Purpose of the Brownfields Community Improvement Plan
   - Legislative and Policy Basis for Action
     - Brownfield Statute Law Amendment Act, 2001
     - Environmental Protection Act
     - Ontario Planning Act
     - Provincial Policy Statement
     - City of Belleville Official Plan
     - Community Improvement Plan for Belleville’s Downtown
   - Principles of Tax Based Assistance
     - Tax Increment Equivalent Grant Program
     - Province of Ontario Brownfield Financial Tax Incentives Program (BFTIP): Matching Education Tax Cancellation

2. **Goals of the City of Belleville Brownfields Community Improvement Plan**
   - Economic Development
   - Environmental Protection and Restoration
   - Quality of Life and Community Health

3. **Supporting Land Use Policy Framework**
   - Amending Policies of the City of Belleville Official Plan
   - Brownfields Community Improvement Project Area

4. **Eligible Brownfield Costs**

5. **Brownfield Redevelopment Financial Incentive Programs**
   - Program 1: City of Belleville Brownfields Remediation – Tax Increment Equivalent Grant Program (TIEG)
   - Program 2: City of Belleville Environmental Remediation Tax Cancellation Assistance Program
5.3 Program 3: City of Belleville Environmental Site Assessment (ESA) Grant Program .................. 21
5.4 Program 4: City of Belleville Building Permit Fees Grant Program ........................................... 24
5.5 Program 5: City of Belleville Development Charge (DC) Grant Program ...................................... 26

6. IMPLEMENTATION ................................................................................................................ 28
6.1 Administering Brownfield Program Options .............................................................................. 28

7. MONITORING AND UPDATE ............................................................................................... 31

APPENDIX 1: Glossary of Terms
APPENDIX 2: Sites of Potential Interest
APPENDIX 3: Official Plan Amendment
APPENDIX 4: Application of the Programs to an Example Development Project (proforma)
APPENDIX 5: Example of Key Sites Marketing Template
APPENDIX 6: Example of Brownfields Program Application Form
1. INTRODUCTION

1.1 Purpose of the Brownfields Community Improvement Plan

Brownfields are abandoned, vacant, derelict or underutilized commercial and industrial properties, usually provided with urban services, where past actions have resulted in actual or perceived contamination.

The City of Belleville Brownfields Community Improvement Plan (hereafter called the Brownfields CIP) is created under Section 28 of the Ontario Planning Act, R.S.O. 1990, as amended, and provisions of the Ontario Municipal Act, 2001 governing tax-based financial incentive programs for contaminated lands.

A Community Improvement Plan (CIP) represents a vehicle for developing a range of programs and tools to facilitate redevelopment and revitalization in areas that are in decline or which otherwise provide opportunities for improvement. The purpose of the City of Belleville CIP is to provide the City with a policy framework and set of tools to stimulate the redevelopment of brownfield sites. The tools implemented through the Brownfields CIP will provide financial assistance to owners of sites with either perceived or actual environmental contamination by reducing or eliminating the costs associated with site assessment and remediation.

By bringing contaminated lands back into productive use, the Brownfields CIP contributes to the Province’s goals for brownfield redevelopment and the City’s efforts for urban regeneration. Environmental improvements help reduce liability and risk for property owners as well as the City. The intent of the Brownfields CIP is to realize long-term benefits to the community as well as financial payback to the City through private investment and development, new employment opportunities, increased property assessment and tax revenues. Brownfield redevelopment is a link between economic development and environmental stewardship, and supports both the City of Belleville Official Plan and the goals of the Downtown Community Improvement Plan.

The specific goals and objectives of the Brownfields CIP, together with a description of the benefits arising from assisting redevelopment efforts, are described further in Section 2.0.

1.2 Legislative and Policy Basis for Action

1.2.1 BROWNFIELD STATUTE LAW AMENDMENT ACT, 2001

The Brownfields Statute Law Amendment Act of 2001 revised a number of Ontario statutes with the specific purpose of providing regulatory and financial support to remediation of contaminated lands. There were essentially three pillars of the legislative framework involving changes to the Environmental Protection Act, the Planning Act, and the Municipal Act. Together these and other legislative revisions provided scoped changes which affected the treatment of contaminated lands in terms of environmental orders (regulatory matters), gave protections to property owners, municipalities and fiduciary interests, and provided alternative means of financial support through the Ontario property tax system (see Figure 1).
Figure 1. Key Elements: Brownfield Legislation

### ENVIRONMENTAL LIABILITY
Changes to Environmental Protection Act (EPA)

- Clarifies and limits environmental liability (not civil liability).
- Provides limited liability protection from environmental orders for municipalities, secured creditors, receivers, trustees in bankruptcy, fiduciaries and property investigators to a maximum of 5 years (can be extended by the Minister).
- Limits liability against orders when prescribed site assessment procedures are followed, where a Record of Site Condition (RSC) is filed and accepted stating a site meets appropriate standards for specified use.

**KEY NOTE:** (i) Legislation does not remove registered owner’s liability for future on-site contamination and off-site contamination; and (ii) Record of Site Condition specifies use under which liability is limited.

### FINANCIAL ASSISTANCE 1
Changes to Municipal Act 2004

- Local municipalities can freeze, reduce or cancel the municipal portion of property tax on contaminated sites: Ministry of Finance may match this for the Education Tax portion (BFTIP).
- Prior to Dec. 2005 tax cancellation was restricted to a maximum of 36 months beginning at commencement of environmental remediation; Dec. 2005 revisions allow municipalities to determine the duration of municipal assistance and commence tax cancellation at any point specified in its by-law (including at a point in time following remediation and development of the site).
- Municipalities have two years to take ownership of land vested to the municipality for failure to pay property tax.
- Existing provisions allow municipalities to cancel tax arrears in part or in whole.

### FINANCIAL ASSISTANCE 2
COMMUNITY IMPROVEMENT PLAN-BASED GRANTS & LOANS
Changes to Planning Act

- Greater flexibility in undertaking community improvement (part or all of municipality).
- Municipal authority to approve plans involving financial incentives.
- Allows municipalities, with Community Improvement Plans, to provide grants and loans against an expansive list of eligible works which better define Rehabilitation.
- Tax Increment Grants (TIG) tools based on provision of the Planning Act (Section 28).
- CIPs provide capacity for municipalities to acquire, sell, lease and improve land pursuant to objectives of CIP.

### 1.2.2 ENVIRONMENTAL PROTECTION ACT

A number of the provisions relating to the environmental investigation and Record of Site Condition process required under Part XV.1 of the Environmental Protection Act came into force on October 1, 2004 with the issuance of Regulation 153/04. Ontario Regulation 153/04 was amended by Ontario Regulation 511/09 which came fully into effect on July 1, 2011.

### 1.2.3 ONTARIO PLANNING ACT

The Ontario Planning Act RSO 1990 (amended in 2007) establishes the rules for land use planning in Ontario, including community improvement. Section 28 (1) of the Planning Act now includes the following definition of community improvement:

> “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.”
Provided the required community improvement provisions are in place within a municipal official plan, Section 28 (2) of the Planning Act allows municipalities to designate the whole or part of the municipality (as covered by the Official Plan) as a community improvement area. Section 28 (4) allows municipalities to prepare and adopt community improvement plans for designated community improvement project areas.¹

As per Section 28 (6) of the Planning Act, for the purpose of carrying out a community improvement plan that has come into effect, the municipality may:

(a) 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, and sell, lease or otherwise dispose of any such buildings and the land appurtenant thereto;

(b) sell, lease or otherwise dispose of any land acquired or held by it in the community improvement project area to any person or governmental authority for use in conformity with the community improvement plan.

The Planning Act now includes the following provisions for grants and loans:

Grants or loans re eligible costs

Section 28 (7) For the purpose of carrying out a municipality’s community improvement plan that has come into effect, the municipality may make grants or loans, in conformity with the community improvement plan, to registered 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.

Eligible costs

Section 28 (7.1) For the purposes of subsection (7), the eligible costs of a community improvement plan may include costs related to environmental site assessment, environmental remediation, development, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities.

Maximum amount

Section 28 (7.3) The total of the grants and loans made in respect of particular lands and buildings under subsections (7) and (7.2) and the tax assistance as defined in section 365.1 of the Municipal Act, 2001 that is provided in respect of the lands and buildings shall not exceed the eligible cost of the community improvement plan with respect to those lands and buildings.

1.2.4 PROVINCIAL POLICY STATEMENT

The Provincial Policy Statement (PPS) (2005) provides direction to municipalities regarding the redevelopment of brownfield sites. The PPS identifies the redevelopment of brownfield sites as an important element in the Province’s provision for Land Use Planning to achieve efficient development land use patterns and create strong communities. The PPS seeks to strike a balance in municipal land use planning between efficient development and land use patterns, strong communities (fiscally, socially and environmentally), a clean and healthy environment and long-term economic growth.

¹ The requirement for Ministerial approval of Community Improvement Plans with financial components has been removed from the Planning Act through amendments under Bill 130 in force January 1, 2007. However, council must consult with the Ministry of Municipal Affairs and Housing in the preparation of a Community Improvement Plan and hold at least one public meeting.
The PPS requires the following policies to be pursued with respect to brownfield redevelopment:

“1.1.3.3 Planning authorities shall identify 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.”

“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 Long-term economic prosperity should be supported by:

b. maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;

c. promoting the redevelopment of brownfield sites;”

“3.2.2 Contaminated sites shall be remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.”

The policies of the PPS with respect to the brownfield sites seek to promote the redevelopment of these sites but also seek to ensure that required environmental due diligence is undertaken by municipalities with respect to development applications for contaminated sites.

1.2.5 CITY OF BELLEVILLE OFFICIAL PLAN

Municipal official plans provide a framework for comprehensive and integrated long-term planning. They are intended to guide the development of strong communities, a clean and healthy environment and economic growth. The City of Belleville Official Plan (approved in 2002) recognizes the potential long-term benefits to bringing blighted, potentially contaminated urban sites back into productive use (e.g. increased assessment, efficient use of infrastructure, stimulus to wider private investment in the urban area, and employment growth). Section 7.1 of the Official Plan contains provisions relating to community improvement. The Official Plan designates all of Belleville’s Urban Serviced Area and the Hamlets of Foxboro, Point Anne, Plainfield, Latta, Halloway and Roslin as a Community Improvement Project Area.

1.2.6 COMMUNITY IMPROVEMENT PLAN FOR BELLEVILLE’S DOWNTOWN

The Community Improvement Plan for Belleville’s Downtown includes policies and programs for downtown regeneration and investment. The principal goal of the Downtown CIP is to:

“encourage downtown property owners and business owners to improve properties through various means to build upon the traditional character of the downtown as a means to attract visitors and investment to the City’s Downtown”.

The Downtown CIP established a framework for the establishment and implementation of various programs to facilitate building façade and other aesthetic improvements, historic and heritage preservation and investment in the Downtown that improves the economic climate of the core area and increases its importance as a destination for residents and visitors.
1.3 Principles of Tax Based Assistance

1.3.1 TAX INCREMENT EQUIVALENT GRANT PROGRAM

In the context of brownfield (contaminated) land development, the aim of the Tax Increment Equivalent Grant (TIEG) is to utilize for a specified period of time the benefits associated with the assessment and property tax generated through redevelopment initiatives. The TIEG is provided as a grant equivalent to a specified increase in the municipal portion of the increase in property tax which is generated through redevelopment. The tax increase (or increment) is net of any property tax rebates for which the property may be eligible.

As a Section 28 (Ontario Planning Act) grant, assistance is limited to the municipal portion of the property tax and specifically excludes the Provincial (education) portion of the property tax.

The TIEG does not represent a tax holiday and the tax increase is established following reassessment of the property upon completion of the project (or through the process to completion). The increase in assessment is defined as the difference between the reassessed value and an original base value established by the municipality prior to redevelopment. The grant is limited by a specified duration as well as defined eligible costs to which the grant can be applied.

It is important that a tax increment grant reflects the risks associated with redevelopment of complicated urban sites. Programs need to be applicable in those instances where the developer of the site sells the interest in the site following remediation or development, and is no longer the property owner. Referred to as an assignable Tax Increment Grant, this enables the original developer to obtain the grant even when they no longer own the property. The continuation of the grant (within program limits) may be necessary in order to meet the eligible remediation costs incurred by the original developer. This provision is particularly important in the case of the development of ownership residential properties where ownership is transferred either in fee simple or to a condominium corporation upon completion of the project.

1.3.2 PROVINCE OF ONTARIO BROWNFIELD FINANCIAL TAX INCENTIVES PROGRAM (BFTIP): MATCHING EDUCATION TAX CANCELLATION

At its root, the Brownfield Financial Tax Incentives Program (BFTIP) can provide the same assistance as a Tax Increment Equivalent Grant (TIEG) under Section 28 of the Planning Act through the use of foregone tax revenues to provide financial assistance. However, the key distinctions between the two forms of tax assistance include:

- Whereas the TIEG (as a Section 28 grant) is limited to the municipal portion of any tax increase arising from redevelopment, brownfields property tax cancellation may include both the municipal portion of property tax as well as the provincial education portion of property taxes;
- Provision of the matching education portion of tax increase cancellation is subject to application by a municipality to the Ministry of Finance and the approval of the Minister of Finance of both the amount and duration of such assistance; and
- Property tax cancellation for contaminated lands remediation is payable only to the registered owner and ceases upon transfer of title, severance or subdivision.
2. GOALS OF THE CITY OF BELLEVILLE BROWNFIELDS COMMUNITY IMPROVEMENT PLAN

With Belleville’s role as a regional centre, its locational advantages and range of community and tourist amenities, the potential exists for the redevelopment of urban brownfield sites to accommodate residential, commercial and employment growth.

As described below, there are a number of land use, economic, social and environmental goals associated with brownfield redevelopment and these goals are reflected in the City of Belleville’s Official Plan.

2.1 Economic Development

As per section 3.8 of the City of Belleville Official Plan, the City Centre is intended to be the multi-functional, business, professional, cultural, entertainment and administrative centre of the City, and the policies of the Plan are intended to attract new investment to the core area to enable it to prosper and grow as the business and administrative centre for the entire region. The development of a variety of compatible land uses in the City’s core is encouraged in order to create a compact, clean, safe, secure attractive, accessible and economically stable City Centre.

Together with the programs and financial tools proposed as part of this Brownfields CIP, a number of long-term (structural) market conditions suggest a significant potential for the redevelopment of brownfield sites:

- **Recent diversification of the City’s economic base** - smaller, lighter industries continue to locate to Belleville;
- **Locational advantage and transportation linkages** - proximity to major cities (e.g., Toronto, Ottawa) and the United States and range of transportation corridors (i.e., water, rail, highway);
- **Potential for niche housing markets** – empty nesters and retirees, students and other population groups may generate the demand for well-located, higher density housing in Belleville’s urban and waterfront areas; and
- **Tourism demand** – opportunities to build upon the City’s range of natural, historic and cultural attractions, as well as the wider tourism potential of the Bay of Quinte.

As part of the larger context for economic development in the City of Belleville, the long-term economic goals of the Brownfields CIP include:

- Retention of employment and increased employment opportunities;
- Attracting new private investment and industrial, institutional, commercial, tourism and residential development activity;
- Increased tax assessment and revenues for the City of Belleville; and
- Stimulation of redevelopment and improvement of surrounding lands.
2.2 Environmental Protection and Restoration

As described in Section 2.2.2 of the City of Belleville Official Plan, the City is committed to remediation of existing contamination and policies to help prevent future environmental contamination.

Brownfield remediation, can in some instances, represent an expensive proposition. For-profit development requires a return on investment. The costs associated with the remediation of contaminated land and building structures can often be too great, therefore rendering a project unfeasible. The overall policy objective of the Brownfields CIP is to offset the costs associated with site assessment and brownfield remediation and to achieve the following key environmental goals:

- Clean-up of contaminated lands to improve air, land and water quality;
- Reduce/eliminate environmental liabilities for property owners and neighbouring properties;
- Preserve agricultural land and reduce urban sprawl through the appropriate redevelopment and intensification of existing urban areas;
- Direct development to areas with existing built infrastructure;
- Promote, where reasonable compact, mixed-use development which may reduce reliance on the automobile; and
- Redevelop, where reasonable, brownfields as green open space.

2.3 Quality of Life and Community Health

As per section 3.12.2 g) of the City of Belleville Official Plan, the City allows for the redevelopment of small and isolated parcels of industrial land located in predominantly residential neighbourhoods for residential purposes provided that any environmental contamination issues have been or will be resolved in accordance with Ministry of Environment guidelines and Council has determined that existing industrial land use could be unreasonably disruptive to the enjoyment of the residential area.

There are numerous “public benefits” associated with brownfield redevelopment for both industrial re-use or for new uses. By facilitating the remediation and redevelopment of brownfield sites, the Brownfields CIP may contribute to the overall quality of life and health in the City of Belleville by:

- Providing long-term stability in the tax base through economic development;
- Protecting or improving property values by upgrading vacant, abandoned or under-utilized commercial and industrial properties and minimizing the negative impacts that brownfield properties can potentially have on neighbouring lands;
- Facilitating neighbourhood revitalization and promoting community pride through revitalization and beautification projects;
- Increasing densities and the mix of land uses to help support public transit;
- Helping to conserve and upgrade historic buildings and other heritage features;
- Providing opportunities for affordable housing; and
- Environmental remediation of contaminated lands to improve the social well-being of Belleville’s residents and to eliminate the risk to public health associated with sites.
3. SUPPORTING LAND USE POLICY FRAMEWORK

3.1 Amending Policies of the City of Belleville Official Plan

The City of Belleville Official Plan was approved in 2002. A comprehensive review of the City of Belleville Official Plan is currently underway and includes a review of the Urban Serviced Area boundary. Revisions to the plan, including alteration of the boundaries of the Urban Serviced Area, may necessitate subsequent changes to the Brownfields Community Improvement Plan to ensure conformity with the City of Belleville Official Plan.

The Brownfields CIP also includes a related Official Plan Amendment to Section 7.8.3 Contaminated Lands and Brownfields Sites which sets out the relevant Official Plan policy tests with respect to environmental site assessment for lands under application.

3.2 Brownfields Community Improvement Project Area

The Quinte Region Groundwater Study, prepared on behalf of the Quinte Conservation Authority in 2004, identifies over 500 known and suspected contamination sources in the City of Belleville. The sites have been identified because of their current and former uses (e.g. industrial, manufacturing, sale or storage of gas/petroleum, waste and landfill, etc.) or because the storage of contaminants such as PCBs and pesticides or spills have been reported on these lands.

The highest concentration of sites with potential or known contamination is in the City’s Downtown and Waterfront areas and Belleville’s new industrial park. A number of the identified sites are active institutional and industrial properties which are not likely to be redeveloped in the near future. Others are publicly owned lands that are likely to remain in public ownership and are therefore not considered eligible under this Brownfields CIP. Eligible sites under this Plan must be private lands proposed for development or redevelopment.

The boundaries of the Brownfields Community Improvement Project Area (hereafter referred to as the Brownfields Project Area) reflect the City’s strategic principles for growth management, the efficient use of existing infrastructure and the promotion of economic development. The Brownfields Project Area includes a number of properties that have been identified as “key sites of interest” (identified in Appendix 2 and described in detail in the Brownfield Strategy Phase 1 report). The majority of these sites are located within Belleville’s Downtown and Waterfront areas. These sites represent both opportunities for smaller-scale infill development and the redevelopment of larger, more complex brownfield properties.

It is recommended that the City focus on properties with the highest potential for redevelopment, specifically sites and projects that can act as catalysts to further development. These priority sites are a means to promote brownfield redevelopment programs, elicit developer and landowner interest and establish priorities for scarce public funds to be allocated to the Brownfield CIP programs. As shown in Figure 2, the Brownfields Project Area has been divided into the following two areas:

Priority Area 1 – lands within the City’s older urban area to include properties bounded by or with frontage on:

---

2 This 2004 database should not be considered exhaustive, as there may be other contaminated or potentially contaminated properties within the City of Belleville that have not yet been identified by the City or other environmental agencies.
To the north – the south side of College Street West, College Street East and the south side of Airport Parkway West;

To the east – the east side of Haig Road, to include east-west streets and properties fronting these streets between Dundas Street East in the south and the CN Rail Tracks in the north;

To the south - the Bay of Quinte; and

To the west – the south side of Dundas Street West (Old Highway 2) and the east side of Palmer Road between Dundas Street West in the south and Moira Street West in the north.

Priority Area 2 – lands within the City’s newer urban areas (i.e. the north-east and north-west industrial parks and highway commercial zones) bounded by the existing limits of the City of Belleville Urban Serviced Area as identified on Schedules A and B to the City of Belleville Official Plan, with the following refinements:

- The exclusion of the area identified as Priority Area 1 (Brownfield Redevelopment Priority Area) established under this CIP; and

- The inclusion of the lands to the west of the current limits of the Urban Serviced Area, west of Sydney Street, north of Moira Street West, east of Walbridge-Loyalist Road and south of Highway 401. A secondary plan for this area has been completed. Policy provisions for this area are expected to be incorporated within the City of Belleville Official Plan.
Figure 2. City of Belleville Brownfields Community Improvement Project Area
4. **ELIGIBLE BROWNFIELD COSTS**

Successful applications for financial assistance involving tax-based assistance will necessitate a site-specific brownfield redevelopment funding agreement between the City and the applicant for Programs 1 and 2 (tax-based assistance) of the Brownfields CIP. This agreement will establish the magnitude of anticipated eligible costs as well as provide for mechanisms to verify actual costs as eligible under the Plan.

Assistance under the programs contained in the Brownfields CIP is limited to the costs of environmental site assessment, remediation and risk management and compliance with environmental regulatory approval requirements. The following are eligible costs against which the combined total of funding assistance from all public sources will be applied. Assistance is limited to the stated eligible costs. All other rehabilitation-related costs are ineligible under this Plan.

The following is the universe of eligible costs which are the basis for funding assistance under this Plan. The City will require verification of these costs when applying the programs to individual projects which have been approved for funding assistance. Eligible costs are generally defined as costs incurred in the remediation of a property which, as of the date of site assessment, does not meet the standards of the *Ontario Environmental Protection Act* to permit a Record of Site Condition to be filed in the Ontario Environmental Site Registry. More specifically, the eligible costs for purposes of this Brownfields CIP are as follows:

- Environmental Site Assessments (Phase II and Phase III ESAs and Risk Assessments);
- Environmental remediation and costs of achieving acknowledgement of a Record of Site Condition by the MoE and Certificate of Property Use as may be required. This includes both remedial action plans and risk management plans, and their associated implementation costs;
- Waste transfer to landfill and tipping fees for contaminated soils land fill;
- Fill and grading to replace contaminated soils;
- At the discretion of Council, demolition of existing buildings or structures;
- At the discretion of Council, site development and infrastructure work including improvement or reconstruction of existing on-site infrastructure and development, triggered by the existence of contamination and requirements for remediation;
- Legal fees directly related to site investigation, remediation and filing of a Record of Site Condition and compliance with any Certificate of Property Use.
- Insurance premiums for Cost Cap Insurance and Pollution Legal Liability (PLL) Insurance;
- Ongoing site environmental monitoring and management (part of risk management strategies); and
- Interim financing costs (interest and financing fees) related to eligible costs. Long-term debt financing costs are not eligible.

The City of Belleville will have final authority to determine the total amount of eligible costs, as well as the inclusion of specific costs, whether in part or in whole, as eligible under the Brownfields CIP.
5. BROWNFIELD REDEVELOPMENT FINANCIAL INCENTIVE PROGRAMS

The following suite of programs is intended to promote and support the redevelopment of brownfields. These programs are designed to encourage long-term actions involving initial site assessment, subsequent site remediation, and property development. Because these programs are accessed at different times in the redevelopment process, it is important to approve access to the suite of program (as applicable) in principle, recognizing that full eligibility for later programs is only attainable upon completion of prior phases of site analysis and remediation.

In recognizing the stepped nature of program support, Council will approve in principle all programs to which a site is initially eligible, deferring final approval of support under each program until detailed eligibility criteria have been met.

5.1 Program 1: City of Belleville Brownfields Remediation – Tax Increment Equivalent Grant Program (TIEG)

<table>
<thead>
<tr>
<th>Program 1</th>
<th>City of Belleville Brownfields Remediation - Tax Increment Equivalent Grant Program (TIEG)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Rationale</strong></td>
<td>Leveraging the increased assessment and property taxation generated by site remediation and redevelopment to reduce and/or eliminate environmental remediation costs for eligible properties:</td>
</tr>
<tr>
<td></td>
<td>(i) Providing a grant equivalent to the municipal portion of the property tax increase for a given property;</td>
</tr>
<tr>
<td></td>
<td>(ii) Limiting such grants to annual payments for a maximum period of 10 years or equivalent to the maximum cost of remediation (eligible costs) whichever occurs first; and</td>
</tr>
<tr>
<td></td>
<td>(iii) Program applies to residential, commercial or other uses (acceptance of proposed use based on provisions of the Official Plan/Zoning or approval of required Official Plan and/or Zoning By-Law Amendments).</td>
</tr>
<tr>
<td><strong>Benefits</strong></td>
<td>The City benefits by the resulting revaluation and increase in tax liability (i.e. tax owing) on the property (at expiry of the term of the agreement).</td>
</tr>
<tr>
<td></td>
<td>Redevelopment of contaminated sites is promoted by financial assistance to reduce or eliminate costs associated with environmental assessment and clean-up.</td>
</tr>
<tr>
<td><strong>Legislative Provision</strong></td>
<td>Section 28 of the <em>Ontario Planning Act, R.S.O. 1990, as Amended.</em></td>
</tr>
<tr>
<td>Program 1</td>
<td>City of Belleville Brownfields Remediation - Tax Increment Equivalent Grant Program (TIEG)</td>
</tr>
<tr>
<td>-----------</td>
<td>------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Intended Recipients</strong></td>
<td>Private sector owners of environmentally contaminated sites that have significant potential for redevelopment or rehabilitation.</td>
</tr>
<tr>
<td></td>
<td>• To be eligible for assistance, sites must demonstrate the existence of environmental contamination of the surface, soils, groundwater or built structures.</td>
</tr>
<tr>
<td></td>
<td>• Equal preference given to commercial and residential development, reuse and/or conversion.</td>
</tr>
<tr>
<td></td>
<td>• Sites located in Priority Area 1 are eligible under this program.</td>
</tr>
<tr>
<td></td>
<td>• Properties located in Priority Area 2 are not eligible for assistance under this program at this time.</td>
</tr>
<tr>
<td><strong>Specifics and Limitations</strong></td>
<td>Grant based on the “Reimbursing Developer” approach – the landowner/developer pays for the full cost of remediation and rehabilitation as well as the resulting annual increase in property tax. The City reimburses the landowner for all eligible costs by way of an annual grant equivalent to 80% of the municipal portion of the incremental property tax increase over an established “base” assessment and tax liability.</td>
</tr>
<tr>
<td></td>
<td>• The grant is assignable by the owner of the property to another party (subsequent owner, tenant or other assignment) at any time during the period of the agreement. Specifically, should the original owner transfer its interest in the property, the grant can continue to be assigned to the original owner for the duration of the grant period.</td>
</tr>
<tr>
<td></td>
<td>• The maximum amount of the grant in any year is limited to the value of the work undertaken under eligible costs in that year or the increase in municipal property tax on the property compared to the base (before redevelopment) property tax, whichever is less.</td>
</tr>
<tr>
<td></td>
<td>• Eligible costs not reimbursed in the year they are incurred can be rolled-over to subsequent years.</td>
</tr>
<tr>
<td></td>
<td>• The maximum program duration is 10 years or when the total cumulative grant equals the total eligible costs, whichever occurs first.</td>
</tr>
<tr>
<td></td>
<td>• The grant is limited by the maximum eligible costs in combination with all other programs of assistance provided by this Plan.</td>
</tr>
</tbody>
</table>
Program 1
City of Belleville Brownfields Remediation - Tax Increment Equivalent Grant Program (TIEG)

Eligibility

Eligible Sites:
- Private sector landowners who are actively seeking renovation/development or re-use of the property which, as of the date of site assessment, does not meet the standards of the *Ontario Environmental Protection Act* to permit a Record of Site Condition to be filed in the Ontario Ministry of the Environment’s Environmental Site Registry (i.e. a contaminated site in need of remediation or risk management to enable a Record of Site Condition to be acknowledged by the Ontario Ministry of the Environment to permit the intended use of the property).

Eligible Costs:
- Environmental Site Assessments (Phase II and Phase III ESAs and Risk Assessments);
- Environmental remediation and costs of achieving acknowledgement of a Record of Site Condition by the MoE and Certificate of Property Use as may be required. This includes both remedial action plans and risk management plans, and implementation costs;
- Waste transfer to landfill and tipping fees for contaminated soils land fill;
- Fill and grading to replace contaminated soils;
- At the discretion of Council, demolition of existing buildings or structures;
- At the discretion of Council, site development and infrastructure work including improvement or reconstruction of existing on-site infrastructure and development, triggered by the existence of contamination and requirements for remediation;
- Legal fees directly related to site investigation, remediation and filing of a Record of Site Condition and compliance with any Certificate of Property Use.
- Insurance premiums for Cost Cap Insurance and Pollution Legal Liability (PLL) Insurance;
- Ongoing site environmental monitoring and management (part of risk management strategies); and
- Interim financing costs (interest and financing fees) related to eligible costs. Long-term debt financing costs are not eligible.
## Approval Process

<table>
<thead>
<tr>
<th>Program 1</th>
<th>City of Belleville Brownfields Remediation - Tax Increment Equivalent Grant Program (TIEG)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i)</td>
<td>Application Form (Registration of Intent).</td>
</tr>
<tr>
<td>(ii)</td>
<td>Screening of applications to ensure compliance with minimum requirements of the program including demonstration of contamination and requirement for remediation and/or risk management.</td>
</tr>
<tr>
<td>(iii)</td>
<td>Evaluation and approval of accepted applications by City of Belleville Brownfields Evaluation Committee.</td>
</tr>
<tr>
<td>(iv)</td>
<td>Proposed development must conform to approved Official Plan, Zoning By-law, site plan approval/agreements, and all other municipal by-laws, legislation and supporting regulations/approvals by other levels of government.</td>
</tr>
<tr>
<td>(v)</td>
<td>Signing of a legal agreement which outlines the terms and conditions of assistance, and its limitations.</td>
</tr>
<tr>
<td>(vi)</td>
<td>City of Belleville will determine the existing “base” assessment for the property assumed to be the day prior to the commencement of remediation by the property owner.</td>
</tr>
<tr>
<td>(vii)</td>
<td>Where the development of a project is phased over several years, the grant will be based on the property re-assessment and taxable status of the project in each of the interim years before project completion or on an alternative basis as may be provided for in the agreement. At project completion, the grant (as applicable) will be based on the assessed property value provided by the Municipal Property Assessment Corporation (MPAC).</td>
</tr>
<tr>
<td>(viii)</td>
<td>Final approval and payment of grant funding occurs after:</td>
</tr>
<tr>
<td></td>
<td>• Completion of project and submission of actual costs of work completed (the eligible costs);</td>
</tr>
<tr>
<td></td>
<td>• Reassessment of the property by MPAC and full payment of resulting annual taxes by applicant;</td>
</tr>
<tr>
<td></td>
<td>• Where a project is completed in phases, or where significant revaluation occurs prior to final completion, approval will be based on receipt of reassessment (by MPAC) of the property in each year and submission of eligible costs; and</td>
</tr>
<tr>
<td></td>
<td>• Implementation through municipal by-law.</td>
</tr>
</tbody>
</table>

## Other Restrictions

- City has the right to review and amend any and all aspects of the program, including the purpose, form, method of application, evaluation and amount of funding of the program, from time to time, or at any time, for any reason, and at the sole and absolute discretion of the City.
- As necessary, the City may add to or adjust the application and approval protocols associated with this program.
- One grant per property.
<table>
<thead>
<tr>
<th>Program 1</th>
<th>City of Belleville Brownfields Remediation - Tax Increment Equivalent Grant Program (TIEG)</th>
</tr>
</thead>
</table>
| Fiscal Implications | • Grant represents foregone income for the City. Site redevelopment creates tax income, a portion of which is foregone under this program. At expiry of the program/agreement, 100% of the municipal property tax is retained by the City.  
• City should be cognizant of any significant increase in annual municipal operating costs as a result of redevelopment of the property in receipt of tax assistance. |
| Evaluation Process | City of Belleville Brownfields Evaluation Committee reports to Planning Advisory Committee (PAC).  
City of Belleville Brownfields Evaluation Committee to comprise:  
1. Director of Development Services;  
2. Manager of Policy Planning;  
3. Director of Finance or designate;  
4. Chief Building Official or designate;  
5. Two (2) members of Council, appointed by Council; and  
6. Two (2) citizen representatives as determined by Council.  
Approval of TIEG requires PAC recommendation to, and approval by, City Council. |
| Program Application Deadline | • Program application duration – 6 years (ending 2013).  
• The program will be monitored for effectiveness on an annual basis with an interim review in year 3 of the program (and detailed review in year 6) to determine whether the program has met the goals of the Brownfields CIP. |
5.2 Program 2: City of Belleville Environmental Remediation Tax Cancellation Assistance Program

The following program is solely for development projects within the City that involve remediation of contaminated soil or buildings and/or risk management strategies which are eligible for assistance under Section 365.1 of the *Ontario Municipal Act*.

<table>
<thead>
<tr>
<th>Program 2</th>
<th>City of Belleville Environmental Remediation Tax Cancellation Assistance Program</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Rationale</strong></td>
<td>Cancellation of property tax increase for eligible properties as an incentive for environmental rehabilitation.</td>
</tr>
<tr>
<td><strong>Intended Recipients</strong></td>
<td>Private sector landowners who are actively seeking renovation/redevelopment or re-use of the property which, as of the date of site assessment, does not meet the standards of the <em>Ontario Environmental Protection Act</em> to permit a Record of Site condition to be filed in the Ontario Ministry’s Environmental Site Registry (i.e. a contaminated site in need of remediation or risk management to enable a Record of Site Condition to be acknowledged by the Ontario Ministry of the Environment to permit the intended use of the property).</td>
</tr>
<tr>
<td><strong>Legislative Provision</strong></td>
<td><em>Ontario Municipal Act</em>, Section 365.1, as amended and <em>Ontario Regulation 274/04</em>.</td>
</tr>
</tbody>
</table>

- Program includes annual cancellation of tax increases over the established base tax.
- Specifics of any tax assistance will be identified in a municipal by-law which establishes the date that such tax assistance commences and the date of expiry of the assistance.
- Assistance is limited to the increase in property tax over the established “base” tax.
- At commencement of tax assistance (the beginning of the defined “rehabilitation period”), tax assistance comprising the municipal portion of any tax increase cancellation is in effect until the date specified in the municipal by-law.
- With respect to the matching education portion of any tax assistance, such assistance is provided upon application to the Ontario Minister of Finance by the municipality and approval by the Minister of Finance.
- Matching education portion tax assistance is limited to the earlier of a 36-month consecutive period or the date that tax assistance equals the costs of remediation necessary to permit filing of a Record of Site Condition and the cost of complying with any certificate of property use issued under Section 168.6 of the *Environmental Protection Act*.  

---

3 Property tax increases which result from remediation and subsequent site redevelopment.
## Program 2

**City of Belleville Environmental Remediation Tax Cancellation Assistance Program**

- At all times, total tax assistance is limited to the eligible costs defined in this Plan.
- Municipal and Provincial tax assistance can be commenced at any time as specified in the By-Law. Subject to approval, and any conditions imposed by the Minister of Finance with respect to the matching education portion. However, assistance cannot be applied retroactively in respect of remediation prior to the approval of the City BFTIP By-Law.
- Eligible costs not reimbursed in the year in which they are incurred, can be rolled-over to subsequent years.
- The amount of tax assistance in any one year is limited to the lesser of:
  1. The amount of eligible work carried out in that year; or
  2. The amount of property tax which is cancelled by the City.
- The amount of annual tax assistance is reduced by the amount of any outstanding property tax payable on the property.
- Financial assistance under Section 365.1 of the *Ontario Municipal Act* is cumulative with any other financial assistance for site remediation necessary to permit a Record of Site Condition to be filed and comply with any certificate of Property Use.
- Assistance under this program terminates upon transfer of title to the property, severance or subdivision. In the case of severance and subdivision of land, termination of the program applies only to those parts of the original land holding which are severed or subdivided to other owners.

### Eligibility

**Eligible Sites:**

- Sites located in Priority Area 1 (Brownfield Redevelopment Priority Area) are eligible under this program.
- The need for remediation is defined as a site with a Phase II ESA which indicates that site conditions do not meet standards (under the *Environmental Protection Act*) to permit filing of a Record of Site Condition.
- Properties located within Priority Area 2 are not eligible for assistance under this program at this time.

**Eligible Costs:**

- Eligible costs are as per Program 1 and as adjusted by conditions of matching assistance provided by the Ontario Minister of Finance.
Program 2
City of Belleville Environmental Remediation Tax Cancellation Assistance Program

**Approval Process**

(i) Application Form (Registration of Intent).
(ii) Evaluation by City of Belleville Brownfields Evaluation Committee.
(iii) Confirm details of the proposed development and submit an environmental site assessment (Phase II identifying likely costs of environmental clean-up).
(iv) Signing of terms of a legal agreement which outlines all terms and conditions of assistance, and its limitations of assistance. The legal agreement can be separate from that required under Program 1 or combined with Program 1 requirements.
(v) Development must conform to the City’s intent under the approved Official Plan and Zoning By-law. During the assistance period, the development must conform to all municipal by-laws.

**BFTIP Application Process**

(vi) City will approve in principle successful properties for brownfield financial program assistance which includes potential tax cancellation assistance under this Program.
(vii) Tax Assistance Program Agreement signed by the applicant or subsumed as part of a broader site-specific brownfield redevelopment funding agreement.
(viii) City will draft a BFTIP By-Law establishing the specifics of the BFTIP assistance as per this CIP.
(ix) Copy of the draft by-law and Agreement forwarded to the Minister of Finance for consideration. Any restrictions or other conditions required by the Minister of Finance will be included in the Municipal By-Law.
(x) Council will review and approve the by-law and enable the execution of the agreement with the applicant.

**Other Restrictions**

- City has the right to review and amend any and all aspects of the program, including the purpose, form, and method of selection from time to time, or at any time, for any reason, and at the sole and absolute discretion of the City.
- As necessary, the City may amplify or adjust the application and approval protocols associated with this program.

**Fiscal Implications**

(i) Cancellation of increase in tax represents potential income foregone by the City.
<table>
<thead>
<tr>
<th>Program 2</th>
<th>City of Belleville Environmental Remediation Tax Cancellation Assistance Program</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Evaluation Process</strong></td>
<td>City of Belleville Brownfields Evaluation Committee reports to Planning Advisory Committee (PAC). City of Belleville Brownfields Evaluation Committee to comprise:</td>
</tr>
<tr>
<td>1.</td>
<td>Director of Development Services;</td>
</tr>
<tr>
<td>2.</td>
<td>Manager of Policy Planning;</td>
</tr>
<tr>
<td>3.</td>
<td>Director of Finance or designate;</td>
</tr>
<tr>
<td>4.</td>
<td>Chief Building Official or designate;</td>
</tr>
<tr>
<td>5.</td>
<td>Two (2) members of Council, appointed by Council; and</td>
</tr>
<tr>
<td>6.</td>
<td>Two (2) citizen representatives as determined by Council.</td>
</tr>
</tbody>
</table>

- Program duration – 6 years (ending 2013).
- The program will be monitored for effectiveness on an annual basis with an interim review in year 3 of the program (and further review in year 6) to determine whether the program has met the goals of the Brownfields CIP.
- Municipal tax cancellation assistance under BFTIP will be limited to the duration approved for matching education portion tax assistance.
5.3 Program 3: City of Belleville Environmental Site Assessment (ESA) Grant Program

<table>
<thead>
<tr>
<th><strong>Program 3</strong></th>
<th><strong>City of Belleville Environmental Site Assessment (ESA) Grant Program</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Rationale</strong></td>
<td>For sites with a Phase I ESA, assistance to further specify extent and nature of environmental contamination through grant assistance of Phase II ESA and study and development of any Remediation Action Plan.</td>
</tr>
<tr>
<td><strong>Intended Recipients</strong></td>
<td>Private sector landowners/developers who are actively seeking renovation/redevelopment or re-use of the property and provide Phase I ESA conducted by a qualified environmental consultant indicating a requirement for a phase II ESA.</td>
</tr>
<tr>
<td><strong>Legislative Provision</strong></td>
<td>Planning Act, providing for grant assistance under Section 28(7) of the Planning Act.</td>
</tr>
<tr>
<td><strong>Specifics and Limitations</strong></td>
<td><strong>Environmental Site Assessment (ESA) Grant</strong></td>
</tr>
<tr>
<td></td>
<td>• City of Belleville will reimburse owner for costs associated with eligible studies.</td>
</tr>
<tr>
<td></td>
<td>• Maximum individual grant is $20,000 or 50% of the cost of the ESA, whichever is less.</td>
</tr>
<tr>
<td></td>
<td>• Maximum assistance per property of:</td>
</tr>
<tr>
<td></td>
<td>(i) Maximum of 2 studies per property; and</td>
</tr>
<tr>
<td></td>
<td>(ii) Maximum of $35,000 per property.</td>
</tr>
<tr>
<td></td>
<td>• The above limits are at the discretion of the City of Belleville. Funding may be increased at the discretion of the City based on the merits of each individual application as determined by the City. Applicants may be required to furnish the City with additional information, relinquish ownership of ESA reports and enter into additional agreements as necessary to the satisfaction of the City”</td>
</tr>
</tbody>
</table>
## Eligibility

**Eligible Sites:**
- The City of Belleville has compiled a list of sites of potential interest which comprise sites which are either known to be contaminated, are perceived to be contaminated, or otherwise are land uses prescribed under Regulation as requiring a Phase II ESA. All such sites are eligible under this program and are priority candidates for this program, subject to Council issuing from time to time a listing of key redevelopment sites.
- Eligible costs include Phase II ESA and Remediation Action Plans.
- All sites located within the Brownfields CIPA are eligible for assistance.
- Requirements of Regulation 153/04, as amended by Regulation 511/09, to the *Environmental Protection Act* apply in all circumstances.

## Approval Process

(i) Application Form (Registration of Intent).
(ii) Screening of applications to ensure compliance with minimum requirements of the program.
(iii) Evaluation of accepted applications by City of Belleville Brownfields Evaluation Committee. Applications which demonstrate a clear intent to redevelop the site will be favoured.
(iv) Retained consultants must confirm estimated and actual cost of conducting the study (the final cost of the study at completion).
(v) Approval is provided and payment issued following verification of submitted costs.

## Other Restrictions

- City has the right to review and amend any and all aspects of the program, including the purpose, form, method of application, evaluation and amount of funding of the program, from time to time, or at any time, for any reason, and at the sole and absolute discretion of the City.
- As necessary, the City may add to or adjust the application and approval protocols associated with this program.
- The City may refuse an application if it deems project feasibility to be limited or for any other reason, at the discretion of the City.

## Evaluation Process

City of Belleville Brownfields Evaluation Committee reports to Planning Advisory Committee (PAC).
City of Belleville Brownfields Evaluation Committee to comprise:
1. Director of Development Services;
2. Manager of Policy Planning;
3. Director of Finance or designate;
4. Chief Building Official or designate;
5. Two (2) members of Council, appointed by Council; and
6. Two (2) citizen representatives as determined by Council.
### Program 3: City of Belleville Environmental Site Assessment (ESA) Grant Program

<table>
<thead>
<tr>
<th><strong>Program Application Deadline</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>• Program application duration – 6 years (ending 2013); and</td>
<td>• The program will be monitored for effectiveness on an annual basis with an interim review in year 3 of the program (and further review in year 6) to determine whether the program has met the goals of the Brownfields CIP.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Other Government/Non-Profit Organization Investment</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>• Based on the principle of achieving maximum leverage of non-City funds, applicants who identify other sources of financial assistance for feasibility studies will be given preference in the allocation of funds.</td>
<td>• Total combined assistance toward the costs of environmental site assessment from all public sources will not exceed 50% of total environmental site assessment costs. City funding will be the funding of last resort where other sources of public assistance exist.</td>
</tr>
</tbody>
</table>
### 5.4 Program 4: City of Belleville Building Permit Fees Grant Program

<table>
<thead>
<tr>
<th><strong>Program 4</strong></th>
<th><strong>City of Belleville Building Permit Fees Grant Program</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Rationale</strong></td>
<td>Assistance to redevelopment of brownfield sites by further reducing cost of development related to building permit fees.</td>
</tr>
</tbody>
</table>
| **Intended Recipients** | Private sector land owners/developers who are actively seeking redevelopment of contaminated lands and which provide:  
(i) Applications for redevelopment/re-use of the property which necessitates environmental site assessment and remediation.  
(ii) A Phase II ESA which demonstrates that the proposed use does not meet MoE standards for property use as contained in the Soil, Ground Water and Sediment Standards for use under Part XV.1 of the Environmental Protection Act. |
| **Legislative Provision** | Grant paid against building permit fees payable for each project (Ontario Planning Act Section 28(7)). |
| **Specifics and Limitations** | The property owner or assignee pays for all building permit costs. These costs, to a maximum of 75% (Priority Area 1) and 50% (Priority Area 2), are reimbursed to the owner or assignee, in the form of a grant on completion of the building as determined by the City. |
| **Eligibility** |  
(i) Any environmentally contaminated property in the Brownfield Project Area as demonstrated by a Phase II ESA.  
(ii) Grant may be less than 75% of the equivalent fee (in Priority Area 1) and 50% (in Priority Area 2), and in all cases is limited by the percentage cap or total eligible cost, whichever is less. |
| **Approval Process** |  
(i) Application Form (Registration of Intent);  
(ii) Screening of applications which must include eligible remediation costs; and  
(iii) Evaluation by the City of Belleville Brownfields Evaluation Committee and priority assignment of competing applications. |
| **Other Restrictions** |  
• City has the right to review and amend any and all aspects of the program, including the purpose, form, method of application, evaluation and amount of funding of the program, from time to time, or at any time, for any reason, and at the sole and absolute discretion of the City.  
• As necessary, the City may amplify or adjust the application and approval protocols associated with this program.  
• Applicants who receive a permit grant under this program are ineligible for access to building permit fee grants under the City of Belleville Downtown CIP. |
### Program 4  

**City of Belleville Building Permit Fees Grant Program**

<table>
<thead>
<tr>
<th>Fiscal Implications</th>
</tr>
</thead>
<tbody>
<tr>
<td>As a Section 28 grant, funds to pay for this assistance should be provided from the annual budget for the Brownfields CIP. The accounts of the City for receipt of building permit fees will not be reduced by the amount of the grant. Such procedure is consistent with best practices in municipal accounts and in accordance with the <strong>Municipal Act</strong>.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Evaluation Process</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Belleville Brownfields Evaluation Committee reports to Planning Advisory Committee (PAC).</td>
</tr>
</tbody>
</table>

**City of Belleville Brownfields Evaluation Committee to comprise:**

1. Director of Development Services;
2. Manager of Policy Planning;
3. Director of Finance or designate;
4. Chief Building Official or designate;
5. Two (2) members of Council, appointed by Council; and
6. Two (2) citizen representatives as determined by Council.

<table>
<thead>
<tr>
<th>Program Application Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Program application duration – 6 years (ending 2013).</td>
</tr>
<tr>
<td>• The program will be monitored for effectiveness on an annual basis with an interim review in year 3 (and further review in year 6) to determine whether the program has met the goals of the Brownfields CIP.</td>
</tr>
</tbody>
</table>
## 5.5 Program 5: City of Belleville Development Charge (DC) Grant Program

<table>
<thead>
<tr>
<th><strong>Program 5</strong></th>
<th><strong>City of Belleville Development Charge (DC) Grant Program</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Rationale</strong></td>
<td>Assistance to redevelopment of brownfield sites for residential and non-residential use by further reducing cost of development related to development charges.</td>
</tr>
<tr>
<td><strong>Intended Recipients</strong></td>
<td>Private sector land owners/developers who are actively seeking redevelopment for residential and/or commercial use of lands within the Brownfield Redevelopment Priority Area (Priority Area 1). All applicants must have a certified estimate of site conditions and costs of remediation (Phase II ESA).</td>
</tr>
<tr>
<td><strong>Legislative Provision</strong></td>
<td>City by-law required to amend existing City of Belleville Development Charge By-law No. 2009-157, as amended by By-law 2010-196.</td>
</tr>
<tr>
<td><strong>Specifics and Limitations</strong></td>
<td>The property owner or assignee pays 100% of the Development Charge. This cost, to a maximum of <strong>50%</strong> of the Development Charge or total eligible costs, whichever is less, is reimbursed to the owner, in the form of a grant based on the following schedule:</td>
</tr>
<tr>
<td></td>
<td>• Payment of DC equivalent grant (to a maximum of 50% of the applicable DC), no later than 6 months following issuance of building permit, contingent always on the City’s verification of costs as eligible for purposes of this program. Any delay in the verification process which is due to insufficiency of information provided by the applicant, may result in a delay in processing the grant and, at the City’s discretion, may render the application null and void.</td>
</tr>
<tr>
<td><strong>Eligibility</strong></td>
<td>1) All properties demonstrating actual environmental contamination on the site as demonstrated by a Phase II ESA.</td>
</tr>
<tr>
<td></td>
<td>2) Development Charge Grant only available in Priority Area 1.</td>
</tr>
<tr>
<td></td>
<td>3) Eligibility will be determined through the application of criteria which seek to relate each application to the goals and objectives of the Brownfields Strategy and which generate the maximum leverage from the use of public investment.</td>
</tr>
<tr>
<td><strong>Approval Process</strong></td>
<td>(i) Application Form (Registration of Intent);</td>
</tr>
<tr>
<td></td>
<td>(ii) Screening of applications to ensure compliance with minimum requirements of the program including demonstrated environmental contamination which must be remediated to comply with MoE regulations;</td>
</tr>
<tr>
<td></td>
<td>(iii) Evaluation by City of Belleville Brownfields Evaluation Committee including verification of all submitted costs. Approval by Council is not final until such time as actual remediation costs have been verified by the City.</td>
</tr>
</tbody>
</table>
### Program 5

#### City of Belleville Development Charge (DC) Grant Program

<table>
<thead>
<tr>
<th>Other Restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>• City has the right to review and amend any and all aspects of the program, including the purpose, form, method of application, evaluation and amount of funding of the program, from time to time, or at any time, for any reason, and at the sole and absolute discretion of the City.</td>
</tr>
<tr>
<td>• As necessary, the City may amplify or adjust the application and approval protocols associated with this program.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Evaluation Process</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Belleville Brownfields Evaluation Committee reports to Planning Advisory Committee (PAC).</td>
</tr>
<tr>
<td>City of Belleville Brownfields Evaluation Committee to comprise:</td>
</tr>
<tr>
<td>1. Director of Development Services;</td>
</tr>
<tr>
<td>2. Manager of Policy Planning;</td>
</tr>
<tr>
<td>3. Director of Finance or designate;</td>
</tr>
<tr>
<td>4. Chief Building Official or designate;</td>
</tr>
<tr>
<td>5. Two (2) members of Council, appointed by Council; and</td>
</tr>
<tr>
<td>6. Two (2) citizen representatives as determined by Council.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Program Application Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Program application duration – 6 years (2013).</td>
</tr>
<tr>
<td>• The program will be monitored for effectiveness on an annual basis with an interim review in year 3 (and further review in year 6) to determine whether the program has met the goals of the Brownfields CIP.</td>
</tr>
</tbody>
</table>
6. IMPLEMENTATION

Programs approved under the Brownfields CIP may be offered at the discretion of Council and may be rescinded by Council without an amendment to the CIP. These programs may apply, at the discretion of Council, to the whole or to part of the Brownfields Project Area. The introduction of any other incentive programs not currently permitted through the Brownfields CIP shall require an amendment to the CIP.

Nothing in this Brownfields CIP shall limit the right of the City of Belleville and its Council to undertake any other initiatives provided for under the City’s Official Plan to facilitate or achieve improvements to the downtown area of the City of Belleville.

City Council will determine during preparation of its annual budget the contribution to be made available to the various programs under the Brownfields CIP for each year of the Plan. Any unspent funds at year-end may be placed in reserve to be used in subsequent years.

6.1 Administering Brownfield Program Options

Administration of the Brownfields CIP program is predicated on access to the most appropriate individual program and combination of programs based on the particular needs of each development project under consideration. In general terms, the range and scope of eligible costs will be established and verified to the extent possible at the time of approval of program support. Final verification of costs is only possible once clean up of the property is complete.

The general order of program assistance is established in the table below (see Figure 3) and includes a gradual draw down on eligible costs based on the amount of assistance provided under each separate program.

Figure 3. General Order of Brownfields CIP Program Assistance

<table>
<thead>
<tr>
<th>BROWNFIELD PROGRAM</th>
<th>ELIGIBLE COSTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>• ESA Assistance Grant Program</td>
<td>100% Eligible Costs (payment subject to grant maximum)</td>
</tr>
<tr>
<td>• Building Permit Fee Grant Program</td>
<td>Eligible Costs less existing grants to date under ESA Grant Program</td>
</tr>
<tr>
<td>• DC Percentage Equivalent Grant</td>
<td>Eligible Costs less existing grants to date</td>
</tr>
<tr>
<td>• Tax Cancellation Program (BFTIP) (3 years)</td>
<td>Eligible Costs less all grants payable to date</td>
</tr>
<tr>
<td>• Brownfield Redevelopment TIEG Program (10 years)</td>
<td>Eligible Costs less grant payments &amp; BFTIP assistance</td>
</tr>
<tr>
<td>Reconciliation of Program Support</td>
<td>Total of all programs cannot exceed 100% of Eligible Costs</td>
</tr>
</tbody>
</table>
Implementation of tax assistance programs is predicated on access (where possible) to matching education portion property tax assistance as part of Program 2: Property Tax Increase Cancellation before recourse to Program 1 TIEG assistance.

In Priority Area 1, program maximums are based on a consistent 80% of the municipal tax increment over a maximum 10-year period. This level of support can be increased to 100% of both the municipal and education portion of the tax increment should the BFTIP Tax Cancellation Program (Program 2 of this Plan) be applicable (see Figure 4).

Figure 4. Example of Combined BFTIP and TIEG Funding for Contaminated Sites

The following program duration limits apply (in all cases, assistance is terminated (i) at the end of the term of the program or (ii) when total eligible costs are met from the combined assistance from all grant programs and tax cancellation, whichever occurs first):

- **Program 1 TIEG** operates from the date remediation is commenced and is limited to a maximum duration of 10 years. Assistance is limited to 80% of the municipal portion of the tax increment.

- At the discretion of Council, tax assistance can commence at any time specified in the municipal by-law. Council will determine the most appropriate point at which to commence assistance, either at initial reassessment of the property or at a later date as agreed with the applicant.

- In the example shown above (Figure 4), **Program 2 (Tax Cancellation)** operates concurrent with the term limit of **Program 1 TIEG**. The available municipal and education portions are limited to 100% of the tax increment over a maximum 10-year period. Assistance is increased to 100% of both portions should the BFTIP Tax Cancellation Program be applicable.

---

**Note:**

(i) Example based on municipal share of total tax at 55%; share is illustrative only and will vary by tax class

(ii) Matching education property tax assistance requires approval of the Province.
education increments are cancelled in year 1 to 3 through the provisions of Program 2 which takes precedence over the **Program 1 TIEG** in access to the municipal increment. Following the termination of Program 2, the available municipal increment is provided as a grant in the amount of 80% of the municipal increment for the period from year 4 to year 10.

- The impact of Program 2 will vary according to the tax class of the project receiving the assistance.

- Tax cancellation assistance is only to the benefit of the registered owner and cannot be assigned to another party. Tax assistance under this program terminates upon transfer of title, severance or subdivision of the property.
7. MONITORING AND UPDATE

It is important to monitor potential financial impacts on the City arising from those programs based on foregone revenue. The potential future revenue impacts on the City as a result of tax increment financing should be projected as part of the initial decision-making process for each application. While incremental tax increases can represent “new found” revenue as a result of redevelopment that might otherwise not have occurred, the revenue to the City foregone through the grant program should be weighed against the potential increase in direct costs to City services as a result of the re-use of these sites.

The review of the implementation of the Brownfields CIP in year 6 should seek to:

- Document the nature and extent of projects for which applications are made under each program;
- Identify the contribution of assistance under each program to the success of the remediation/redevelopment projects;
- Identify the pros and cons of the process followed for the selection of approved projects under each program and establish to what extent improvements can be made to increase the effectiveness of programs. Part of this process is an understanding of how individual development projects make use of the range of programs in combination with one another;
- Assess, and respond to, the need for active marketing of the Plan to potential development projects; and
- Review the applicability of any new and emerging municipal, provincial and federal policies, programs or regulations which can help improve the effectiveness of the Plan.
APPENDIX 1

GLOSSARY OF TERMS
Actual Remediation Costs means the actual costs to remediate the Lands, proven by the Owner to have been incurred. These are costs deemed to be eligible for Program Assistance, and are verified as such to the satisfaction of the City.

Brownfield Site means developed or previously developed properties that may be contaminated. They are usually, not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant (Provincial Policy Statement, 2005).

Brownfields Financial Tax Incentive Program (BFTIP) is a financing tool established under the authority of section 365.1 of the Municipal Act, 2001 that allows municipalities to provide property tax assistance to landowners as an incentive for environmental rehabilitation. The Minister of Finance can also approve matching education property tax assistance for eligible properties under this program (Community Improvement Planning Handbook, 2008).

Community Improvement Plan (CIP) is a planning tool under Section 28 of the Planning Act which permits planning and financial assistance programs involving lands, buildings, loans, grants and tax assistance for designated community improvement project areas.

City means the Corporation of the City of Belleville.

Development Period means the period of time defined by By-Law of the City of Belleville, commencing on the date the Rehabilitation Period ends and ending on the date specified by By-Law of the City of Belleville, and as fully described in Section 365.1(1) of the Ontario Municipal Act, 2001, S.O. 2001, c.25, (consolidated June 1, 2011). 

Education Portion means taxes arising from that element of the total tax rate set annually, which is collected by the Province of Ontario to support the provincial school By-Laws.

Eligible Costs includes all cost categories for which the Owner is entitled to Program Assistance from the City as provided for in an Agreement and subject to all program protocols and conditions as stated in the Agreement and the CIP.

Environmental Protection Act (EPA) is the Act which provides for the protection and conservation of the natural environment. With respect to brownfield redevelopment, the Act sets out the requirements for the assessment and clean-up of a property and the filing of a Record of Site Condition (RSC) and includes provisions reducing the potential liability from orders for property owners after a Record of Site Condition has been filed.

Environmental Site Assessment means the assessment of the environmental condition of the land including the soil, ground water and sediment, if any. It is required in order to file a RSC in Ontario’s Environmental Site Registry (Part XV.1 of the EPA).

Intensification means the development of a property, site or area at a higher density than currently exists, either through redevelopment/re-use of previously developed sites, the development of vacant and/or underutilized lots within previously developed areas, infill development and the expansion or conversion of existing buildings.

MoE means the Ontario Ministry of the Environment.

MPAC means the Municipal Property Assessment Corporation.
**Municipal Portion** means taxes arising from that element of the total tax rate, set annually, which supports expenditures by the City of Belleville as a single tier municipality.

**Owner** means the registered Owner of the Lands and includes any successors, assigns, agents, partners and any affiliated corporation. Financial assistance through tax-based funding is provided to the registered owner of the property irrespective of any assignment of those funds to another party by the owner under separate agreement between the owner and a third party. Notwithstanding, the Plan is intended to apply to development interests broadly defined.

**Phase I ESA** is the study conducted to determine the likelihood that one or more contaminants have affected all or part of a property. The specific requirements for carrying out a Phase I ESA are set out in Part VII of the Ontario Regulation 153/04 (Record of Site Condition: A Guide on Site Assessment, the Clean-up of Brownfield Sites and the Filing of Records of Site Condition, MoE, 2004), as amended by Ontario Regulation 511/09.

**Phase II ESA** is the study conducted to determine the location and concentration of one or more contaminants in the natural environment. The specific requirements for carrying out a Phase II ESA are set out in Part VIII of the Ontario Regulation 153/04 (Record of Site Condition: A Guide on Site Assessment, the Clean-up of Brownfield Sites and the Filing of Records of Site Condition, MoE, 2004), as amended by Ontario Regulation 511/09.

**Program Assistance** means all or any of the programs contained in and provided for by the CIP.

**Program Duration** means the time from commencement to expiry of tax assistance programs as specified under each program.

**Qualified Person** means a person that meets the qualification requirements specified by Ontario Regulation 153/04, as amended by Ontario Regulation 511/09.

**Record of Site Condition (RSC)** is a document that summarizes the environmental condition of a property on a specific date, as determined by a qualified person by conducting a Phase I ESA, a Phase II ESA (if appropriate) and confirmatory sampling (in the case of site clean-up). Under Part XV.1 of the EPA, a RSC must be completed and filed on the Environmental Site Registry if a property owner wishes to obtain protection from potential future environmental orders for the property as specified in Section 168.7(1) of the EPA. For certain types of land use changes, such as a change from industrial use to residential use, filing a RCS on the Environmental Site Registry is mandatory.

**Redevelopment** means the creation of new units, uses or lots on previously developed land in existing communities, including brownfield sites.

**Rehabilitation Period** means the period of time defined by By-Law of the City of Belleville commencing on the date established by By-Law and ending the earlier of 18 months from the date of commencement when an RSC for the Lands is filed in the Environmental Site Registry, and as more specifically defined under Section 365.1(1) of the Ontario Municipal Act, 2001, S.O. 2001, c.25.

**Remediation Plan** means Remediation Works and any Risk Management Plan developed for the Lands. Risk Assessment means site investigation and other actions undertaken by a Qualified Person for Risk Assessment in accordance with the MoE guideline entitled “Procedures for the use of Risk Assessment under Part XV.1 of the Environmental Protection Act”.

**Risk Management Plan** refers to measures to manage or limit the movement of contaminant or limit the potential for receptors to be exposed to contaminants, as more fully described in Section 7.8 of the MoE.
guideline entitled “Records of Site Condition – A guide or Site Assessment, the Cleanup of Brownfields Sites and the Filing of Records of Site Condition”.

**Tax Assistance** means Program Assistance under CIP Programs 1 and 2.

**Tax Cancellation** means the cancelling of the increase in Tax Liability.

**Tax Increment** means the difference between the property tax liability for the lands in any year of the Program and the existing “base” tax liability. The Tax Increment is limited to the Municipal Portion of the tax liability in those instances where program assistance is limited to the Municipal Portion of taxation as provided for in the CIP.

**Tax Liability** means the annual real property taxes levied by the City of Belleville including the Municipal and Education Portions of the taxes.

**TIEG** means Tax Increment Equivalent Grant as provided for under Section 28(7) of the *Ontario Planning Act*. 
APPENDIX 2

KEY SITES OF POTENTIAL INTEREST
City of Belleville Brownfields Community Improvement Plan (CIP)
Key Sites of Potential Interest

**LEGEND**
- Boundary of Brownfields Community Improvement Project Area:
  - Priority Area 1
  - Priority Area 2
  - Key Sites of Potential Interest

**Note:**
Brownfields are abandoned, vacant, derelict or underutilized commercial and industrial properties, usually provided with urban services, where past actions have resulted in actual or perceived contamination. A number of criteria were used to determine which properties should be considered as key sites of potential interest, such as size and location of the property, status of occupancy (i.e. currently vacant, abandoned or underutilized), development potential, etc.

This list of key sites should not be considered as exhaustive. It is important to note that the list of key sites does not represent a comprehensive set of Phase 1 Environmental Site Assessments.
APPENDIX 3

OFFICIAL PLAN AMENDMENT
SECTION 7 – GENERAL DEVELOPMENT POLICIES

7.1 Community Improvement

Section 28 of the Planning Act allows municipalities to prepare “community improvement plans” for designated “community improvement project areas” that require physical, environmental, social and/or economic improvement. Through a community improvement plan, municipalities may implement a range of programs and tools to help stimulate reinvestment and revitalization.

This Plan designates the whole of the urban serviced area, the Loyalist Secondary Plan Area and lands designated Hamlet on Land Use Schedules A and B as “community improvement project areas”. Council may by by-law designate the whole or any part of such areas as a community improvement area. This Plan also recognizes that community improvement initiatives are of particular importance for:

- The lands designated City Centre;
- Special Policy Area #1 – Bayshore Planning Area; and
- Special Policy Area #2 – Point Anne.

Policies

7.1.1 Community Improvement Goals

a) The Municipality should encourage improvement to the quality of public services, community facilities or spaces, existing development, the environment and energy efficiency, particularly within hamlets and the urban serviced area. As circumstances and finances permit, the Municipality should undertake community improvement, which may include, but is not limited to:

- downtown regeneration and investment;
- remediation and redevelopment of brownfields;
- rehabilitation of existing buildings and structures;
- replacement of inappropriate uses which have a serious negative impact upon the area with alternative uses and/or more appropriate buildings;
- upgrading and provision of improved municipal hard services (i.e. sewers, water systems, roads, hydro, sidewalks, etc.);
- upgrading of municipal soft services (i.e. parks, playgrounds, community centres) and improvement to the amenity of public lands;
- acquisition of lands to protect natural heritage areas or buildings (i.e. significant areas of flora and fauna or wildlife habitat such as the alvar or the Moira River caves, heritage buildings);
- upgrading and provision of transit and traffic control systems;
- broadening the mix of land uses, including housing types and affordable housing;
- intensification of vacant or underutilized lands and infill development;
- reduction of urban blight, neighbourhood crime and social or economic inequality; and
- other actions, programs or investments to improve environmental, social or economic conditions.
7.1.2 Community Improvement Project Areas

b) The Municipality will use the following criteria to define new community improvement project areas:

- deficiencies in or lack of adequate municipal hard and soft services;
- lack of public services (i.e. parking areas, pedestrian services);
- poor building conditions (including poor energy efficiency) due to age, design, construction, or neglect;
- existence of conflicting land uses;
- lack of desirable land uses or mix of land uses;
- vacant, abandoned or underutilized properties and buildings;
- contaminated lands (brownfields); and
- other poor or declining economic, physical or social conditions.

7.1.3 Community Improvement Actions

c) Where a community improvement area is designated by by-law, Council may adopt a community improvement plan to undertake the following for the purpose of carrying out community improvement:

- the funding of improvements to or the extension of municipal hard services (i.e. sewer systems, storm water management works, water services, hydro services, roads, sidewalks);
- the funding of improvements to or the expansion of municipal soft services and community facilities (i.e. parks/playgrounds, trails, community facilities);
- the acquisition of significant areas of natural heritage;
- the acquisition of privately owned lands or other institutional/public lands to eliminate incompatible land uses or promote reuse and redevelopment in keeping with the objectives of this Plan and any community improvement plan, including the expansion of the City’s open space system or resolution of environmental contamination issues;
- the clearance, grading or environmental remediation of properties held by it in the community improvement project area;
- the construction, repair, rehabilitation or improvement of buildings on land acquired or held by it in the community improvement project area;
- the sale, lease or otherwise dispose of buildings or land held by it in the community improvement area to any person or governmental authority;
- the financing in part through grants, loans or other financial incentives for the construction, repair, rehabilitation or improvements to privately owned buildings and properties, including environmental site assessments and the remediation of contaminated buildings and properties;
- apply for financial assistance from other senior levels of government;
- participate in senior level government programs that provide assistance to private landowners for the purposes of community improvement; and
• other environmental, social or economic actions.

7.1.4 Monitoring of Community Improvement Plans

d) If satisfied that a community improvement plan has been fully carried out, and community improvement has been achieved, the Municipality may, by by-law, dissolve the community improvement project area.
CITY OF BELLEVILLE OFFICIAL PLAN GENERAL DEVELOPMENT POLICIES FOR CONTAMINATED LAND
7.8.3 Contaminated Lands and Brownfield Sites

Brownfield sites are undeveloped or previously developed properties that may be contaminated and are typically underutilized, derelict or vacant. Rehabilitation and redevelopment of these sites is important to achieving the land use, economic development and environmental goals of this Plan. The following policies apply to all lands within the Official Plan, particularly those located within the Brownfields Community Improvement Project Area shown on Schedule E.

a) Certain sites and lands in their vicinity within the community are known or suspected to have soils contaminated with residues of current or previous industrial or commercial land uses (i.e. hydrocarbons, heavy metals) which would preclude reuse of such lands for other purposes without first eliminating or reducing the contamination levels to acceptable levels. The municipality shall encourage the rehabilitation and redevelopment of these sites as a means to achieve environmental enhancement, neighbourhood revitalization, efficient use of existing urban services and to remedy the urban blighting effects of vacant and derelict properties. Where sites may be contaminated, such sites could have the potential for adverse effects on human and/or the natural environment and their remediation is a principal goal of this Plan.

b) Reuse or redevelopment of contaminated land is subject to the provisions of the Ministry of Environment Environmental Protection Act and Ontario Regulation 153/04, as amended by Regulation 511/09, and other standards/documents in force.

c) In managing development on potentially contaminated sites, the Municipality will:

- identify those lands or sites that are suspected or known to be contaminated;
- inform the applicant upon receipt of an application for development of any such site where contamination is suspected or where proposed development would trigger a need to assess the environmental condition of the subject site;
- secure conditions and/or agreements as part of the development review process to ensure an environmental site assessment as set out in Section 7.8.3 d) of this Plan is conducted; and
- receive a Record of Site Condition (RSC) either prior to development approval, at the time of release of conditions of approval, or at the time of issuance of building permits, as required or stipulated by the Municipality.

d) When considering applications for development which includes sites suspected or known to be contaminated, the Municipality will:

   i) Require, at its discretion, a Phase I Environmental Site Assessment (ESA) be undertaken by the applicant in accordance to the Ontario Regulation 153/04, as amended by Ontario Regulation 511/09, andas may be further amended from time to time. This would involve the gathering of information to identify actual or potential contamination related to current or historic land use of the site. This requirement is in addition to Ontario Regulation 153/04, which prescribes those uses for which a Phase II ESA is required;

   ii) Require, where recommended by a Phase I ESA or mandated under Ontario Regulation 153/04, as amended by Ontario Regulation 511/09, a Phase II ESA be undertaken by the applicant in accordance with Ontario Regulation 153/04. This would involve sampling and analysis of the site to confirm and delineate the presence or absence of contamination suspected by the Phase I ESA report, including, but not limited to:

       - the nature and extent of soil or groundwater contamination or absence thereof;
potential risks to human health and safety as well as effects on ecological health and the natural environment; and

demonstration of whether the site meets the relevant provincial standards for the proposed use.

iii) Require, where necessary as a result of a Phase II report, that a remediation action plan be undertaken and implemented by the applicant to meet, at a minimum, the regulatory requirements of the Ontario Ministry of the Environment (MoE), and where relevant, the Federal Government. As a condition of approval, the Municipality will require that remediation, where required, is undertaken to appropriate standards of the MoE, as specified in Regulation 153/04 and in its companion document *Soil, Ground Water and Sediment Standards for use under Part XV.1 of the Environmental Protection Act (March 9, 2004)*, or if superseded, other regulatory requirement of the MOE, as amended from time to time.

iv) Require applicants to prepare and submit for acceptance by the Ministry of Environment a Record of Site Condition (RSC). In addition to changes of use prescribed by *Ontario Regulation 153/04*, as amended from time to time, as uses for which a Record of Site condition is mandatory (a change of use to a more sensitive land use), the Municipality may require a Record of Site Condition to be filed where the application does not involve a change of use to a more sensitive land use as defined in *Ontario Regulation 153/04*. This requirement is to ensure, to the Municipality’s satisfaction, that any remediation or risk assessment and risk management, necessary to permit the intended use is to the satisfaction of the MoE. In such instances, final approval of the application, or waiving of conditions of approval, is contingent on MoE acknowledgment of the Record of Site Condition as well as any Certificate of Property Use issued by the MoE in respect of the property.

The Municipality, at any stage of completion of an environmental site assessment, may require an independent peer review of the work being conducted, and may require the costs of such review to be assumed by the proponent.

e) The Municipality and owners of contaminated lands and brownfield sites are encouraged to take advantage of government programs and other sources of funding established from time to time.

The Municipality may:

- enter into partnership agreements with owners, assessed owners or tenants of owners of contaminated sites respecting use of techniques that will generate funds to undertake environmental site assessment, environmental remediation, development, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes (i.e. tax increment equivalent grants or loans); or

- enter into agreements with owners of contaminated lands or brownfield sites respecting site remediation.

f) Where the Municipality is deeded land for public highways, road widenings, parks, stormwater management, easements, or for any other purpose, the Municipality will require that such transfers are conditional upon the verification, satisfactory to the Municipality, that the environmental condition of the property meets provincial legislation, regulations and guidelines. Where required by the Municipality or the MoE, this may include the filing of a Record of Site Condition on the Environmental Site Registry by a Qualified Person as defined by legislation and regulation, and its acknowledgement by the MoE.
APPENDIX 4

APPLICATION OF THE PROGRAMS TO AN EXAMPLE DEVELOPMENT PROJECT (PROFORMA)
### Site Acquisition and Development Costs

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount/Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Land Costs</strong></td>
<td></td>
</tr>
<tr>
<td>Land Cost per Acre</td>
<td>$150,000</td>
</tr>
<tr>
<td>Total Land Cost</td>
<td>$900,000</td>
</tr>
<tr>
<td>Environmental Remediation Costs incl. demolition/fill as required</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>Site Development/Servicing Costs</td>
<td>$600,000 $100,000 per acre</td>
</tr>
<tr>
<td>Parking and Landscaping Costs</td>
<td>$980,105</td>
</tr>
<tr>
<td>Payment in Lieu of Parkland Dedication</td>
<td>$18,000</td>
</tr>
<tr>
<td><strong>Construction Costs</strong></td>
<td></td>
</tr>
<tr>
<td>Site Coverage (F.S.I.)</td>
<td>0.3</td>
</tr>
<tr>
<td>GFA Constructed</td>
<td>78,408</td>
</tr>
<tr>
<td>Hard Cost per Sq. Ft</td>
<td>$110</td>
</tr>
<tr>
<td>Total Hard Construction Cost</td>
<td>$8,624,920</td>
</tr>
<tr>
<td><strong>Soft Costs</strong></td>
<td></td>
</tr>
<tr>
<td>Building Permit</td>
<td>$85,249</td>
</tr>
<tr>
<td>Planning and Development Fees</td>
<td>$2,050</td>
</tr>
<tr>
<td>Architect and Engineering</td>
<td></td>
</tr>
<tr>
<td>Design Phase</td>
<td>1.50%</td>
</tr>
<tr>
<td>Construction Phase</td>
<td>4.50%</td>
</tr>
<tr>
<td>Legal and Accounting/Overhead</td>
<td>1.50%</td>
</tr>
<tr>
<td>Construction Management</td>
<td>4.00%</td>
</tr>
<tr>
<td>Contingency for Cost Over-Run</td>
<td>5.00%</td>
</tr>
<tr>
<td>Total Soft Costs</td>
<td>$1,553,536</td>
</tr>
<tr>
<td><strong>Total Development Costs</strong></td>
<td>$15,676,560</td>
</tr>
<tr>
<td><strong>Financing Costs</strong></td>
<td></td>
</tr>
<tr>
<td>Invested Equity (25%)</td>
<td>$3,919,140</td>
</tr>
<tr>
<td>Indicative Financing Costs (75%) over 12 months at 7% x 2 Phases</td>
<td>$411,510</td>
</tr>
<tr>
<td><strong>Total Costs (excl. tenant fit-up and lease commissions)</strong></td>
<td>$16,088,069</td>
</tr>
</tbody>
</table>

### Revenues

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount/Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Return Based on 20 Year Amortization of Costs</td>
<td>$15.0</td>
</tr>
<tr>
<td>Present Value of Income Stream</td>
<td>$11,928,627</td>
</tr>
<tr>
<td>Equity Invested</td>
<td>$3,919,140</td>
</tr>
<tr>
<td><strong>Return on Investment</strong></td>
<td>11.6%</td>
</tr>
</tbody>
</table>

### Impacts of Brownfields Support Programs

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount/Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tax Increment Grant</td>
<td>see calc. below $2,122,034</td>
</tr>
<tr>
<td>BFTIP</td>
<td>$694,818</td>
</tr>
<tr>
<td>ESA Grant (x2)</td>
<td>$20,000</td>
</tr>
<tr>
<td>Project Feasibility Grant</td>
<td>$10,000</td>
</tr>
<tr>
<td>Building Permit Grant @ 75%</td>
<td>$63,937</td>
</tr>
<tr>
<td>Planning and Development Fee Grant</td>
<td>$5,300</td>
</tr>
<tr>
<td>Tipping Fee</td>
<td>$0</td>
</tr>
<tr>
<td>Development Charge Reduction (assume 20% credit for existing buildings on site)</td>
<td>$74,017 $2.36 per Square ft GFA</td>
</tr>
<tr>
<td>Total Development Cost Savings</td>
<td>$2,990,106</td>
</tr>
<tr>
<td>Prior to Remediation/Development</td>
<td>$30,000</td>
</tr>
<tr>
<td>Year 1 (at building permit)</td>
<td>$79,317</td>
</tr>
<tr>
<td>Year 2 (at occupancy)</td>
<td>$63,937</td>
</tr>
<tr>
<td>BFTIP/TIG</td>
<td>see cash flow</td>
</tr>
</tbody>
</table>

**Impact on Return on Investment**

| Impact on Return on Investment           | 15.2% (equity investment unchanged) |

---

**Note:** Over 10 years based on average of $212,203 p.a.
### Tax Increment Grant Calculation

<table>
<thead>
<tr>
<th>Existing Site Assessment Class</th>
<th>Industrial-Vacant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Assessment</td>
<td>$900,000</td>
</tr>
<tr>
<td>Assumptions</td>
<td></td>
</tr>
<tr>
<td>Existing Annual Tax</td>
<td>$23,879</td>
</tr>
<tr>
<td>Tax Rate (Municipal Component), 2006</td>
<td>0.02653241 (Belleville Urban - Vacant Industrial)</td>
</tr>
<tr>
<td>Post-Redevelopment Assessment Class</td>
<td>Commercial-Occupied</td>
</tr>
<tr>
<td>Replacement Costs</td>
<td>$12,763,859</td>
</tr>
<tr>
<td>Re-valued Assessment Adjusted to 80%</td>
<td>$10,849,280</td>
</tr>
<tr>
<td>Applicable Tax Rate (Municipal Component), 2006</td>
<td>0.02665001</td>
</tr>
<tr>
<td>Annual Tax</td>
<td>$289,133</td>
</tr>
<tr>
<td>Assumptions</td>
<td></td>
</tr>
<tr>
<td>Redevelopment-Based Increment (excl. escalation and increase arising from potential changes to tax rates)</td>
<td>$212,203 '80% of increment</td>
</tr>
<tr>
<td>Maximum Grant Allowable</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>Less other grants for remediation</td>
<td>$173,254</td>
</tr>
<tr>
<td>Less BFTIP (3 years matching education tax assistance)</td>
<td>$694,818</td>
</tr>
<tr>
<td>Maximum Grant - Adjusted for all sources of assistance</td>
<td>$2,131,928</td>
</tr>
<tr>
<td>No. of Years of Grant to reach Max.</td>
<td>10.047</td>
</tr>
</tbody>
</table>

### BFTIP Program

( Assumes applied conservatively at inception of remediation to end of Year 3)

- **Year 1**: Remediation
- **Year 2**: Phase 1 and 2 complete assessment based on 50% completion
- **Year 3**: First Year of fully operations and max. redevelopment assessment value

#### Taxes:

<table>
<thead>
<tr>
<th></th>
<th>Municipal</th>
<th>Education</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tax Rate (Belleville Urban - Commercial Occ.)</td>
<td>0.02665001</td>
<td>0.02134018</td>
<td>0.04799019</td>
</tr>
<tr>
<td>Tax Rate in Year 1</td>
<td>0.02653241</td>
<td>0.01557443</td>
<td>0.04210684</td>
</tr>
<tr>
<td>Year 1</td>
<td>$23,879</td>
<td>$19,206</td>
<td>$43,085</td>
</tr>
<tr>
<td>Year 2</td>
<td>$144,567</td>
<td>$115,763</td>
<td>$260,330</td>
</tr>
<tr>
<td>Year 3</td>
<td>$289,133</td>
<td>$231,526</td>
<td>$520,659</td>
</tr>
</tbody>
</table>

#### Increase over Base (Tax Increase Cancellation)

<table>
<thead>
<tr>
<th></th>
<th>Municipal</th>
<th>Education</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Year 2</td>
<td>$120,688</td>
<td>$96,557</td>
<td>$217,244</td>
</tr>
<tr>
<td>Year 3</td>
<td>$265,254</td>
<td>$212,319</td>
<td>$477,574</td>
</tr>
</tbody>
</table>

#### Total Assistance

- $385,942
- $308,876
- $694,818

---

2. Based on Planning Fee and Building Permit Fee schedule, City of Belleville
3. Analysis assumes tenant fit-up and lease commissions are recovered from gross rent. Lease revenue shown above is triple net.

---

**Note:**

Performa excludes annual inflation in costs/revenues which may occur.

Parking Requirement for a retail store, convenience store, service store or other similar establishment. See Part C, Section 14, of the City of Belleville Zoning By-law No.10245 for other parking requirements and provisions.

**Source:**

IBI Group
APPENDIX 5

EXAMPLE OF KEY SITES MARKETING TEMPLATE
AVAILABLE RESIDENTIAL OR COMMERCIAL SITE

Ideal Location: 3.0 acre site in central Belleville, with frontage on Pinnacle Street South, and Church Street South.

Great Neighbourhood

Surrounding land uses include:
- Commercial
- Residential
- Parkland/Open Space

Proximity to Vibrant Downtown and Attractive Waterfront
- Diverse retail, entertainment, employment and community services
- City Hall
- Market Square
- South George Park and Meyers Pier
- Memorial Arena

Market Potential

Demographic and dwelling profile of Belleville:
- Population (2006):
- Population (2001):
- Number of households (2006):
- Average value of housing (2006):
- Rental Vacancy rate in 2006:

Development Incentives

The City has identified this site as a key development site. As such, numerous incentive programs are available, including:
- Brownfields Remediation Tax Increment Equivalent Grant Program (TIEG)
- Environmental Remediation Tax Cancellation Assistance Program
- Environmental Site Assessment (ESA) Grant Program
- Building Permit Fees Grant Program
- Development Charge Grant Program
**SITE DESCRIPTION**

**Current Land Use Designation:**

<table>
<thead>
<tr>
<th>Official Plan Designation</th>
<th>City Centre</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning</td>
<td>M2 General Industrial</td>
</tr>
</tbody>
</table>

**Permissible Uses Within the City Centre Designation:**

- Commercial (e.g. hotels, restaurants, retail, offices)
- Residential (medium and high density)
- Community Facilities (e.g. schools, recreational facilities)
- Mixed-Use Developments

**Key Planning Objectives**

The City of Belleville supports the following types of development:

<table>
<thead>
<tr>
<th>Mixed-Use</th>
<th>The City Centre is intended to be multi-functional. A variety of land uses are permitted, either as main uses or within mixed-use developments.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing Choices</td>
<td>A wide array of housing types. Innovative residential development standards supporting affordable housing and an urban form.</td>
</tr>
<tr>
<td>Housing Density</td>
<td>Medium to high-density development, to encourage the City Centre development.</td>
</tr>
<tr>
<td>Compatibility</td>
<td>New development should be designed to integrate with existing urban fabric and increase the diversity and vitality of the City Centre.</td>
</tr>
<tr>
<td>Streetscape</td>
<td>Streetscape improvements and the upgrading of existing building façade, signage, sidewalk improvements, lighting, street furniture, parking areas and landscaping.</td>
</tr>
<tr>
<td>Accessibility</td>
<td>Physical form of the community is friendly and accessible to all users and development should respect and reinforce the human scale.</td>
</tr>
</tbody>
</table>

**Highest and Best Use:**

Residential or Mixed-Use

**Fully Serviced:**

Full water and sewer, power, and natural gas

**Access and Visibility:**

- Frontage on Pinnacle Street South and Church Street South
- Within blocks of the City’s Transit Terminal
- 126 boat slips at Victoria Park and 164 boat slips at Meyers Pier

**Financial Details:**

| Assessment Roll Number | |
|------------------------||
| Prevailing municipal tax rate (2006) | |

**Current Owner:**

**Use History:**

**Legal Description:**

**Contact Information:**

City of Belleville

Website: www.city.belleville.on.ca
APPENDIX 6

EXAMPLE OF BROWNFIELDS PROGRAM APPLICATION
Registration of Intent to Utilize Programs

For further information please contact:

Mr. Stephen Ashton  
Manager of Policy Planning  
City of Belleville  
Tel: (613) 967-3320  
Fax: (613) 967-3262  
Email: sashton@belleville.ca  
City Website: www.belleville.ca

Date of Pre-Consultation with Planning Staff: ______________________________

1. Applicant Information

Registered Property Owner

Name: ___________________________________________________________________

Mailing Address: ___________________________________________________________________

____________________________________________________________________________

Phone #: ______________ Fax #: ______________ Email: ___________________________

Applicant (if different from Registered Property Owner)

Name: ___________________________________________________________________

Mailing Address: ___________________________________________________________________

____________________________________________________________________________

Phone #: ______________ Fax #: ______________ Email: ___________________________

Is this a joint application?  Yes [ ]  No [ ]

If yes, please provide the names of all applicants (e.g. other landowners, developers, etc.):

____________________________________________________________________________

____________________________________________________________________________

____________________________________________________________________________
Registration of Intent to Utilize Programs

Have you (or your co-applicants) previously received a grant or other financial assistance from the City of Belleville? Yes ☐ No ☐

If yes, please provide details below (e.g. file number(s), reference number(s), etc.):


2. Representation By Agent of Applicant

If this application is to be signed by an agent or solicitor on behalf of an applicant(s), please complete this section. If the applicant is a corporation, an officer of the corporation shall sign the application and the corporation’s seal shall be affixed.

I, ___________________________ (The applicant) hereby authorize my agent/solicitor, to act on my behalf in regard to the above application.

Dated at ___________ of ___________, this __________ day of ____________, 20__

(City, Town, etc.) (Month) (Year)

Contact Information for Agent/Solicitor

Name of Agent/Solicitor: ____________________________

Company/Firm: ____________________________

Mailing Address:

____________________________________________________________________________

____________________________________________________________________________

Phone #: __________________ Fax #: ____________ Email: __________________

3. Property Information

Municipal address of property for which application is being made (please include an Ontario Land Survey (OLS) if available):

____________________________________________________________________________

____________________________________________________________________________

Legal description of property (refer to tax bill for information):

Lot No: ____________ Plan No: ____________ Roll No: ____________
Registration of Intent to Utilize Programs
Description of property (e.g. current use, approximate size, etc.):
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

4. Evidence of Site Contamination
Please provide a description of the nature of actual or suspected environmental contamination on the property (if available, please attach available reports/documentation – e.g. Phase I ESA):
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

5. Description of Proposed Property Improvements
Type of use: ________________________________________________________________
________________________________________________________________________
________________________________________________________________________
Total number of new residential units: __________________________ and/or
Gross floor area of non-residential structures: __________________________

6. Brownfields Redevelopment Incentive Programs
Please check off the incentives for which this registration of intent applies:

<table>
<thead>
<tr>
<th>BROWNFIELDS PROGRAMS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program 1: City of Belleville Brownfields Remediation - Tax Increment</td>
</tr>
<tr>
<td>Equivalent Grant (TIEG)</td>
</tr>
<tr>
<td>Program 2: City of Belleville Environmental Remediation Tax Cancellation</td>
</tr>
<tr>
<td>Assistance</td>
</tr>
<tr>
<td>Program 3: City of Belleville Environmental Site Assessment (ESA) Grant</td>
</tr>
<tr>
<td>Program 4: City of Belleville Brownfield Building Permit Fees Grant</td>
</tr>
<tr>
<td>Program 5: City of Belleville Development Charge (DC) Grant</td>
</tr>
</tbody>
</table>
Registration of Intent to Utilize Programs

7. Are you registering an intent to utilize programs of assistance under the existing Downtown CIP? Yes ☐ No ☐

8. Covenant and Non-Assignment of Rights

I/We hereby register an intent to seek assistance under the programs specified and agree to abide by the terms and conditions of the programs as established by the City of Belleville.

I/We hereby certify that the information given herein is true, correct and complete in every respect and understand that the City of Belleville reserves the right to verify any information contained herein.

I/We have the authority to bind the company: ________________________________

Signature of Applicant(s): ________________________________ Date: ________________
Or Authorized Signing Officer of Corporation

Title: ________________________________

Print Name: ________________________________

Notes:

Personal information contained on this form and attached documents is collected pursuant to the Freedom of Information and Protection of Privacy Act and the Federal Personal Information Protection and Electronic Documents Act, and will be used for the purpose of processing your application. Questions should be directed to the City of Belleville, Clerks Office.

This registration of intent does not confer upon the applicant the right to commence property improvements which have not been approved at the time of application under the Planning Act or other regulatory control. The City of Belleville reserves the right, in its absolute and sole discretion, to approve, in part or in whole, any application for funding assistance, reject any or all such applications, seek clarification and additional information from applicants or their agents as required, and add to, adjust or terminate the programs of assistance as may be desirable from time to time.