



**Brownfields**  
**Community Improvement Plan (CIP)**



**September 2022**

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## **1.0 Administration, Interpretation and Plan Overview**

### **1.1 Administration of the Brownfields Community Improvement Plan (CIP)**

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

### **1.2 Glossary of Key Terms**

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

### **1.3 Overview of the Brownfields CIP**

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

## **2.0 Introduction**

### **2.1 What is a Community Improvement Plan (CIP)?**

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

### **2.2 What are Brownfield Sites?**

Brownfield Sites are abandoned, vacant or underutilized properties where redevelopment is substantially complicated by real or perceived environmental Contamination as a result of historical commercial or industrial land uses. Brownfield Sites are often characterized by building deterioration, untidy appearance and inadequate infrastructure. While past use of a property may provide an indication of potential contamination, this can only be

verified through on-site environmental investigations. Brownfield Sites can vary considerably in size and character and can include properties formerly used for factories, dry cleaners or gasoline stations and lands subjected to unregulated landfilling. Brownfield Sites are often overlooked for redevelopment due to the significant financial costs and liability associated with site rehabilitation. Brownfield Sites are usually located within the urban area where infill redevelopment is desirable from a community sustainability perspective; however, may also be located in other areas within the Municipality of Brighton.

### **2.3 Background to the Brownfields Program and the CIP**

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

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

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

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

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

## **3.0 Legislative and Planning Authority**

### **3.1 2020 Provincial Policy Statement (PPS)**

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

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

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

### **3.2 The Planning Act and Municipal Act, 2001**

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

## **4.0 Brownfields Redevelopment Strategy**

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

### **4.1 Goals and Objectives**

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

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

### **4.2 "Levelling the Playing Field" with Greenfield Development**

As part of this Brownfields Redevelopment Strategy, Council recognizes that Brownfield Sites pose financial challenges to Rehabilitation and Redevelopment. These challenges can make Brownfield Sites less attractive from a market perspective and may deter

private sector investment. Through the Brownfields CIP, the Municipality will offer the financial incentive components of the Brownfields Program for the Rehabilitation and redevelopment of Brownfield Sites located within the Community Improvement Project Areas.

## **5.0 Community Improvement Project Areas**

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

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

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

## **6.0 Brownfields Program – Financial Incentives**

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

Importantly, the maximum amount of Tax Assistance, Rehabilitation Grants, Building Permit fees and Development Charge waivers cannot exceed the approved eligible costs of site Rehabilitation. As a result, the approved eligible Rehabilitation costs (refer to Section 6.4) are a central component of the Brownfields Program and are key to the

amounts of the Tax Assistance and/or Rehabilitation Grant and/or Building Permit fee and Development Charge waivers that may be available. It should be noted that each application for one of the financial incentive components will be considered on its own merits and all properties may not be eligible for 100% of the financial incentives offered. Prior to the issuance of any Rehabilitation Grant payments, the Eligible Property must be rehabilitated in accordance with the applicable provincial legislation, regulations and guidelines and, where required by law, a Record of Site Condition (RSC) must be submitted to the Ministry of the Environment and Climate Change (MOECC). The financial incentive components of the Brownfields Program are directed at the private sector and are designed to encourage private sector investment and reinvestment, development, and construction activity on contaminated properties and within contaminated buildings in the Community Improvement Project Area (CIPA). As such, properties within the CIPA that are owned, or that were owned within the previous 10 years (from the date of submission of an application for the Municipality's Brownfields Program), by an upper level of government, their agencies or crown corporations, are **not** eligible for funding under the Brownfields Program.

### **6.1 Brownfields Program and the Planning Process**

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

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

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

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

An application for financial assistance through the Brownfields Program for a property located within the defined Community Improvement Project Area (CIPA) of the CIP shall

be reviewed on a site-specific basis. It is expected that most of the Brownfields Program applications will be processed in conjunction with a planning application(s).

## **6.2 Administration of the Brownfields Program**

### **6.2.1 Priority Focus of the Brownfields Program**

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

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

## **6.3 General Program Requirements**

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

1. With the exception of the Phase II Environmental Site Assessment, Remedial Action Plan, and/or Site Specific Risk Assessment costs not covered by the Initial Study Grant, the financial incentive components of the Brownfields Program are not offered retroactively. Only those Rehabilitation or development activities undertaken or costs incurred after the date of approval of this Brownfields CIP, or after the effective date of any approved amendments to this Brownfields CIP will be eligible for funding.
2. The total of all Rehabilitation Grants, Tax Assistance and Building Permit fees and Development Charges waivers provided in respect of an Eligible Property under the financial incentive components of the Brownfields Program cannot exceed the total of the approved eligible Rehabilitation costs with respect to that property or building.

3. Although eligible Rehabilitation costs may be applicable to more than one of the financial incentive components of the Brownfields Program offered through this CIP, no two components can be used to repay the same cost. Also, where other sources of government and/or non-profit organization funding (federal, provincial, municipal, Federation of Canadian Municipalities, etc.) are anticipated or have been secured, these must be declared on the applicable application(s) and cannot be used to reimburse the same costs.
4. Eligible Properties must be located in a Community Improvement Project Area. Properties within a Community Improvement Project Area that are owned, or that were owned within the previous 10 years (from the date of submission of an application for the Municipality's Brownfields Program), by an upper level of government, their agencies or crown corporations, are **not** eligible for funding under the Brownfields Program.
5. The current Property Owner cannot be responsible for causing the on-site Contamination that requires Rehabilitation.
6. The Municipality reserves the right to audit the cost of project feasibility studies, environmental studies, and/or environmental Rehabilitation works that have been approved under the financial incentive components of the Brownfields Program, at the expense of the Property Owner.
7. The Municipality is not responsible for any costs incurred by the Property Owner in relation to any of the financial incentive components of the Brownfields Program, including without limitation, costs incurred in anticipation of receipt of a Rehabilitation Grant and/or Tax Assistance.
8. Municipal staff, officials, and/or agents of the Municipality may inspect any property that is the subject of an application for any of the financial incentive components of the Brownfields Program.
9. If the Property Owner is in default of any of the general or program specific requirements, or any other requirements of the Municipality, the Municipality may delay, reduce or cancel the approved Rehabilitation Grant and/or Tax Assistance.
10. The Municipality may discontinue any of the financial incentive components of the Brownfields Program at any time and at its sole discretion, but Property Owners with approved Rehabilitation Grants and/or Tax Assistance will still receive said Rehabilitation Grant and/or Tax Assistance, subject to conformity with the applicable general and program specific requirements of this CIP.
11. Eligible Properties for the Brownfields Financial Tax Incentive Program (BFTIP) and/or the Tax Increment-Based Rehabilitation Grant Program (TIRGP) must have a Phase II Environmental Site Assessment (ESA) completed that indicates environmental Rehabilitation of lands or buildings is required to obtain a Record of Site Condition (RSC) to allow a change to a more sensitive land use, or to enable the proposed redevelopment where an RSC is not required by provincial law. Only properties that are contaminated with respect to Ministry of the Environment and Climate Change standards as to the proposed use of the property will be eligible for

the financial incentive components of the Brownfields Program. The Property Owner shall release all environmental information about an Eligible Property to the Municipality.

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

#### **6.4 Eligible Rehabilitation Costs**

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

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

2. Up to 50% of the costs of placing clean fill and grading in the areas where excavation was required for site Rehabilitation: The eligible costs for placement of clean fill and grading shall only include those costs incurred over and above normal construction work, due to environmental contaminants that must be removed or managed in order to achieve the provincial soil, groundwater or sediment standards required for a Record of Site Condition;
3. Up to 50% of the cost of a Phase II Environmental Site Assessment, Remedial Action Plan, and/or Site Specific Risk Assessments not covered by the Initial Study Grant or other sources of government or non-profit funding;
4. Up to 50% of the cost of preparing a Record of Site Condition (RSC);
5. Up to 50% of the cost of demolishing abandoned, underutilized or derelict buildings on the property;
6. Up to 50% of the cost of establishing an Environmental Monitoring Program, and the cost of operating and maintaining the environmental technologies, where said technologies are directly related to the Rehabilitation of the site, as specified in the Remedial Action Plan and Certificate of Property Use (CPU). The cost may be based on either the present value of future costs or the pro-rated costs, for a maximum period of twenty (20) years; and
7. Up to 50% of the cost, or the shared portion of the cost, of the following Leadership in Energy and Environmental Design (LEED) Program components:
8. Fees paid to the Canada Green Building Council (CaGBC) for registration of the project within any of the LEED rating systems supported by the CaGBC; and,
9. Fees paid to the Canada Green Building Council (CaGBC) for certification of the project within any of the LEED rating systems supported by the CaGBC.

## **6.5 Initial Study Grant (ISG)**

### **6.5.1 Purpose**

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

### **6.5.2 Duration**

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

### **6.5.3 Eligible Properties**

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

### **6.5.4 Grant Requirements**

Property Owners or their agents are eligible to apply for funding under the ISG, subject to meeting the General Program Requirements set out in Section 6.3 of this CIP, the requirements outlined in this Section 6.5, and the availability of funding as approved by Council. Further details with respect to eligibility requirements are contained in the “Initial Study Grant Implementation Guide”. A Phase I ESA does not provide detailed information with respect to the type of Contamination and the costs of site Rehabilitation therefore Phase I ESAs are **not** eligible for funding under the ISG Program. To be eligible to apply for an ISG, a Phase I Environmental Site Assessment (ESA) must have been completed on the property and must show that the property is suspected to be contaminated.

### **6.5.5 Grant Description**

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

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

The foregoing studies shall be for the purposes of:

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

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

### **6.5.6 Application Process**

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

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

#### **6.5.7 Initial Study Grant By-law**

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

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

#### **6.5.8 Grant Payments**

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

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

#### **6.5.9 Grant is Not Retroactive**

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

### **6.6 Brownfields Financial Tax Incentive Program (BFTIP)**

#### **6.6.1 Purpose**

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

#### **6.6.2 BFTIP Duration**

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

#### **6.6.3 Eligible Properties**

An Eligible Property for the BFTIP must be located in a Community Improvement Project Area. The property must have an approved Phase II Environmental Site Assessment that, as of the date the Phase II ESA was completed, confirmed that the property was contaminated and did not meet the standards of the *Environmental Protection Act* to permit a Record of Site Condition to be filed in the Environmental Site Registry.

#### **6.6.4 BFTIP Requirements**

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

#### **6.6.5 BFTIP Description**

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

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

In accordance with the provisions of the *Municipal Act, 2001*, Tax Assistance will be suspended where the Property Owner has not paid all of the taxes for the previous

years during the Rehabilitation and Development Periods (subject to any specific exceptions provided for in the Tax Assistance By-Law or in the Brownfield Site Agreement). Where the Property Owner defaults on the provisions of the Tax Assistance By-law or the Brownfield Site Agreement, all Tax Assistance granted during the Rehabilitation and Development Periods will become due for repayment in full, with interest.

#### **6.6.6 Application Process**

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

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

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

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

Property Owner and their agent will be notified about the start date of the eligibility of costs and the next steps in the process.

#### **6.6.7 Tax Assistance By-law**

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

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

#### **6.6.8 Tax Cancellation**

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

#### **6.6.9 BFTIP is Not Retroactive**

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

### **6.7 Tax Increment-Based Rehabilitation Grant Program (TIRGP)**

#### **6.7.1 Purpose**

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

#### **6.7.2 TIRGP Duration**

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

#### **6.7.3 Eligible Properties**

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

#### **6.7.4 TIRGP Requirements**

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

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

#### **6.7.5 TIRGP Description**

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

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

The Rehabilitation Grant is paid to the Property Owner on a “pay-as-you-go” basis; i.e., the Property Owner pays for the costs of the Rehabilitation and development up-front and pays all property taxes each year. The Property Owner (current or future) is then

reimbursed through an annual grant once the project is complete and occupied. The annual grant to the Property Owner equals 80% of the pre- and post-development tax difference. Twenty percent of the tax difference will be directed by the Municipality to the Municipal Brownfield Reserve Fund (MBRF) to provide for Municipal participation in the Brownfields Redevelopment Strategy (refer to Section 6.9).

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

For approved projects, the amount of the Rehabilitation Grant will be set out as a maximum amount within a Brownfield Site Agreement. If, during the course of the work, the scope of the work changes, or actual costs are greater or less than the estimated costs, the total amount of the Rehabilitation Grant shall not be increased

#### **6.7.6 Application Process**

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

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

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

Review and evaluation of the TIRGP application and supporting materials against Program eligibility requirements will be undertaken by the Planning and Development Department. The application will be circulated to other Municipal departments for review and comment. A staff report will be prepared for Council with a recommendation to

approve or reject the TIRGP application together with the draft by-law to approve financial incentives, where applicable, which will establish the maximum amount of financial incentives and the start date of eligible costs and approval to enter into a Brownfields Site Agreement (refer to Section 6.7.9). The TIRGP Grant By-law (refer to Section 6.7.8) will also be presented with this report to Council. The Property Owner and their agent will be notified in writing of Council's decision. If the application is approved, the Brownfields Financial Incentives By-law will be given three readings and the TIRGP Grant By-law will be given first and second readings only, and the Property Owner and their agent will be notified about the start date for the eligibility of costs and the next steps in the process.

Once the site Rehabilitation works are complete, the Property Owner or their agent files a Record of Site Condition (RSC), as per *Ontario Regulation 153/04*, with the Ministry of Environment and Climate Change (MOECC) and provides the Municipality with a copy of the MOECC acknowledgement of receipt of the RSC. Once an Occupancy Permit has been issued, the property has been re-assessed by MPAC, and one year of property taxes have been paid, the Property Owner or their agent notifies the Planning and Development Department. Staff will present a report to Council confirming the amount and duration of the Rehabilitation Grant payments and requesting third and final reading of the TIRGP Grant By-law.

#### **6.7.7 Brownfield Financial Incentives By-law**

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

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

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

#### **6.7.8 TIRGP Grant By-law**

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

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

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

#### **6.7.9 Brownfield Site Agreement**

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

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

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

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

#### **6.7.10 Grant Payments**

When the benefits of the Tax Assistance (BFTIP) end, the Rehabilitation Grant (TIRGP) may begin, with a request from the Property Owner, provided that the requirements of the Brownfield Site Agreement have been met and an Occupancy Permit has been issued by the Municipality, reassessment of the property has taken place by the Municipal Property Assessment Corporation (MPAC), and the Property Owner has paid the property taxes in full for the year in which the grant is to be provided. The Municipality may make the grant payments for up to 10 years following the effective date for the new assessment, or up to the value of the approved eligible Rehabilitation costs, whichever occurs first. The total value of the Rehabilitation Grant, the BFTIP tax assistance (both municipal and education) and the Initial Study Grant cannot exceed the total value of the approved eligible Rehabilitation costs.

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

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

#### **6.7.11 TIRGP Eligible Costs Are Not Retroactive**

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

### **6.8 Municipal Brownfields Reserve Fund (MBRF)**

#### **6.8.1 Purpose**

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

#### **6.8.2 MBRF Duration**

When the TIRGP ends with the last grant payments paid out possibly as late as December 31, 2035, the MBRF may also end. However, if the Municipality wishes to continue the

MBRF beyond the life of the TIRGP, it may do so by continuing to direct up to 20% of the tax increment assigned to former Brownfield Sites into the fund, without amendment to the CIP. Alternatively, the Municipality may conclude the MBRF and return any funds remaining in it to general revenue.

#### **6.8.3 MBRF Description**

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

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

### **6.9 Tax Arrears Cancellation – Program for Failed Tax Sale Properties**

#### **6.9.1 Purpose**

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

#### **6.9.2 Program Description and Process**

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

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

1. Identify the proposed use for the property;

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

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

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

- The proponent agrees to complete all required Environmental Site Assessments or Risk Assessments by Qualified Persons and in accordance with provincial standards;
- The Proponent agrees to carry out site Rehabilitation to permit the filing of a Record of Site Condition and to comply with any Certificate of Property Use issued under the *Environmental Protection Act* or agrees to carry out an adaptive reuse project on the property in conformity with applicable environmental guidelines;
- The proponent agrees to complete site Rehabilitation within five years of the Municipality Vesting (taking ownership of) the property;
- The proposed use of the property will generate tax revenues for the Municipality; and
- The proponent agrees to indemnify the Municipality for any legal claims or regulatory orders associated with the property;
- h. Transfer title to the property to the proponent.

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

#### **6.10 Development Charges & Building Permit Fees**

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

### **7.0 Financial Aspects**

#### **7.1 General Budget Considerations**

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

#### **7.2 Brownfields CIP Program – Financial Aspects**

##### **7.2.1 Program Expenses**

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

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

### **7.2.2 Financial Benefits of the Brownfields Program**

The Municipality may realize financial benefits associated with the Brownfields Program. One of the principal benefits is the increased property assessment and associated tax revenues that result from the Rehabilitation and redevelopment of Brownfield Sites (refer to Section 7.2.3 below). For each Eligible Property proposed for Rehabilitation and development, the Municipal Property Assessment Corporation (MPAC) may be asked to provide an estimate of the reassessed value anticipated once site Rehabilitation and development are complete. This estimated assessment value is used to determine the annual Rehabilitation Grant payment amount and the duration of the grant payments. Once the site is developed and occupied, the grants paid to the Property Owner will be based on the actual assessed value of the property as confirmed by MPAC.

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

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

A less tangible financial benefit is the compounding appreciation effect in the areas surrounding brownfield redevelopments. Redevelopment of a property that has been vacant or underutilized for many years and stigmatized due to site Contamination for new residential, commercial or industrial land uses, can have a positive effect on surrounding properties. The value of the surrounding properties may increase due to the improved environmental and aesthetic quality of the area leading to further private sector investment in the revitalization of residential areas, employment areas and the downtown. In addition to the significant environmental, economic and social community benefits

articulated in Section 4 of this CIP, an additional benefit to the Municipality is that the Rehabilitation of a contaminated property will help to ensure its future marketability and reduce the likelihood of the property falling into tax arrears. It is difficult to market or secure mortgages/loans on contaminated land due to unknown risk. Rehabilitating these properties could reduce tax arrears and the possibility of a tax sale registration that could culminate in a Failed Tax Sale that potentially results in the tax arrears being cancelled by the Municipality.

## **8.0 Implementation**

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

### **8.1 Amendments to this 2022 Brownfields CIP**

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

1. Council may discontinue any of the components of the Brownfields Program, without an amendment to this CIP, if, in the opinion of Council, the goals of this CIP are not being met.
2. Council may vary the components of the Brownfields Program, without an amendment to this CIP, if, in the opinion of Council, the goals of this CIP are not being met, provided that the variation does not exceed the maximum amount of Tax Assistance and Rehabilitation Grants permitted through the Brownfields Program and this CIP.
3. Council may discontinue the Rehabilitation Grant component of the TIRGP at any time. However, Property Owners entitled to receive Rehabilitation Grants prior to the closing of the TIRGP, will continue to receive the grants as determined through the approved TIRGP Grant By-law and/or Brownfield Site Agreement with the Municipality.
4. Council may discontinue the Initial Study Grants at any time. However, Property Owners entitled to receive the Initial Study Grant prior to the closing of the grants component of the program, will receive any Initial Study Grant that had already been approved upon completion of the approved study.
5. When the Rehabilitation Grants end with the last grant payments paid out, possibly as late as December 31, 2035, the Municipal Brownfield Reserve Fund (MBRF) will also end. At that time, if Council wishes to continue the MBRF, it may do so by continuing to direct 20% of the tax increment assigned to former Brownfield Sites into the fund, without amendment to this CIP. Alternatively, the Municipality may conclude the MBRF and return any monies remaining in the MBRF account to general revenue.

6. Any additions to the financial incentive components of the Brownfields Program will require a formal amendment to the Brownfields CIP in accordance with Section 28(5) of the *Planning Act*, requiring notice of a public meeting, at least one public meeting and adoption by Council.
7. Minor changes to the Brownfields CIP will not require Council approval or an amendment in accordance with Section 28 of the *Planning Act*, provided the change(s) conform to the Official Plan, applicable provincial legislation, and meet the intent and purpose of the Brownfields CIP. These minor changes may include, but are not necessarily limited to:
  - a. Minor changes that arise as a result of amendments to legislation or the Official Plan;
  - b. Minor changes to application requirements, eligibility and evaluation criteria, and process;
  - c. Changes to the appendices of this CIP.

## **8.2 Monitoring of the Brownfields Program and CIP**

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

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

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

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

### **8.3 Implementation Guides**

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

## Appendix A: Glossary of Key Terms

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

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

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

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

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

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

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

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

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

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

**Community Improvement Project Area (CIPA):** Means a municipality, or an area within a municipality, where in the opinion of Council, community improvement is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings, or for any other environmental, social or community economic development reason.

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

**Council:** Means the Council of The Municipality of Brighton.

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

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

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

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

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

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

c. that meets the eligibility criteria and requirements as set out in the 2017 Brownfields CIP.

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

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

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

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

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

**Municipality:** Means the Corporation of the Municipality of Brighton.

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

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

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

**Off-Site Management Plan:** Means a plan that monitors a known, off-site impact from a source property that has moved onto an adjacent property. It generally contains detailed

monitoring and sampling plans for soil and groundwater, fluid levels and organic vapour concentrations on a regular basis to maintain an audit of the subsurface conditions.

**Phase I Environmental Site Assessment (ESA):** Means an assessment of property conducted in accordance with the applicable regulations, by or under the supervision of a Qualified Person, to determine the likelihood that one or more contaminants have affected any land or water on, in or under the property. Generally, a Phase I ESA gathers information on a property from an historical use perspective. The investigation usually includes a site visit, a records review, and interviews with individuals who have specific knowledge of the property.

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

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

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

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

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

**Rehabilitation Grant:** Means an annual grant to the Property Owner based on the increase between the pre-development and post-development taxes. The maximum amount of the grant is calculated by taking the value of the approved eligible Rehabilitation costs and subtracting the Initial Study Grant amount and the tax assistance

amount. The Rehabilitation Grant payments are paid by the Municipality for up to 10 years or up to the value of the approved eligible Rehabilitation costs, whichever occurs first.

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

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

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

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

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

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

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

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

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

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

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

## **Appendix B: Excerpt from Brighton Official Plan**

### **6.0 Community Improvement Policies**

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

### **6.1 Planning Principles**

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

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

## **6.2 Community Improvement Area Selection Criteria**

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

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

## **6.3 Community Improvement Areas**

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

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

#### **6.4 Phasing of Community Improvement**

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

#### **6.5 Implementation**

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

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

## **Appendix “C” – Candidate Brownfield Sites**

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**Community Improvement Plan (CIP) -  
Community Development Initiatives**



**September 2022**

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## **Part 1 Introduction**

### **1.0 Introduction**

The Municipality of Brighton strives to conserve and enhance the unique character, community spirit, “small town and rural” values and superior quality of life for all who live, work and visit the community. Brighton is a diverse urban and rural municipality strategically located on the north shore of Lake Ontario at the eastern most reaches of Northumberland County. The benefits of a high quality of life, a broad range of economic development opportunities, valued natural and cultural heritage amenities as well as a full range of essential services are all offered. Brighton provides an excellent quality of life for many of its residents. However, the Municipality has opportunity to address emerging challenges while building on these strengths and in achieving its long-term vision. A Community Improvement Plan (CIP) is a statutory mechanism with which the Municipality can respond to these challenges. The Municipality of Brighton Community Improvement Plan (CIP) introduces programs to encourage responsible and sustainable growth that fits the context of the Municipal vision. The CIP directs funds towards specific rehabilitation and/or development projects that meet specific goals.

#### **What is a Community Improvement Plan?**

Section 28 of the Planning Act gives Municipalities the opportunity to prepare Community Improvement Plans (CIP). Through a CIP, municipalities can:

- Introduce strategic policies and by-laws aimed at implementing a community vision or strategy related to land use and development;
- Direct funds for improvements to public infrastructure and public space;
- Acquire land or buildings, rehabilitate buildings or clear land, and sell land for community improvement;
- Provide or direct funds for the provision of affordable housing;
- Improve energy efficiency; and
- Provide grants and loans to owners and tenants for specific actions.

The intention of the CIP presented herein is to facilitate projects that will:

1. Increase the supply of affordable housing ownership and rental units throughout the municipality;
2. Increase the supply of rental housing units downtown;
3. Revitalize the downtown building stock; and,
4. Promote rural economic diversification.

The Community Improvement Plan captures a range of programs. A separate CIP for Brownfield areas redevelopment is also established.

#### **1.1 How Does the CIP Work**

The CIP herein includes sub-programs which provide financial incentives for development or redevelopment projects. These projects must meet eligibility criteria

which are designed to ensure the financial incentives provided will support projects which work towards achieving the intent and goals and objectives of the CIP (See Appendix A).

## **1.2 CIP Overview**

This document has been designed to be user-friendly to both applicants to CIP programs, and Municipal staff and Council who will administer the CIP. An overview of the Municipality's "toolkit" is provided in Part 2. The eligible area for each program is depicted in Part 3. General conditions for the CIP programs are provided in Part 4. As an innovation on how a CIP is typically written, this section is designed so that an applicant may print and sign the pages in designated areas and submit the pages to the Municipality as part of their complete application. Individual incentive programs are described in Part 5. This section provides eligibility criteria in a check-list format, and similar to Part 4, is intended to be included as a component of a complete application. Definitions are provided in Part 6. Terms which are defined are bolded throughout the document.

## **Part 2 CIP Tools**

### **1.0 Toolkit**

This CIP will achieve its goals using the tools enabled by legislation and policy (See Appendix B), which allows the Municipality to incentivize desired development, redevelopment or rehabilitation by reducing associated costs through giving grants or loans. See definitions in Section 6 for assistance in understanding specific unfamiliar terms.

### **2.1 CIP Tools for Reducing Costs**

The rebates and other incentives tools that may be applied to the various financial programs in the CIP are discussed in the following sections of this plan.

## **Part 3 CIP Incentive Programs**

### **2.0 Program Areas**

To be eligible for the programs described in the CIP, properties must be located within the defined program areas. This section provides a table (Table 1) indicating the eligible program area for each incentive program. A Yes/No indicates the eligibility within the defined areas throughout the Municipality of Brighton. Programs 1 through 3 are intended to increase the supply of affordable ownership or rental housing units. Program 4 enables municipal infrastructure loans in exchange for affordable housing arrangements. Programs 5 and 6 are intended to increase the supply of rental housing units downtown. Program 7 is intended to revitalize the downtown building stock, support Main Street themes, maintain neighbourhood character, and foster rural economic development initiatives. Program 8 offers Hamlet and Rural areas improvements. Program 9 is intended to stimulate rural areas economic diversity and opportunities. Program 10 promotes general community adaptation to emerging issues.

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**Table 1 – Eligible Programs and Areas for CIP Incentives**

Eligible Program for Incentive	Brighton Urban Area	Downtown	Rural Economic Diversification	Brighton Rural Area
1. Affordable Rental Housing Incentives	YES	YES	NO	NO
2. Affordable Housing Ownership Loan	YES	YES	NO	YES
3. Infrastructure-Housing Loan Program	YES	YES	NO	NO
4. Accessibility Top-up Rebate	YES	YES	YES	YES
5. Downtown Residential Above Commercial Incentive	YES	YES	NO	NO
6. Downtown Fire Standards Retrofitting Rebate	NO	YES	NO	NO
7. Façade Improvement Design Rebate	NO	YES	NO	NO
8. Façade and Landscaping Improvement Incentive	NO	YES	YES	NO
9. Rural Economic Diversification	NO	NO	YES	YES
10. Community Adaptations Support	YES	YES	YES	YES

## **Part 4 CIP Policies and Conditions**

### **3.0 General Policies and Conditions**

This section provides the conditions which apply to all the CIP programs contained herein (Section 4.1), as well as additional conditions which apply to programs that are contingent upon the creation of affordable and attainable housing units (Section 4.2). Section 4.3 provides guidance on making an application to the Municipality for a CIP program.

#### **4.1 Policies and Conditions Applicable to All CIP Programs and Projects**

1. Eligible program participants include registered owners, assessed owners, tenants and assignees as identified in Section 28(7) of the *Planning Act*.
2. All proposed development shall conform to the County and Municipal Official Plans, Zoning By-law, Council approved design guidelines, and other planning requirements.
3. CIP applications related to affordable housing projects will involve pre-consultation with the County of Northumberland Housing Office.
4. Grant amounts exclude HST.
5. The Municipality may acquire lands in the implementation of this CIP program, including purposes of supplying affordable housing, improving deficient infrastructure, underutilized land or buildings, buildings not meeting property standards or occupancy requirements, off-street parking, specialized use public buildings, establishing parkland or active transportation areas, civic spaces, or environmental restoration.
6. All improvements shall be made pursuant to a building permit and constructed in accordance with the Ontario Building Code where required.
7. Property taxes shall be in good standing at the time of application and throughout the length of any incentive or grant commitment. Where arrears exist, an application will not be approved and/or grants will not be advanced until arrears are eliminated.
8. The lands subject to the CIP project shall have no outstanding work orders issued by the Municipality against the property. Outstanding work orders or requests against the property must be complied with prior to the consideration of any application or must be rectified through the proposed improvements.
9. Applications may be received for CIP projects that fall outside the scope of this CIP Plan. Such applications will demonstrate a justification of the request for project support in the context of municipal benefits regarding fiscal, environmental, social, and economic contributions.
10. A CIP program will be activated through Council's budget and a project-specific bylaw under Section 28 of the Planning Act. During preparation of its annual budget Municipal Council will determine the contribution to be made available to the various programs under this CIP for the following year. The financial incentive programs available under this CIP will be administered by Municipal staff within the budget established by Council. Projects will not be approved that result in over-expenditure to what has been allocated to the CIP's program(s) by Municipal Council.
11. Eligibility will generally be on a 'first-come first-served' basis. If the number or quality of applications exceed available funding, the group of submitted applications will be

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evaluated and only the applications that have been evaluated as offering the highest quality of the proposed property enhancement and/or development project, or community benefits will be awarded. In addition, the decision to fund and the amount of funding will generally be determined through the application of minimum criteria which measures each application based on the quality of the proposed property enhancement and/or development project. Such criteria as may be updated without amendment to this CIP Plan will be determined by staff, or an Evaluation Committee as may be established by Council;

12. Only lands and buildings that are a legal use, including legal non-conforming/legal non-complying uses under Section 34 of the Planning Act, will qualify under the CIP Plan. Expansions of such buildings or changes of uses to such buildings or lands will need to address conformity to the Zoning by-law;
13. The Municipality is not responsible for any costs incurred by an applicant in relation to applying for any of the incentive programs.
14. The Municipality reserves the right to audit any studies and/or works approved under an incentive program.
15. If the applicant is in default of any program requirement, or any other requirement of the Municipality, the Municipality may delay, suspend, cancel, or reduce the amount of its program approval and/or the financial incentive(s).
16. The Municipality may, at its discretion, and without further amendment to the CIP, extend or discontinue any program when and as deemed appropriate. Notwithstanding this, participants in various programs prior to their discontinuation may continue to receive approved incentives/grants after the closing of the program as determined through individual agreement with the Municipality and subject to available funding approved by the Municipality.
17. No application is guaranteed approval, the Municipality has full authority over all decisions, and final decisions with respect to applications.
18. As a condition of approval, the applicant and/or owner of the property may be required to enter into agreements with the Municipality. Depending on the nature of the program application, the agreement may be registered on the title of the applicable property. The agreement may specify terms, duration, default, penalty, and termination provisions of the financial incentive.
19. Funding will only be provided after an agreement is executed, if required, and once all other conditions have been met.
20. If the funding is recurring over multiple years, then funding will only be issued if appropriate documentation is provided and accepted by the Municipality each year, as required.
21. Works commenced after applying but prior to application approval are done at the applicant's risk.
22. In accordance with Section 28(7.3) of the Planning Act, the total amount of all financial incentives (including any tax assistance) given by the Municipality to a specific development shall not exceed the eligible cost with respect to those lands and buildings.

If you are an applicant: I have read and acknowledged conditions 1-22 above.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

#### 4.2 Specific Conditions for Incentives Related to the Provision of Affordable and Attainable Housing Units

The CIP programs which incentivize the development of affordable rental units have a specific set of conditions. These conditions help ensure that these units will remain affordable rather than turning over into “unaffordable” market rate housing stock. In addition to the conditions outlined in Section 4.1, the following conditions apply to applicants who apply for incentives related to the provision of affordable rental housing units (i.e., Programs 1, 2, and 3 in this CIP).

1. With respect to incentives related to the provision of affordable rental housing, in order to receive the benefits eligible applicants will be required to enter into an agreement with the Municipality made with the following considerations:
  - a) Applicants should indicate how the project helps implements the County of Northumberland’s Affordable Housing Strategy.
  - b) Every development which receives a benefit through the program(s) shall have units that meet the program’s Guideline on Affordable Rental Rates (see County of Northumberland Housing Office), as amended from time to time;
  - c) The agreement must be registered on title, and the cost of doing so is the applicant’s responsibility or property owner’s responsibility;
  - d) The agreement will be binding on the owner’s heirs, successors, and assigns, as well as binding on a transferee if the property changes hands;
  - e) The housing provider must annually provide a statement to the Municipality of Brighton
  - f) Planning and Development Department confirming that each unit remains affordable;
  - g) If the housing provider does not carry out its obligations under the agreement, the housing provider shall pay to the Municipality the entire number of benefits conveyed under the agreement, together with any applicable costs and interest;
  - h) The agreement will contain such other contractual provisions which are required to be inserted based on fundamental contractual drafting principles satisfactory to the Municipality of Brighton; and,
  - i) Other reasonable requirements and conditions will be included in the agreement on a project-specific basis.
2. Each year the applicant is expected to provide unequivocal proof that each rental unit is provided in accordance with the definition of **affordable rental unit** in order to receive the rebate. This unequivocal proof may take the form of a signed lease agreement showing the name of the lessee and the affordable rental rate, along with copies of cleared cheques from the lessee proving that the rent paid matches the affordable rental rate on the lease. If multiple **affordable rental units** are approved for the financial incentive, then unequivocal proof must be provided for each unit.

If you are an applicant: I have read and acknowledged the above conditions.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### 4.3 Making an Application

#### 4.3.1 Application Process

The steps for making an application to an incentive program are as follows:

1. **Pre-application consultation:** Schedule a meeting with Municipal staff to review any preliminary plans and factors such as program eligibility, scope of work and project timing.
2. **Submission of a complete application:** Submit the completed application form and required supporting materials such as detailed work plans, cost estimates and reports where applicable (see 4.3.2 for more details). If approved, a letter and/or agreement will be provided, and project work may begin. Municipal staff shall review the application based on the criteria contained herein and may require a visual inspection of the subject property in order to fully assess the application.
3. **Undertake project work:** Obtain relevant permits from the Municipality during the project. All costs will be borne by the applicant, unless otherwise stated within the detailed program descriptions. Depending on the nature of the work, it may be required to be undertaken in accordance with a commitment agreement made with the Municipality.
4. **Payment:** Submit evidence of paid invoices and other supporting documentation, as required. The Chief Building Official (C.B.O.) may inspect the completed project to ensure compliance with the requirements of the program. The C.B.O. may obtain assistance from the Municipal staff as necessary. Once all program requirements have been met, the payment of the approved incentive will be issued as a cheque, in accordance with the general and specific program eligibility requirements. If actual costs are less than what were approved under the letter and/or agreement, the dollar amount of the payment may be reduced; however, if costs are higher, the payment shall not be increased without the approval of Municipal Council.

#### 4.3.2 Complete Application

At the discretion of the Municipality, applicants to CIP programs may be required to submit, as part of a complete application, the following:

1. Completed application form;
2. A signed copy of Section 4.1 of this document;
3. A signed copy of Section 4.2 of this document, if applicable;
4. Copy of the parcel register for the subject property (available from the Land Registry Office) showing name of current owner and legal description;
5. Other relevant documentation, as indicated within the individual program requirements, such as evidence of current condition of eligible property via photos or video, a Site Plan or Conceptual Plan, or other reports or drawings which provide information on the proposed development to ensure conformity with the Official Plan, conformity with the objectives of the CIP, compliance with all relevant Municipal Bylaws, and adherence to all applicable law; and,
6. For affordable housing units incentives, a copy of any concurrent applications with the County of Northumberland's Housing office.

#### 4.3.3 Application Intake Periods

Two intake periods for applications are the Spring Intake and the Fall Intake, as described below.

### **Spring Intake**

Applications received before March 31st of a given year will be evaluated at the Municipality's discretion to the limit of the available funding, provided all eligible criteria and conditions are met for each program. Where it is deemed that an application is not complete, staff may return the application to the applicant with advice on how to remedy any deficiency. The resubmission of a previously incomplete application will not be backdated; rather, it will be re-dated to the date that the complete application was received. Applicants who require Site Plan Approval (S.P.A.), may apply for it outside of the CIP intake period and will remain eligible if the S.P.A. has not been approved (i.e., the S.P.A. agreement has not been signed).

### **Fall Intake**

If remaining funding is available following the evaluation of the applications received during the spring intake, a second intake period will occur to evaluate applications received before September 1st of a given year, at the Municipality's discretion.

### **4.3.4 Frequently Asked Questions**

The frequently asked questions below are intended to assist with understanding eligibility. While the questions are posed in the voice of the layperson, the guidance offered in the answers serve as policy to assist with determining eligibility under these circumstances.

#### **1. What if my project is eligible for multiple programs?**

Many of the programs can be bundled together where eligibility requirements for different financial incentive programs can be met. However, incentive programs cannot be bundled to "double dip" – which means that a property which is eligible for a tax rebate, for example, will only be eligible to receive the rebate under one program, and cannot have the same taxes rebated under multiple programs. Further, multi-year tax rebate programs cannot be bundled to increase their duration, for instance two 10-year T.I.E.R. programs cannot be used consecutively to receive tax benefits over a 20-year period. Similarly, each type of incentive is only permitted one time, per property, during the life of the CIP. For example, if a property goes through two major renovations, the building permit fee will not be rebated both times even if all eligibility criteria are met; the property only gets a rebate once.

Importantly, the total of all incentives cannot exceed the eligible costs. Loans will be limited to a minimum of \$5,000 and a maximum based on a portion of project value generally not exceeding 60% of construction costs.

#### **2. Is my affordable housing project eligible for incentives if I am already receiving incentives from other non-municipal funding source (e.g., funding from the County or C.M.H.C.)?**

The Municipality encourages proponents of eligible projects to seek out other incentives, and as a result will not limit eligibility to CIP programs or reduce support on the basis of receiving assistance from other sources.

**3. What if I received planning and building approvals before submitting my complete application for an incentive program – can I still be approved to receive incentives from the programs?**

No, the purpose of the programs is to incentivize construction, rehabilitation and other upgrades which would otherwise not be undertaken. Applicants are encouraged to schedule a pre-application consultation with Municipal staff to discuss the timing of their project.

## **Part 5 Incentive Programs**

### **5.1 Program 1: Affordable Rental Housing Incentives**

Is your property eligible?

Projects proposing the construction of new rental homes, including additional or second dwellings or apartment buildings, which result in the creation of affordable units. Eligibility for incentives varies between apartment buildings and additional/second units:

Apartment Buildings

Program 1 Apartment Building Eligibility:

- a) A rebate for development charges, building permit fees and planning application fees associated with the approval of the development;
- b) A Tax Increment Equivalent Rebate (T.I.E.R.). This program shields a developer or homeowner for 10 years from the municipal portion of tax increases which occur as a result of the development of affordable rental unit(s);
- c) A Municipal loan in accordance with Municipal guidelines.

Program 1 Apartment Building Criterion:

- a) The property is within the eligible area (see Part 3); AND
- b) The application is received in writing at the time of making the application for Building Permit or Site Plan Approval; AND
- c) A private or a non-profit corporation renovating or constructing new apartments;
- d) Proof of affordability is presented; AND
- e) One of the following:

A new rental apartment building will be built consisting entirely of affordable rental unit(s);  
OR,

A new rental apartment building built consisting partly of affordable units.

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**Additional/Second Units:**

**Program 1 Additional Units Eligibility:**

To address costs associated with Building Code or Fire Code retrofits to existing homes in the process of redeveloping into an additional unit.

**Incentive 1- Rebate:**

A Homeowners who propose to have a new legal additional unit added to their existing home by engaging professionals are eligible to receive a maximum rebate of \$500 to reduce costs associated with necessary studies/drawings that accompany the new unit's Building Permit application, limited to:

- a) Structural assessment by a Professional Engineer to confirm the structural adequacy of the building to accommodate an additional/second unit;
- b) HVAC study by a qualified professional (e.g., ASHRAE certification or similar) to determine appropriate heating, ventilation, and/or cooling requirements to accommodate an additional/second unit; or,
- c) Architectural drawings prepared by a licensed architect or design professional with a Building Code Identification Number, for a Building Permit application.

**Incentive 2 – Municipal loan in accordance with Municipal guidelines:**

Homeowners are eligible for Municipal loan construction costs where proven that more than \$30,000 was spent in professional contractor labour and contractor-supplied materials to construct the new legal additional unit. Eligible contractor-supplied material costs do not include finishes (specifically kitchen cabinets, kitchen countertops, finished flooring, plumbing fixtures, or lighting fixtures) or unit furnishings (e.g., furniture, décor, etc.).

**Program 1 Additional Unit Criteria:**

- a) The property is within the eligible area (see Part 3);
- b) Application is received in writing at the time of making the application for Building Permit or Site Plan Approval;
- c) Proof that the primary dwelling unit is owner-occupied.

**Additional Considerations:**

Additional or second units are not eligible for the development charges rebates portion of the incentive. For additional units, the Municipality may establish a guideline on the maximum gross floor area (G.F.A.) for an additional unit to be eligible for the rebate.

For apartments, only the municipal portion of development charges is rebated. The development charges are to be paid when due and will be reimbursed to approved applicants, to a maximum set by Council each year, upon the execution of required agreements, proof of substantial occupancy, and proof of affordability.

For apartments, the T.I.E.R. financial incentive for a property is offered for a maximum of 10 years from the date of the re-assessment upon which the tax increment is calculated, as long as the units meet the criteria of affordable rental units. For any mixed-use development, tax assistance is offered to the residential portion of the building only. Taxes are to be paid when due and will be reimbursed to approved applicants, to a maximum set by Council each year, upon the execution of required agreements, proof of

substantial occupancy, and proof of affordability. Any other taxes paid are not subject to the rebate.

**Municipal Loans:**

Loan amounts may be limited in total amounts in keeping with Municipal fiscal capacities and risk management, including in proportion to total value of the property. Loan costs for apartments or additional units incurred by the Applicant are at the interest rate of the municipal debenture, plus an administrative fee. Council may waive interest charges for select priority projects. A loan agreement registered on title is required. Loan amounts may be limited in total amounts in keeping with Municipal fiscal capacities and risk management, including in proportion to total value of the property. Fees associated with any other municipal processes, or outside agencies are not subject to the rebate by the Municipality.

## **5.2 Program 2: Affordable Housing Ownership Loan**

Is your property eligible?

Projects proposing the construction of new homes that result in the creation of affordable dwelling units for ownership are eligible to receive a municipal loan. The loan may take two forms, either as rebates or as loans exceeding rebate amounts:

**Rebates:** The amount of the loan is equal to the rebate on development charges, building permit fees and planning application fees associated with the approval of the development. The developer is encouraged to match such rebates through reduced sale price of a new home. The municipal and developer contributions would form a down payment toward the mortgage of a qualified first time home buyer. A mortgage loan agreement is entered into with the purchaser that recognizes repayment to the municipality within 10-years, or at time of re-sale.

**Loans:** Loan amounts are in addition to rebates and are intended to make a wider range contribution of affordable housing. Council may forgive loans for priority projects.

Do you meet the criteria?

A developer of affordable housing units for ownership may apply for a loan in the form of rebate of development charges and approval fees. Assistance will be in the form of providing a rebate equivalent to 100% of the development charges and Planning and Building fees associated with new affordable units, calculated based on the proportion of units which are affordable, meeting the criteria outlined below:

**Program 2 Criteria:**

The property is within the eligible area (see Part 3); AND

Application is received in writing at the time of making the application for Site Plan Approval; AND

One of the following:

- a) A developer of new housing construction intended for sale for ownership;
- b) A non-profit corporation constructing new housing

Loan amounts may be limited in total amounts in keeping with Municipal fiscal capacities and risk management, including in proportion to total value of the property.

**Additional Considerations:**

Loan costs incurred by the Applicant would be at the interest rate of the municipal debenture, plus an administrative fee. Council may waive interest charges for select priority projects. A loan agreement registered on title is required.

### **5.3 Program 3 Infrastructure-Housing Loan Program**

Is your property eligible?

Land developers who in need of extending or installing new major infrastructure in order to supply housing, including within mixed use developments, are eligible for a municipal loan at an interest rate approximately equal to the supportive municipal debenture, plus an administrative fee. Through agreement, specific parcels/units are conveyed to the Municipality (or a non-profit housing corporation of the municipality's choosing) at the predevelopment vacant land rate. The lands conveyed to the Municipality (or non-profit) are held as a land bank for affordable housing purposes, including as long-term land leases not duplicated by the market. The development lands are made subject to a loan agreement that is subsequently discharged as open market sales are executed.

Do you meet the criteria?

A developer that owns lands and/or buildings may apply for a municipal loan for servicing infrastructure in the process of development or redevelopment of lands or buildings.

**Program 3 Criteria:**

All of the following criteria will be met:

- The property is within the eligible area (see Part 3) CIP Application is received in writing after development pre-consultation and complete application requirements for development have been issued, or draft subdivision approval has been given, or development agreement has been executed;  
The Municipality is satisfied with the terms and costs in the Purchase and Sale agreement of select units/parcels/Blocks in the development. The Municipality may seek independent qualified opinion to ensure fair market value.
- An agreement has been entered into between the developer and the Municipality specifying terms of the loan and registered on title.
- Loan amounts may be limited in total amounts in keeping with Municipal fiscal capacities and risk management, including in proportion to total value of the property.

**Additional Considerations:**

An Infrastructure loan is available to make only major improvements to lands or buildings that result in significant number of affordable housing units.

Loan costs incurred by the Applicant would be at the interest rate of the municipal debenture, plus an administrative fee. Council may waive interest charges for select priority projects. A loan agreement registered on title is required.

#### **5.4 Program 4: Accessibility Top-Up Rebate**

Is your property eligible?

New legal additional/second units or affordable rental units that are designed to be accessible for persons with disabilities are eligible for a rebate. The purpose of the program is to increase the supply of accessible rental units by offering an added financial incentive for pursuing universal design standards.

Do you meet the criteria?

Developer and/or homeowner may apply for a maximum rebate of \$2,500 for any new legal additional/second unit or affordable rental unit that is designed to be barrier-free, meeting the criteria below:

Program 4 Criteria:

All of the following criteria will be met:

- The property is within the eligible area (see Part 3); AND
- Application is received in writing at the time of making an application(s) for a Planning or Building Permit approval;
- Unit created is designed to be barrier-free, as confirmed during the building permitting stage;
- Proof of paid invoices for construction costs clearly associated with the barrier-free features of the unit totalling at least \$2,500 have been submitted to the Municipality within one year of the latest invoice date; AND
- Photographs showing all the as-built barrier-free features in the finished unit; AND
- One of the following:
  - Unit created is a legal additional/second unit; AND/OR
  - Unit is an affordable rental unit (see Section 4.2)

Additional Considerations:

The Municipality may establish a guideline on the barrier-free features that are eligible as construction costs counting towards the minimum \$2,500 cost in this program's criteria.

#### **5.5 Program 5: Downtown Residential Above Commercial Incentive**

Is your property eligible?

New buildings and upgrades to existing buildings which result in the creation of new residential units above commercial ground floors are eligible to receive a rebate for fees associated with applications for Building Permit approval.

Do you meet these criteria?

A developer may apply for a rebate on building permit fees associated with the creation of new residential unit(s) in the Downtown CIP area. The assistance will be in the form of providing a rebate equivalent to 100% of the building permit fees associated with the creation of a new residential unit(s), meeting the criteria below.

Additional incentives are offered through a Municipal Loan.

**Program 5 Criteria:**

All of the following criteria will be met:

- The property is within the eligible area (see Part 3);
- Application is received in writing at the time of making an application(s) for Building Permit approval;
- Residential unit(s) created will be built above a commercial ground floor.

**Additional Considerations:**

Although the building permits fees are rebated, they are not waived outright. Applicants are expected to adhere to the requirement of the respective application processes and will receive the rebate where eligible. Fees are to be paid when due and will be rebated after issuance of an occupancy permit for the unit.

The developer will remain responsible for any building permit costs associated with non-residential construction/alteration.

**Municipal Loans:**

Loan costs for apartments or additional units incurred by the Applicant are at the interest rate of the municipal debenture, plus an administrative fee. Council may waive interest charges for select priority projects. A loan agreement registered on title is required. Loan amounts may be limited in total amounts in keeping with Municipal fiscal capacities and risk management, including in proportion to total value of the property. Fees associated with any other municipal processes, or outside agencies will be required to be paid and are not subject to rebate.

## **5.6 Program 6: Downtown Fire Retrofitting Rebate**

Is your property eligible?

Costs associated with retrofitting existing buildings Downtown to meet the Ontario Fire Code (O. Reg. 213/07) performance requirement are eligible for rebate.

Do you meet the criteria?

Developers/landowners may apply for a rebate on eligible costs associated with fire retrofitting. The assistance will be in the form of a rebate on eligible costs to a maximum of \$1,000. Eligible costs include the purchase of materials, equipment or systems that, in the opinion of the Chief Building Official and Chief Fire Official, provide protection and improvement of a building (e.g., fire alarms and detection systems, sprinkler systems, fire walls, interior finishes, fire department access, fire escapes and emergency lighting), meeting the criteria below.

**Program 6 Criteria:**

All of the following criteria will be met:

- The property is within the eligible area (see Part 3);
- Application is received in writing prior to undertaking retrofitting works;
- The applicant will provide proof of completed work within one year of approval from the Chief Building Official and Chief Fire Official to validate that the retrofitting work is acceptable, and/or provide access to the property for the Chief Building Official and Chief Fire Official to conduct an inspection to validate that the retrofitting work is acceptable;

- The unit will not be used as a Short Term Accommodation rental;
- Proof of paid invoices for eligible expenses will be submitted to the Municipality within one (1) year of the latest invoice date.

Additional Considerations:

- A property that undertakes an improvement to fire retrofit a building will only be approved under the program one time.
- Fire retrofitting improvements must be completed to the satisfaction of the Chief Building Official and Chief Fire Official.

### **5.7 Program 7: Façade Improvement Design Rebate**

Is your property eligible?

Commercial, residential, or institutional properties within the Core Area (Downtown) and commercial areas, which intend to undergo improvements to rehabilitate and improve the façades are eligible to receive a rebate for costs associated with design-related professional fees. Designs are to be in keeping with an enhanced design, including heritage attributes if applicable.

Do you meet the criteria?

A property owner or tenant of a building zoned for commercial, residential, or institutional use may apply for a rebate for the costs of professional fees related to the design of façade improvements, to a maximum of \$3,000, meeting the criteria below:

Program 7 Criteria:

- The property is within the eligible area (see Part 3);
- The application is received in writing following a pre-consultation meeting with Municipal staff; AND
- The design is prepared by a qualified person adhering to best practices in façade design, including any Municipal design guidelines as may apply;
- The applicant agrees to undertake any approved works within two (2) years following the date of approval, except where it can be proven to the Municipality that a delay is due to the limited availability of specialized contractors;
- Proof of paid invoices for professional fees related to the completion of design drawings or studies associated with the façade improvement have been submitted to the Municipality within one (1) year of the latest invoice date.

Additional Considerations:

- Applications which address traditional façades will be evaluated first.
- At the Municipality's discretion, documentation required to support the application may include:
  - Photographs of the existing building;
  - Historical photographs of the building, if available;
  - Confirmation of an approved Heritage Permit, if applicable;
  - Elevation drawings to illustrate the full scope of the proposed façade improvements;
  - Architectural or Urban Design drawings.

## 5.8 Program 8: Façade and Landscape Improvement Incentive

Is your property eligible?

Within the Core Area, commercial, residential, or institutional properties which undergo improvements to rehabilitate and improve the façades or landscaping are eligible to receive a rebate for costs associated with the renovation. Eligible costs are associated with the enhancement, replacement and rehabilitation of commercial/retail doors, windows, and façades that are in keeping with an enhanced design plan, including heritage attributes if applicable. In Hamlet areas, commercial or institutional properties would also qualify.

Do you meet the criteria?

A property owner or tenant of a building may apply for a rebate for up to 50% of the cost of façade or landscaping improvements that satisfy design criteria set out in this document, to a maximum of \$10,000. Façade and landscape enhancement can include front, side and rear yard enhancements depending on whether the property is a corner lot, or the rear yard is adjacent to public space or otherwise occupies a significant view corridor. The landscaping component will represent a minor portion only of the total value of the incentive. The following criterion shall be met:

Program 8 Criteria:

All of the following criteria will be met:

- The property is within the eligible area (see Part 3);
- The application is received in writing prior to the commencement of work;
- The application is supported by professionally prepared drawings to scale of the building's façade illustrating the nature of proposed work;
- All proposed work complies with all Façade Improvement guidelines as may apply or the applicant has been previously approved for the Façade Improvement Design Rebate;
- The applicant agrees to enter into an agreement with the Municipality, which may be registered against the title to the subject property, and may specify the components of the eligible works and their estimated cost and the anticipated timing for the approved works including the estimated completion date; AND
- The applicant agrees that should their application be approved, no changes to the approved façade improvements will be made for five years without first obtaining Municipal approval;
- To receive the rebate, proof will be that renovations have been completed in compliance with the Façade Improvement guidance from staff (conditions to the approval) and the other terms of any agreements with the Municipality;
- Proof of paid invoices for work undertaken will be submitted to the Municipality within one (1) year of the latest invoice date;
- One of the following:
  - Application is supported by two (2) itemized independent quotes that include the name of the qualified contractor(s) who will be undertaking the renovation (note: up to 50% of renovation costs eligible for rebate up to the program maximum); OR

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- Application is supported by one (1) itemized independent quotes that includes the name of the qualified contractors(s) who will be undertaking the renovation (note: up to 40% of renovation costs eligible for rebate up to the program maximum).

**Additional Considerations**

The Municipality's preference is applications to the Façade Renovation Program are supported by two (2) itemized independent quotes, however due to the specialized nature of some work in particular on buildings designated under the Ontario Heritage Act, the Municipality may accept a single quote. Where one quote is provided, it may be subject to a comparison with invoices for similar projects where available. A property may only be approved one time during the lifetime of the CIP.

Other relevant drawings or studies to support the proposed scope of work may be requested at the discretion of the Municipality.

If a building tenant is the applicant and paying for the renovation, then the signature of the building owner will also be required on the application to acknowledge that the Municipality will issue the rebate to the tenant rather than the owner.

## **5.9 Program 9: Rural Economic Diversification Incentives**

Rural Economic Diversification Incentives have been designed to strengthen the vitality and economic viability of farms and rural area businesses. A focus of this CIP is to incentivize development projects which represent 'value-added' agricultural uses, rural commercial uses, or 'on-farm diversified' uses. This program is designed to stimulate new investment in private lands, to encourage farms and businesses to start up or expand operations, and to improve the physical and visual attractiveness of public-facing are also encouraged through the program (see program 11, below – Community Adaptions). To support this focus, incentives are offered for the following, for example:

- Renovation and conversion of farm buildings to rural commercial/industrial uses'
- Improvements and enhancements to public-facing facades (Hamlets), landscaping, signage and wayfinding
- Where associated with significant building improvements, investments in farm equipment and machinery that represent early adaption of emerging technology or business models;
  - Agriculturally-related equipment and machinery that add value to on-farm produce;
  - Equipment or machinery that represents on-farm diversified uses, such as micro-beverage or micro-food production;
  - Heritage farm buildings or heritage home restoration, including for tourism accommodations.

Accordingly, two sub-programs are offered, one incenting façade improvements and a second that focuses on building construction or renovation.

## **Program 9A: Façade, Landscape and Signage Improvement Incentive**

Is your property eligible?

Private properties in the Prime Agriculture, Rural and Hamlet designations of the Official Plan are eligible. For Agricultural/Rural areas, façade improvement is limited to commercial roofed accommodation. Also eligible are agricultural or commercial buildings which are open to the visiting public, and which represent value-added agricultural activity.

In Hamlet areas, incentives are applicable only to commercial roofed accommodation, commercial and mixed-use buildings.

### **Incentive Details**

- Matching grant of up to 50% of eligible costs up to a maximum grant of \$10,000 per property;
- Landscaping improvements will be funded to a minor proportion of the total grant. Municipal loans at cost up to for a maximum of 50% of projects costs. Projects should be a minimum of \$10,000.

### **Eligible Costs**

- Improvements to public facing facades, including doors, windows, cornices, parapets, etc.;
- Façade improvement is limited to commercial or other buildings open to the public;
- Improvements to exterior materials and lighting;
- Enhanced design signs and wayfinding;
- Public-facing landscaping;
- Civic squares and other public gathering places in Hamlet areas.

## **Program 9B: Building Restoration, Renovation and Improvement**

Is your property eligible?

Private properties in the Prime Agriculture, Rural and Hamlet designations of the Official Plan are eligible. Supported uses in Prime Agriculture areas will be in keeping with the Province's Guidelines on *Permitted Uses in Ontario's Prime Agricultural Areas* (2016).

For lands designated as Rural or Hamlet, permitted uses as specified in the Municipal Official Plan shall apply. The scale of permitted non-farm uses on rural lands shall ensure that agriculture remains the principle dominant use.

### **Eligibility Criteria:**

- Re-purposing agricultural buildings for farm-related commercial or industrial occupancy (building, fire and other code compliance including public occupancy load-related building enhancement);
- In Hamlets, restaurants, markets, and other places of assembly related to arts, culture, and recreation.
- Rehabilitation of existing, or conversion of space for Commercial Roofed Accommodations.

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- Expansion/additions; and
- New buildings on-site for new or enhanced commercial uses.

To be eligible for grants, loans, or other incentives toward roofed accommodation and other on-farm diversified uses, properties must be a bona-fide operating farm for a period of at least 2-years. Lands located in designated Hamlet areas may also qualify.

#### Incentive Details

All of the following criteria will be met:

- Matching grant of up to 50% of Eligible Costs up to a maximum grant of \$25,000 per property;
- Rural Areas Development Charge Grant of 100%;
- Eligible toward value-added agricultural or on-farm diversified developments that are not exempt from DCs (i.e., any building which is assessed as being industrial or commercial);
- Rural Areas Planning and Building Permit Fees Grant of 100%;
- Rural Areas Tax Increment Financing Grant (TIF) Grant valued at a maximum of 80% of the annual Municipal tax increment for duration of up to 10 years, or up to the time when total grant payments equal total Eligible Costs. A TIF Grant shall not be combined with any other CIP incentive. Exceptions may be made where additional municipal fiscal benefits are demonstrated;
- Municipal Loan at cost, plus administrative fee, for new construction or renovations involving costs over \$25,000. The loan will cover a maximum of 50% of construction value.

#### Additional Considerations

Municipal Loans are conditional on major building construction. Additional eligibility requirements may involve the preference for demonstrated collaborative arrangements among several properties' owners/applicants.

### **5.10 Program 10: Community Adaptations Support**

The Community Adaptations Support program is an incentive to promote community adaptiveness to evolving challenges of new technology, machinery, or business models. Incentives are proposed for innovations adaptations that are directly associated with investment in new buildings or significant renovations. Business model and marketing innovations should be demonstrated. Such innovations introduce relatively higher risk. To mitigate potential risk, the incentive will be tied to capital investment and supported by demonstration of a supportive network or in association with mutual reliance arrangements. Preferences will be given to projects that demonstrate network supports through partnerships and collaborations.

Applicants are encouraged to identify emerging challenges, an adaptive technological or business model response, and demonstrate supportive collaborations.

This incentive program is directed to the Downtown Area and to agriculture-related or on-farm diversified uses.

#### Downtown Area

An example of an emerging challenge to downtowns is the changing face of retail and restaurant formats. An application under this CIP program may wish to address such challenges. For example, improved efficiencies in shipping/receiving and pick-up areas, could collaboratively be identified.

#### Agriculture-related or On-farm Diversified Uses

The incentive is targeted to Agriculture-related, or on-farm diversified uses made feasible through new/renovated buildings and the directly related acquisition of specialized production equipment. For example, a project involving multiple applicants/farms each representing an individual micro-beverage start-up may each specialize in one aspect of production. Each farm would demonstrate mutual reliance in individual aspects of production (e.g., for a micro-brewery: barley processing, fermentation production and bottling). The Applicants would strengthen its CIP Grant application by demonstrating a cluster of locations to efficiently attract tourists, and a shared marketing program.

Eligibility for the program includes:

- Eligible costs are associated with business plans that demonstrate the feasibility of the adaptation to emerging technology or innovative business models.

#### Incentive Details

- A Grant equal to 50% of the business plan up to a maximum of \$5,000 when in conjunction with an approved CIP incentive under Programs 7, 9 or 10.
- Incentives available through the CIP Program 7, 9 or 10

## Part 6 Definitions

**Affordable:** A dwelling unit that is affordable as defined by the Provincial Policy Statement under section 3 of the *Planning Act*, typically being housing that costs less than or equal to 30% of the pre-tax income for low-to-moderate income households; or a dwelling unit for which the purchase price or rental rate is at or below the average purchase price or rental rate of a unit in the regional market area as determined by the Canada Mortgage and Housing Corporation (C.M.H.C.) definition(s); or as may be established through a Municipal Housing Statement.

**Affordable rental unit (housing):** A rental dwelling unit which meets the definition of affordable.

**Affordable ownership unit (housing):** An ownership of a dwelling unit which meets the definition of affordable.

**Approved applicant:** An applicant who has received approval in principle for one or more programs under the CIP.

**Approval in principle:** An applicant who has received approval before undertaking work, as indicated through a letter and/or agreement with the Municipality. Receipt of the incentive, or additional incentive, is subject to the approved applicant's proof of fulfillment

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of the requisite works in compliance with the eligibility criteria and terms of any agreement with the Municipality.

**Attainable Housing:** Reasonable housing attainable through reasonable effort.

**Barrier-free:** A unit or building and its facilities which are design to be approached, entered and used by persons with physical or sensory disabilities.

**Building permit:** Applications to the Municipality of Brighton for Building Permit approval under the Building Code Act.

**Cancellation:** An approved applicant does not have to pay for something that they would otherwise pay.

**Community Improvement Plan (CIP):** All of Parts 1 to 6 of this plan, including Table 1 and Map 1, Appendix A (CIP goals), Sections B.2 and B.3 of Appendix B (Administration), and all of Appendix D (Brownfields Program Guide) that offers further details on these programs – which may only be revised through formal amendment – but not Appendix C that may be revised from time-to-time.

**Deferral:** An approved applicant does not have to pay for something now but will have to at a later date.

**Education portion:** Taxes arising from that element of the total tax rate set annually, which is collected on behalf of the Province of Ontario to support the provincial school By-Laws.

**Eligible costs:** All cost categories for which the Owner is eligible to be considered for program assistance from the Municipality as provided for in an Agreement and subject to all program protocols and conditions as stated in the Agreement and the CIP.

**Guideline on Affordable Rental Rates:** A document prepared and updated annually by County of Northumberland or Municipal staff that establishes a future year's rental rates for different types of affordable rental units.

**Intensification:** 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.

**Legal additional/second unit:** A additional/second unit in compliance with the Official Plan and all relevant Municipality of Brighton By-laws and adheres to all applicable law. The Municipality of Brighton may require, at its discretion, evidence of current condition of additional/second units via photos.

**Municipal portion:** Taxes arising from that element of the total tax rate, set annually, which supports expenditures by the Municipality of Brighton.

**Prorated (rebate):** A rebate which is proportional to the ratio of eligible and non-eligible project expenses.

**Rebates:** An approved applicant receives money in the form of a grant to reimburse incurred expenses related to Municipal or County fees or charges on program eligible costs to a maximum set by Municipal Council.

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

**Reduction:** At the time a payment is due, an approved applicant only has to pay a portion of the usual amount.

**Substantial occupancy:** A unit or building which has received approval for occupancy (i.e., Occupancy Permit) from the Municipality's building official.

**Tax cancellation:** The cancelling of the increase in Tax Liability.

**Tax increment:** 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:** The annual real property taxes levied by the Municipality of Brighton including the Municipal and Education Portions of the taxes.

**T.I.E.R.:** Tax Increment Equivalent Rebate as provided for under Section 28(7) of the Ontario Planning Act.

## **Appendix A**

### **Community Improvement Goals and Objectives**

#### **A. Goals**

1. Continue to improve the quality of life for residents, workers, and visitors in the Municipality.
2. Maintain, rehabilitate, redevelop, intensify, and upgrade the existing physical condition of the municipal environment to address the social, economic, and environmental priorities of the community.
3. Reinforce the stability of existing residential, commercial, and industrial areas of the Municipality while addressing existing land use conflicts and minimizing the potential for future concerns.
4. Consider community improvement as an important part of Brighton's commitment to local economic development and support for tourism, commerce, and industry in Brighton.
5. Recognize community improvement as the primary means by which the Municipality can facilitate affordable housing development.

#### **B. Objectives**

1. Facilitate the development of affordable ownership and rental housing;
2. Maintain and improving municipal infrastructure, services, public utilities, and social and recreational facilities;
3. Encourage improvement activities that contribute to local economic development and support tourism, commerce, and industry;
4. Encourage redevelopment, particularly of brownfield sites, and the reintegration of these sites into the municipal urban and rural fabric, provided that such redevelopment does not disrupt the historical, cultural, or social fabric of the community;
5. Encourage the maintenance of the existing building stock and facilitating the rehabilitation, renovation, and repair of older buildings;
6. Improve conditions in older, predominantly residential areas, including encouraging infill housing and a mix of housing types on vacant lands as a means of stabilizing neighbourhoods;
7. Facilitate the preservation and restoration of historically and/or architecturally significant buildings or areas and encouraging the adaptive reuse of such buildings or areas;
8. Improve the overall streetscape and/or aesthetics of commercial and industrial areas of the Municipality.

## **Appendix B**

### **Municipality of Brighton Official Plan – Section 6 – Community Improvement**

#### **Community Improvement**

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

#### **6.1 Planning Principles**

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

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

8. To undertake a monitoring program to review budgeting and program direction in respect to attainment of specific policies;
9. To encourage the rehabilitation of environmentally compromised land and/or buildings through appropriate remediation; and,
10. To encourage growth within settlement areas through intensification and redevelopment.

## **6.2 Community Improvement Area Selection Criteria**

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

1. Roads in need of improvement such as resurfacing and / or reconstruction;
2. A need for new or the replacement of existing sidewalks;
3. A need for new or the replacement of existing storm water drainage systems and / or a need for improved drainage on particular properties;
4. A need for new or the replacement of existing street lighting;
5. A need for new or the replacement of outdated traffic signals or traffic directional information signs;
6. A need for new or the upgrading of existing recreational facilities or lands;
7. A need for new or the upgrading of existing institutional and community facilities or lands;
8. A need for new or the upgrading of existing cultural and social facilities or lands;
9. A deficiency in the amount, variety and/or quality of housing to meet the needs of the Municipality's residents;
10. A deficiency in off-street and / or on-street parking resulting in traffic hazards and inconvenience;
11. A deficiency in the aesthetic or structural quality of streetscapes particularly in existing commercial areas; and,
12. A deficiency in traffic circulation or access.

In addition to the criteria noted above, consideration for the selection and designation of community improvement areas may also be given in circumstances where the following situations have been identified:

1. Conflicts between existing land uses;
2. Environmental problems such as flood susceptibility, noise or odour;
3. The presence of lands and/or buildings that may require detailed environmental site assessments or designated substances surveys and the implementation of appropriate and necessary remediation;
4. Man-made hazards such as level crossings, abandoned buildings, etc.;
5. In the case of vacant or under-used lots or blocks with good potential for development or redevelopment.

### **6.3 Community Improvement Areas**

The whole of the Municipality of Brighton is identified as a Community Improvement Area. It is the intent of this Plan that community improvement projects be undertaken as needed. However, prior to approving any improvement plans, Council must be satisfied that it can reasonably finance and afford the Municipality's share of any costs.

Schedule "E" identifies certain areas within the rural portion of the Municipality which have been identified previously as Community Improvement Areas "A – F". The Municipality may consider further adjustments to these areas and may identify Community Improvement Project Areas within the Brighton Urban Area by means of the passage of a By-law under Section 28 (2) of the *Planning Act*, RSO 1990 as amended, delineating CIP Project Areas. Adoption of a Community Improvement Plan for a Project Area will require the passage of a further By-law under Section 29(5), of the *Planning Act*, RSO 1990 as amended.

### **6.4 Phasing of Community Improvement**

It is the intent of this Plan that improvements be undertaken when funding is available.

### **6.5 Implementation**

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

1. Designate by By-law, any part of the Municipality of Brighton as a Community
2. Improvement Project Area(s) on the basis of the criteria outlined in Sections 6(3) and 6(4);
3. Seek public funding from federal or provincial government agencies including that available through the Ontario Heritage Act;
4. Incorporate any other relevant municipal programs into the Community
5. Improvement Plan;
6. Encourage the participation of the private sector in the implementation of the Community Improvement Plan, and encourage private initiatives regarding the rehabilitation, redevelopment, conversion and environmental remediation of lands and / or buildings and where appropriate, support infill development and redevelopment;
7. Support and encourage the participation of local community groups, service clubs, ratepayer associations and other public organizations in the implementation of the Community Improvement Plan;
8. Improve, acquire or dispose of land and/or buildings in a designated area in accordance with the Community Improvement Plan;
9. Develop and enforce a maintenance and occupancy standards by-law pursuant to the provisions of Section 15.1 of the Building Code Act;
10. Undertake the preparation of Community Improvement Plans and the
11. development of community improvement programs pursuant to Section 28 of the Planning Act; and,

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12. Consult with the Conservation Authority in circumstances involving natural hazards (flooding, erosion and dynamic beaches), natural heritage, water quality and quantity, and stormwater management.