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CITY OF BELLEVILLE

# Community Improvement Plan

**FINAL**

Revised October 2021





Table of Contents

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<b>PART 1 INTRODUCTION</b>	<b>3</b>
<b>PART 2 TOOLKIT</b>	<b>5</b>
<b>PART 3 PROGRAM AREAS</b>	<b>6</b>
<b>PART 4 GENERAL CONDITIONS</b>	<b>10</b>
4.1 Conditions Applicable to All C.I.P. Programs.....	10
4.2 Specific Conditions for Incentives Related to the Provision of Affordable Housing Units .....	12
4.3 Making an Application .....	14
<b>PART 5 INCENTIVE PROGRAMS</b>	<b>18</b>
5.1 Program 1: Affordable Rental Housing Development Charge Rebate .	18
5.2 Program 2: Affordable Rental Housing Building Permit Fee Rebate....	20
5.3 Program 3: Affordable Rental Housing T.I.E.R. - 100% Municipal Portion.....	22
5.4 Program 4: Second Units in New Construction Housing Rebate .....	24
5.5 Program 5: Second Units in Existing Housing Rebate.....	26
5.6 Program 6: Accessibility Top-Up Rebate.....	29
5.7 Program 7: Downtown Residential Above Commercial Building Permit Fee Rebate .....	30
5.8 Program 8: Downtown Residential Above Commercial T.I.E.R. - 100% Municipal Portion .....	31
5.9 Program 9: Downtown Fire Retrofitting Rebate .....	33
5.10 Program 10: Façade Improvement Design Rebate .....	34
5.11 Program 11: Façade Improvement Renovation Rebate .....	35
5.12 Program 12: Façade Improvement Renovation Rebate – Rear Façade .....	37
5.13 Program 13: Brownfield Environmental Site Assessment Rebate .....	40
5.14 Program 14: Brownfield T.I.E.R. – 50% of Municipal Portion .....	41
5.15 Program 15: Brownfield Building Permit Fees Reduction .....	43
5.16 Program 16: Brownfield Development Charge Deferral .....	45
5.17 Program 17: Brownfield Environmental Remediation Tax Cancellation Assistance.....	46
<b>PART 6 DEFINITIONS</b>	<b>48</b>

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**APPENDICES**

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Appendix A: Community Improvement Plan Goals

Appendix B: Administration

Appendix C: Façade Improvement Program Design and Improvement Criteria

Appendix D: Brownfields Program Guide

# PART 1 INTRODUCTION

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The City of Belleville is envisioned as:

*“a diverse urban and rural community strategically located on the Moira River and Bay of Quinte, providing the benefits of a high quality of life, a broad range of economic development opportunities, valued natural and cultural heritage amenities and a full range of essential services”* - City of Belleville Official Plan

While the City offers an excellent quality of life for many of its residents, there are opportunities for the City to build on its strengths while addressing its weaknesses in order to work towards its long-term vision. A Community Improvement Plan is a mechanism which allows the City to direct funds towards specific projects that encourage rehabilitation and/or development to meet specific goals. The City of Belleville Community Improvement Plan (C.I.P.) provides an opportunity for the City to encourage responsible and sustainable growth through support for development and redevelopment which fits within the context of the vision. The intention of the C.I.P. is to reduce the costs of projects which will:

1. Increase the supply of affordable rental units city-wide;
2. Increase the supply of rental units downtown;
3. Revitalize the downtown building stock; and,
4. Remediate and redevelop brownfield sites.

## How does the C.I.P. Work?

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The C.I.P. includes 17 programs which provide financial incentives for development, redevelopment, or remediation 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 of the C.I.P., as shown below:



For further information about the goals of the C.I.P., see Appendix A.

### C.I.P. Overview

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This document has been designed to be user-friendly to both applicants to C.I.P. programs, and City staff and Council who will administer the C.I.P.

An overview of the City’s “toolkit” is provided in **Part 2**.

The eligible area for each program is depicted in **Part 3**.

General conditions for the C.I.P. programs are provided in **Part 4**. As an innovation on how a C.I.P. is typically written, this section is designed so that an applicant may print and sign the pages in designated areas (or do so electronically), and submit the pages to the City 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.

Additional administrative and background and other supplementary information is provided in the **Appendices**.

## PART 2 TOOLKIT

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This C.I.P. will achieve its goals using the tools enabled by legislation and policy (See Appendix B), which allow the City to incentivize desired development, redevelopment or rehabilitation by reducing associated costs.

### C.I.P. Tools for Reducing Costs

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**Rebates:** An approved applicant receives money to reimburse incurred expenses on eligible costs to a maximum set by City Council.

**Tax Increment Equivalent Rebate (T.I.E.R.):** An approved applicant receives partial tax relief in the form of a rebate, to cover the incremental municipal tax increase that occurs when a property is improved.

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

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

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

How these tools are applied to the various financial incentive programs in the C.I.P. are discussed in the following sections of this plan.



## PART 3 PROGRAM AREAS

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To be eligible for the programs described in the C.I.P., properties must be located within the defined program areas. This section provides a table indicating the eligible program area for each incentive program. A checkmark indicates the eligibility within the defined areas of: City of Belleville, the Brownfield Priority Area, Downtown, the Downtown Façade Area, and the Downtown Façade Area with Rear Frontage on the Moira River. The program areas are depicted on Map 1, which follows the table.

**Programs 1 through 6 are intended to increase the supply of affordable rental units city-wide.**

**Programs 7 and 8 are intended to increase the supply of rental units downtown.**

**Programs 9 through 12 are intended to revitalize the downtown building stock.**

**Programs 13 through 17 are intended to remediate and redevelop brownfield.**



Table 1: Eligible program area for incentive programs

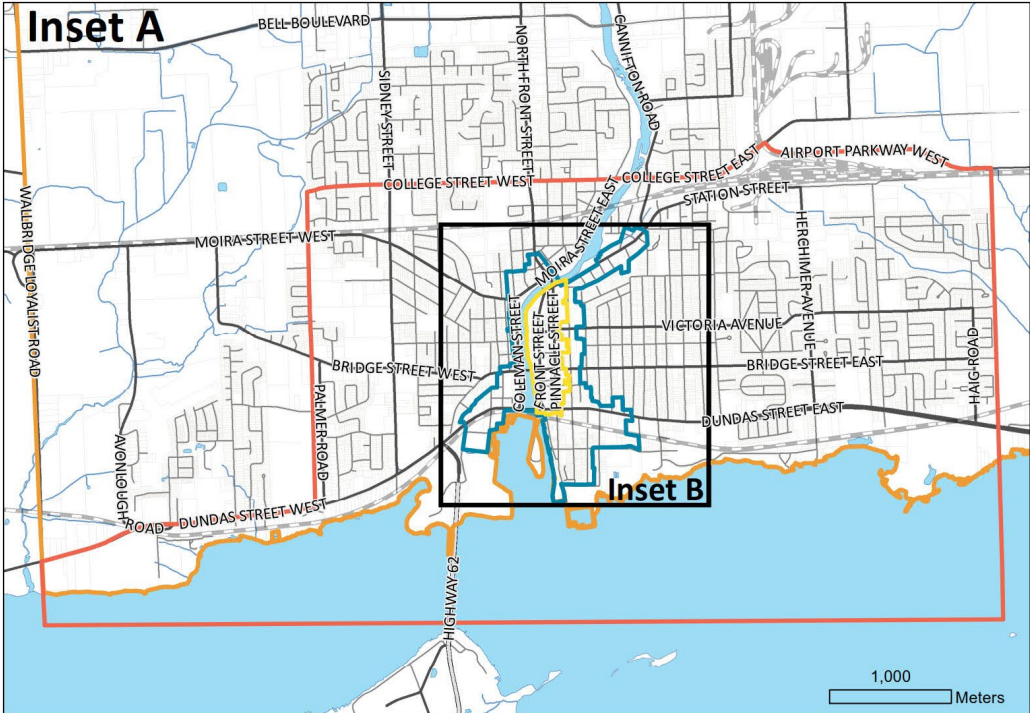
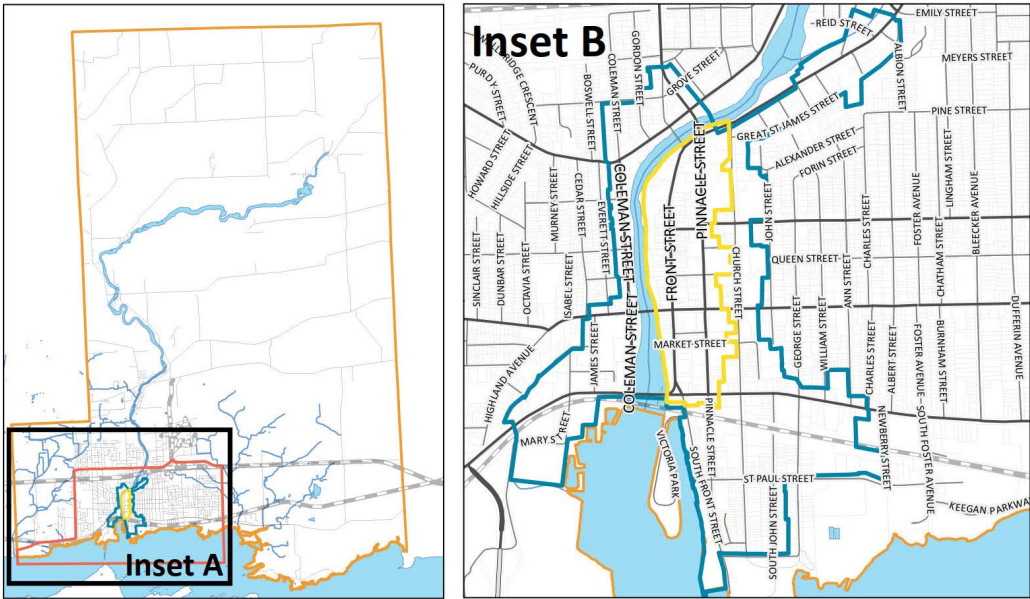
PROGRAM NAME <sup>1</sup>	CITY OF BELLEVILLE	BROWN-FIELD PRIORITY AREA	DOWN-TOWN	DOWN-TOWN FAÇADE AREA	DOWNTOWN FAÇADE AREA + REAR FRONTAGE ON THE MOIRA RIVER
1. Affordable Rental Housing D.C. Rebate	✓	✓	✓	✓	✓
2. Affordable Rental Housing Building Permit Fee Rebate	✓	✓	✓	✓	✓
3. Affordable Rental Housing T.I.E.R.	✓	✓	✓	✓	✓
4. Second Units in New Construction Rebate	✓	✓	✓	✓	✓
5. Second Units in Existing Housing Rebate	✓	✓	✓	✓	✓
6. Accessibility Top-Up Rebate	✓	✓	✓	✓	✓
7. Downtown Residential Above Commercial Building Permit Fee Rebate	-	-	✓	✓	✓

<sup>1</sup> Some program names shortened to fit Table 1.

**PROGRAM AREAS**



<b>PROGRAM NAME<sup>1</sup></b>	<b>CITY OF BELLEVILLE</b>	<b>BROWN-FIELD PRIORITY AREA</b>	<b>DOWN-TOWN</b>	<b>DOWN-TOWN FAÇADE AREA</b>	<b>DOWNTOWN FAÇADE AREA + REAR FRONTAGE ON THE MOIRA RIVER</b>
8. Downtown Residential Above Commercial T.I.E.R.	-	-	✓	✓	✓
9. Downtown Fire Retrofitting Rebate	-	-	✓	✓	✓
10. Façade Design Rebate	-	-	-	✓	✓
11. Façade Renovation Rebate	-	-	-	✓	✓
12. Façade Renovation Rebate – Rear Top-Up	-	-	-	-	✓
13. Brownfield E.S.A. Rebate	✓	✓	✓	✓	✓
14. Brownfield T.I.E.R.	-	✓	✓	✓	✓
15. Brownfield Building Permit Fees Reduction	-	✓	✓	✓	✓
16. Brownfield D.C. Deferral	-	✓	✓	✓	✓
17. Brownfield Remediation Tax Cancellation Assistance	-	✓	✓	✓	✓

Map 1: Program Areas



<b>CITY OF BELLEVILLE</b> Community Improvement Plan  <b>Community Improvement Plan Area</b>  Final Draft DATE: December 2020	Municipal Boundary	Parcels	Minor Road
	Brownfield Priority Area	Highway	Ramp
	Downtown	Major Road	Watercourse
	Facade Improvement Area		

NOTE:  
 MAP DRAWING INFORMATION:  
 DATA PROVIDED BY MNR, CITY OF BELLEVILLE  
 MAP PROJECTION: NAD 1983 UTM Zone 18N

# PART 4 GENERAL CONDITIONS

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This section provides the conditions which apply to all the C.I.P. programs contained herein (Section 4.1), and the additional conditions which apply to programs which are contingent upon the creation of affordable rental units (4.2). Section 4.3 provides guidance on making an application to the City for a C.I.P. program.

## 4.1 CONDITIONS APPLICABLE TO ALL C.I.P. PROGRAMS

- 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 Official Plan, Zoning By-law, Council approved design guidelines, and other planning requirements.
- 3) All improvements shall be made pursuant to a building permit, and constructed in accordance with the *Ontario Building Code* where required.
- 4) 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.
- 5) There shall be no outstanding work orders issued by the City 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.
- 6) During preparation of its annual budget City Council will determine the contribution to be made available to the various programs under this C.I.P. for the following year. The financial incentive programs available under this C.I.P. will be administered by City staff within the budget established by Council. Projects will not be approved that result in over-expenditure to what has been allocated to the C.I.P.'s program(s) by City Council.
- 7) The City is not responsible for any costs incurred by an applicant in relation to applying for any of the incentive programs.

- 8) Incentive programs will not apply to any required performance securities (i.e. Letter of Credit) posted by the proponent, to expenses incurred by the applicant because of a Local Planning Appeal Tribunal or Court proceedings, or to required professional studies (unless these professional studies are specifically identified as eligible for funding under a program, for example, the Phase II E.S.A. for the Brownfield E.S.A. Rebate).
- 9) The City reserves the right to audit any studies and/or works approved under an incentive program.
- 10) If the applicant is in default of any program requirement, or any other requirement of the City, the City may delay, suspend, cancel, or reduce the amount of its program approval and/or the financial incentive(s).
- 11) The City may, at its discretion, and without further amendment to the C.I.P., extend or discontinue any program when and as it deems 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 City and subject to available funding approved by the City.
- 12) No application is guaranteed an approval, the City has full authority over all decisions, and final decisions with respect to applications and the allocation of funds shall be made in accordance with Appendix B, Table 2: Approval Authority by Program.
- 13) As a condition of approval, the applicant and/or owner of the property may be required to enter into agreements with the City. Depending on the nature of the program applied for, these agreements may be registered on the title of the applicable property. The agreement may be made with respect to terms, duration, default, penalty, and termination provisions of the financial incentive.
- 14) Funding will only be provided until after agreement is executed, if required, and once all other conditions have been met.
- 15) If the funding is recurring over multiple years, then funding will only be issued if appropriate documentation is provided and accepted by the City each year, as required.

16) Works commenced after submitting an application but prior to application approval are done at the applicant’s risk.

17) 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 City 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 1-17 above.

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

#### 4.2 SPECIFIC CONDITIONS FOR INCENTIVES RELATED TO THE PROVISION OF AFFORDABLE HOUSING UNITS

The C.I.P. 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, thereby returning long-term affordable housing benefits to the community.

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 housing units (i.e., Programs 1, 2, and 3 in this C.I.P.).

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 City made with the following considerations:
  - a) Every development which receives a benefit through the program(s) shall have units that meet the program’s Guideline on Affordable Rental Rates, as amended from time to time;
  - b) The agreement must be registered on title, and the cost of doing so is the applicant’s responsibility or property owner’s responsibility;
  - c) 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;

- d) The housing provider must annually provide a statement to the City of Belleville Policy Planning & Approvals Planning section confirming that each unit remains affordable;
  - e) If the housing provider does not carry out its obligations under the agreement, the housing provider shall pay to the City the entire amount of benefits conveyed under the agreement, together with any applicable costs and interest;
  - f) The agreement will contain such other contractual provisions which are required to be inserted based on fundamental contractual drafting principles satisfactory to the City of Belleville; and,
  - g) 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 condition above.

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



## 4.3 MAKING AN APPLICATION

### 4.3.1 APPLICATION PROCESS

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

1. **Pre-application consultation:** Schedule a meeting with City 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. City 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 City 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 City.
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 City 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 City Council.

### 4.3.2 COMPLETE APPLICATION

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At the discretion of the City, applicants to C.I.P. 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; and,
- 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 C.I.P., compliance with all relevant City By-laws, and adherence to all applicable law.

### **4.3.3 APPLICATION INTAKE PERIODS**

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

#### **Spring Intake**

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Applications received before March 31<sup>st</sup> of a given year will be evaluated at the City'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 back-dated; 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 that outside of the C.I.P. intake period and will remain eligible as long as their S.P.A. has not been approved (i.e., the S.P.A. agreement has not been signed).

Applications under Programs 10, 11 and 12 may be evaluated on an ongoing basis beginning from the March 31<sup>st</sup> Spring Intake date. Approved rebates under these programs will be awarded on a first come, first served basis. A maximum of one (1) application is permitted in a calendar year.

## Fall Intake

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Should there be available funding remaining 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 City's discretion.

The Fall Intake Period will also consider applications under Programs 10, 11 and 12 for properties that have received funding within the last five (5) years. During the Fall Intake Period, applications under Program 12 may be considered for any property with a secondary façade that is visible from a public space.

### 4.3.4 FREQUENTLY ASKED QUESTIONS

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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 C.I.P. 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.

In all situations, it is important to note that the total of all incentives cannot exceed the eligible 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 C.M.H.C.)?**

The City encourages proponents of eligible projects to seek out other incentives, and as a result will not limit eligibility to C.I.P. 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 City staff to discuss the timing of their project.

**4. What if I have previously received funding under the old façade improvement program (C.I.P. dated 2001)?**

Programs 10, 11, and 12 will be open to all eligible properties. If a property was approved under the old program and an agreement has been signed with the City, a new application may not be made until the conditions have been fulfilled, or the term of the agreement has elapsed.

Applicants are encouraged to schedule a pre-application consultation with City staff to discuss the merits of their project if they have previously received funding.

# PART 5 INCENTIVE PROGRAMS

## 5.1 PROGRAM 1: AFFORDABLE RENTAL HOUSING DEVELOPMENT CHARGE REBATE

### Is your property eligible?

New apartment buildings which result in the creation of **affordable rental unit(s)** are eligible to receive a rebate for development charges associated with the development.

### Do you meet these criteria?

A developer may apply for a rebate on development charges for **affordable rental units**. The assistance will be in the form of providing a rebate equivalent to 100% of the development charges associated with new **affordable rental units**, calculated based on the proportion of units which are affordable, meeting the criteria outlined below:

*If you are an applicant, please place a checkmark (✓) in the applicable boxes below.*

#### Program 1 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
- Unit(s) created will be affordable rental unit(s) (see Section 4.2) AND

#### One of the following:

- A new mid-rise or high-rise apartment building will be built consisting entirely of affordable rental unit(s): 100% of development charges are eligible for rebate OR
- A new mid-rise or high-rise apartment building will be built consisting partly of affordable units: rebate is prorated based on the percentage of affordable rental units to total units<sup>2</sup>.

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<sup>2</sup> For example if 9 units out of a 12 unit building will be affordable, then 75% of the development charges are eligible for rebate.

**Additional Considerations**

Only the municipal portion of development charges are rebated, and furthermore they are not waived outright. 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.

Fees associated with any other municipal processes, or outside agencies are not subject to the rebate.

## 5.2 PROGRAM 2: AFFORDABLE RENTAL HOUSING BUILDING PERMIT FEE REBATE

### Is your property eligible?

New second units or new apartment buildings which result in the creation of **affordable rental unit(s)** are eligible to receive a rebate for fees associated with applications for Building Permit approval.

### Do you meet these criteria?

A developer and/or homeowner may apply for a rebate on building permit fees for **affordable rental unit(s)**. The assistance will be in the form of providing a rebate equivalent to 100% of the building permit fees associated with the **affordable rental unit(s)**, calculated based on the proportion of units which are affordable, meeting the criteria outlined below:

*If you are an applicant, please place a checkmark (✓) in the applicable boxes 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 Building Permit approval AND
- Unit(s) created will be affordable rental unit(s) (see Section 4.2) AND

#### One of the following:

- You are the homeowner and a new legal second unit will be built: 100% of building permit fees eligible for rebate OR
- You are the developer and a new mid-rise or high-rise apartment building will be built consisting entirely of affordable rental unit(s): 100% of building permit fees eligible for rebate OR
- You are the developer and a new mid-rise or high-rise apartment building will be built consisting partly of affordable rental units: rebate is prorated based on the percentage of affordable units to total units<sup>3</sup>.

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<sup>3</sup> For example if 9 units out of a 12 unit building will be affordable, then 75% of the building permit fees are eligible for rebate.



**Additional Considerations**

Although the building permits fees are rebated, they are not waived outright. Fees 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.

Fees associated with any other municipal processes, or outside agencies are not subject to the rebate.

### 5.3 PROGRAM 3: AFFORDABLE RENTAL HOUSING T.I.E.R. - 100% MUNICIPAL PORTION

#### Is your property eligible?

New second units or new apartment buildings which result in the creation of **affordable rental unit(s)** are eligible to receive a Tax Increment Equivalent Rebate (T.I.E.R.). This program shields a developer or homeowner from the municipal portion of tax increases which occur as a result of the development of **affordable rental unit(s)** for 10 years.

#### Do you meet these criteria?

In the event that the creation of new **affordable rental unit(s)** results in an increase of the property's assessed value, a developer or homeowner may apply for the rebate equal to 100% of the increase in the municipal portion of property tax payments as a result of a reassessment for a period of 10 years, where they meet the criteria outlined below:

*If you are an applicant, please place a checkmark (✓) in the applicable boxes below.*

#### Program 3 Criteria:

- 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 AND
- The applicant will provide the City with a copy of the reassessment of the property by M.P.A.C., photographs of the building/unit(s) showing the completed project, and other relevant drawings or documentation in support of the completed project, or as required by the City, in order to receive the rebate AND
- The applicant will not file a property tax appeal while receiving the rebate under this program AND
- Unit(s) created will be affordable rental unit(s) (see Section 4.2)

**Additional Considerations**

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.

Although the municipal property taxes are rebated, they are not waived outright. 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.

## 5.4 PROGRAM 4: SECOND UNITS IN NEW CONSTRUCTION HOUSING REBATE

### Is your property eligible?

Home buyers who choose to include a second unit in the purchase of a newly constructed home (i.e., the home builder constructs the second unit while building the new house) are eligible to receive a rebate for a fixed amount of construction costs. The intention of this incentive is to encourage home buyers to consider the inclusion of a second unit during the construction of their home, for two inter-related reasons; firstly, having a renter helps provide income to the homeowner which in turn helps improve the overall affordability of the new home, and secondly, the new second unit adds much-needed rental housing stock to the City.

A newly constructed home is a home that has been issued a Certificate of Completion under the Ontario New Home Warranties Plan Act (Tarion certificate) with a date that is on or after the date this C.I.P. formally comes into effect.

### Do you meet these criteria?

A homeowner may apply for a \$2,500 rebate for the purchase of a new dwelling which includes a **legal second unit**, meeting the criteria outlined below:

*If you are an applicant, please place a checkmark (✓) in the applicable boxes below.*

#### **Program 4 Criteria:**

- The property is within the eligible area (see Part 3) AND**
- The applicant purchased a new house which includes a legal second unit, supported by proof of purchase proof of completed work, and the Tarion certificate AND**
- The second unit meets the gross floor area (G.F.A.) guidelines AND**
- A complete application is received by the City within one (1) year of the closure of the sale of the house AND**
- Proof that the primary dwelling unit is owner-occupied AND**
- Proof that the rental unit is occupied (copy of signed lease agreement, a copy of cleared cheques for first and last month's rent, and contact information for the tenant) have been submitted to the City within one (1) year of the closure of the sale of the house.**

### **Additional Considerations:**

The second unit does not need to meet the description of affordable contained within this document. The second unit must be a bonafide rental housing unit for five (5) years and must not be marketed as short-stay accommodation (i.e., must not be listed on a website such as AirBnB, Tripping.com, VRBO, etc.) or the rebate will have to be repaid to the City. Similarly, the home must be owner-occupied for the same duration, or the rebate will have to be repaid to the City.

The City may establish a guideline on the maximum gross floor area (G.F.A.) for different types of second units (e.g., studio, one bedroom, two bedroom, and three bedroom second units, as well as basement apartments and garden suites) eligible for the rebate. Applicants are encouraged to confirm requirements with the City before applying.

## 5.5 PROGRAM 5: SECOND UNITS IN EXISTING HOUSING REBATE

### Is your property eligible?

Existing dwellings which are renovated to include a new **legal second unit** will be eligible to receive a rebate.

### Do you meet these criteria?

**Rebate 1:** Homeowners who have a new **legal second unit** added to their existing home<sup>4</sup> 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 a 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 a 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.

**Rebate 2:** Homeowners who receive Rebate 1, are eligible for an additional maximum rebate of \$2,000 for construction costs where it can be proven that more than \$30,000 was spent in professional contractor labour and contractor-supplied materials to construct the new **legal second unit**. Eligible contractor-supplied material costs do not include finishes (specifically kitchen cabinets, kitchen countertops, finished flooring, plumbing fixtures, or lighting fixtures)<sup>5</sup> or unit furnishings (e.g., furniture, décor, etc.).

Criteria are provided on the following page:

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<sup>4</sup> For certainty, a second unit in a separate building from the principal dwelling (e.g., garden suite), would be eligible.

<sup>5</sup> The property owner is free to choose the finishes desired for the second unit; however, the City acknowledges that the cost of finishes are highly variable, so excluding them from the eligibility calculation allows the City to validate that the core cost of providing the second unit has met the eligibility threshold.

*If you are an applicant, please place a checkmark (✓) in the applicable boxes below.*

**Program 5 Criteria:**

- The property has never received funding under Program 4 AND
- The property is within the eligible area (see Part 3) AND
- The second unit meets the gross floor area (G.F.A.) guidelines AND
- Application is received in writing at the time of making the application for a Building Permit approval AND
- Proof is provided to the City that the primary dwelling unit is owner-occupied AND

**Rebate 1:**

- The required drawings or studies being claimed for Rebate 1 are submitted to the City in support of a Building Permit application for the legal second unit AND
- Proof of paid invoices for the professional fees for required drawings or studies for the legal second unit have been submitted to the City within one (1) year of the latest invoice date AND/OR

**Rebate 2:**

- Proof of paid invoices for the construction of the legal second unit which demonstrate a total investment of no less than \$30,000 in eligible costs, submitted to the City within one (1) year of substantial occupancy
- Proof that the rental unit is occupied (copy of signed lease agreement, and a copy of cleared cheques for first and last month's rent, and contact information for the tenant) have been submitted to the City within one (1) year of the latest invoice date

**Additional Considerations:**

The second unit does not need to meet the description of affordable contained within this document. The second unit must be a bonafide rental housing unit for five (5) years and must not be marketed as short-stay accommodation (i.e., must not be listed on a website such as AirBnB, Tripping.com, VRBO, etc.) or the rebate will have to be repaid to



the City. Similarly, the home must be owner-occupied for the same duration, or the rebate will have to be repaid to the City

The City may establish a guideline on the maximum G.F.A. for different types of second units (e.g., studio, one bedroom, two bedroom, and three bedroom second units, as well as basement apartments and garden suites) eligible for the rebate. Applicants are encouraged to confirm requirements with the City before applying.

## 5.6 PROGRAM 6: ACCESSIBILITY TOP-UP REBATE

### Is your property eligible?

New **legal 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 these criteria?

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

*If you are an applicant, please place a checkmark (✓) in the applicable boxes below.*

#### Program 6 Criteria:

- 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 AND
- Unit created is designed to be barrier-free, as confirmed during the building permitting stage AND
- 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 City 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 second unit AND/OR
- Unit is an affordable rental unit (see Section 4.2)

#### **Additional Considerations:**

The City 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.

## 5.7 PROGRAM 7: DOWNTOWN RESIDENTIAL ABOVE COMMERCIAL BUILDING PERMIT FEE REBATE

### 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 C.I.P. 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:

*If you are an applicant, please place a checkmark (✓) in the applicable boxes below.*

#### **Program 7 Criteria:**

- 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 Building Permit approval AND**
- 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.

Fees associated with any other municipal processes, or outside agencies will be required to be paid and are not subject to rebate.

**5.8 PROGRAM 8: DOWNTOWN RESIDENTIAL ABOVE COMMERCIAL T.I.E.R. - 100% MUNICIPAL PORTION**

**Is your property eligible?**

New buildings and upgrades to existing buildings which result in the creation of new residential unit(s) above commercial ground floors are eligible to receive a Tax Increment Equivalent Rebate (T.I.E.R.). This program shields a developer from the municipal portion of tax increases which occur as a result of the development of the residential unit(s) above a commercial use, for 10 years.

**Do you meet these criteria?**

In the event that Improvements which result in new residential unit(s) above a commercial ground floor use results in an increase of the property’s assessed value, a developer may apply for the rebate equal to 100% of the increase in the municipal portion of property tax payments as a result of a reassessment for a period of 10 years, where they meet the criteria outlined below:

*If you are an applicant, please place a checkmark (✓) in the applicable boxes below.*

**Program 8 Criteria:**

- 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 AND**
- Unit(s) created are above a commercial ground floor use AND**
- The applicant will provide the City with a copy of the reassessment of the property by M.P.A.C., photographs of the building/unit(s) showing the completed project, and other relevant drawings or documentation in support of the completed project, or as required by the City, in order to receive the rebate AND**
- The applicant will not file a property tax appeal while receiving the rebate under this program**

### **Additional Considerations**

An approved applicant will be required to provide the City with a copy of the reassessment of the property by M.P.A.C., photographs of the building/unit(s) showing the completed project, and other relevant drawings or documentation in support of the completed project, or as required by the City.

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 residential unit remains and is not converted into a non-residential use.

Tax assistance is subject to the residential portion of the building only.

Although the municipal property taxes are rebated, they are not waived outright. 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 and proof that the unit remains for residential use (i.e., is not converted to commercial space).

Any other taxes paid are not subject to the rebate.

## 5.9 PROGRAM 9: 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 these criteria?

Developers/landowners may apply for a rebate on eligible costs associated with fire retrofitting. The assistance will be in the form 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 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:

*If you are an applicant, please place a checkmark (✓) in the applicable boxes below.*

#### **Program 9 Criteria:**

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

## 5.10 PROGRAM 10: FAÇADE IMPROVEMENT DESIGN REBATE

### Is your property eligible?

Commercial or institutional properties within the Downtown Façade Area 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.

### Do you meet these criteria?

A property owner or tenant of a building zoned for commercial 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:

*If you are an applicant, please place a checkmark (✓) in the applicable boxes below.*

#### **Program 10 Criteria:**

- The property is within the eligible area (see Part 3) AND**
- The application is received in writing following a pre-consultation meeting with City staff AND**
- The design prepared is in full compliance with the Façade Improvement Program Design and Improvement Criteria (Appendix C) AND**
- 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 City that a delay is due to the limited availability of specialized contractors AND**
- 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 City within one (1) year of the latest invoice date**

### **Additional Considerations**

Applications which address traditional façades will be evaluated first.

At the City'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; and,
- Elevation drawings to illustrate the full scope of the proposed façade improvements.

### 5.11 PROGRAM 11: FAÇADE IMPROVEMENT RENOVATION REBATE

#### Is your property eligible?

Commercial or institutional properties within the Downtown Façade Area which undergo improvements to rehabilitate and improve the façades are eligible to receive a rebate for costs associated with the renovation.

#### Do you meet these criteria?

A property owner or tenant of a building zoned for commercial or institutional use may apply for a rebate for up to 50% of the cost of façade improvements that satisfy design criteria set out in this document, to a maximum of \$12,000, meeting the criteria below:

*If you are an applicant, please place a checkmark (✓) in the applicable boxes below.*

#### Program 11 Criteria:

- The property is within the eligible area (see Part 3) AND
- The property has received Façade Improvement funding through the City within the previous five (5) years:
  - No
  - Yes (may only apply during Fall Intake Period) AND
- The application is received in writing prior to the commencement of work AND
- All proposed work is in compliance with all Façade Improvement Program Design and Improvement Criteria (Appendix C) AND
- The applicant agrees to enter into an agreement with the City, 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



*If you are an applicant, please place a checkmark (✓) in the applicable boxes below.*

**Program 11 Criteria:**

- To receive the rebate, proof will be provided that renovations have been completed in compliance with the Façade Improvement Program Design Improvement Criteria (Appendix C) and the terms of any agreements with the City AND
- Proof of paid invoices for work undertaken will be submitted to the City within one (1) year of the latest invoice date AND

**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
- 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**

It is the City’s preference that 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 City may accept a single quote. Where one quote is provided, it may be subject to a comparison with invoices for similar projects where available.

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

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 City will issue the rebate to the tenant rather than the owner.

## 5.12 PROGRAM 12: FAÇADE IMPROVEMENT RENOVATION REBATE – REAR FAÇADE

### Is your property eligible?

Commercial or institutional properties within the Downtown Façade Area which undergo improvements to rehabilitate and improve the façades which front the Moira River are eligible to receive a rebate for costs associated with the renovation.

### Do you meet these criteria?

A property owner or tenant of a building zoned for commercial or institutional use may apply for a rebate for up to 50% of the cost of rear façade improvements, to a maximum of \$10,000, meeting the criteria below:

*If you are an applicant, please place a checkmark (✓) in the applicable boxes below.*

#### Program 12 Criteria:

- The property is within the eligible area (see Part 3) AND
- The property has:
  - Rear frontage along the Moira River; OR
  - A secondary façade not along the Moira River but visible from a public space. (Fall Intake Period Only) AND
- The application is received in writing prior to the commencement of work AND
- All proposed work is consistent with all Façade Improvement Program Design and Improvement Criteria (Appendix C)<sup>6</sup> AND
- The applicant agrees to enter into an agreement with the City, 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
- If the property received Façade Improvement funding through the City within the previous five (5) years, the application may only be submitted during the Fall Intake Period.

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<sup>6</sup> The City expects applicants to treat the rear façade as a front façade that faces the Moira River/Riverfront Trail rather than a street. The City expects that the design criteria will be applied to the rear façade with the same diligence as if it was a front façade facing a street.

*If you are an applicant, please place a checkmark (✓) in the applicable boxes below.*

**Program 12 Criteria:**

- To receive the rebate, proof will be provided that renovations to the façade facing the Moira River have been completed in conformity<sup>7</sup> with the Façade Improvement Program Design and Improvement Criteria (Appendix C) and the terms of any agreements with the City**
- Proof of paid invoices for work undertaken is submitted to the City within one year of the latest invoice date AND**

**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**
- 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**

It is the City's preference that 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 City may accept a single quote. Where one quote is provided, it may be subject to a comparison with invoices for similar projects where available.

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

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<sup>7</sup> While the Façade Improvement Program requires compliance with the criteria in Appendix C, the renovations to the Moira River façade are expected to be in conformity with Appendix C. This is because the guidelines/criteria in Appendix C were authored for the front of a building rather than the rear; however, it is expected that the spirit and intent of the guidelines/criteria in Appendix C can be achieved for the rear building façades facing the Moira River.

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 City will issue the rebate to the tenant rather than the owner.

**5.13 PROGRAM 13: BROWNFIELD ENVIRONMENTAL SITE ASSESSMENT REBATE****Is your property eligible?**

Redevelopment and renovation of brownfield sites anywhere within the City of Belleville requiring a Phase II Environmental Site Assessment are eligible to receive a rebate for fees associated with that Phase II E.S.A. and the development of a Remediation Action Plan.

**Do you meet these criteria?**

A landowner/developer may apply for a rebate on fees for a Phase II E.S.A. study. The assistance will be in the form of providing a grant of up to \$25,000 per study or 50% of the cost of the E.S.A., whichever is less. There is a maximum eligibility of two studies per property totalling up to \$40,000 in grants. Criteria are provided below:

*If you are an applicant, please place a checkmark (✓) in the applicable boxes below.*

**Program 13 Criteria:**

- The property is within the eligible area (see Part 3) AND**
- Provide a Phase I E.S.A. conducted by a Qualified Person indicating a requirement for a Phase II E.S.A.**

**Additional Considerations**

All study fees are to be paid to the qualified consultant by the proponent. In order to receive the rebate(s) the proponent must submit the relevant invoices to the City.

Based on the principle of achieving maximum leverage of non-City funds, applicants who identify other sources of financial assistance for environmental site assessments will be given preference in the allocation of funds. Total combined assistance toward the costs of environmental site assessment from all public sources will not exceed 50% of total costs. City funding will be the funding of last resort where other sources of public assistance exist.

**5.14 PROGRAM 14: BROWNFIELD T.I.E.R. – 50% OF MUNICIPAL PORTION****Is your property eligible?**

Brownfield sites undergoing remediation within the Brownfield Priority Area are eligible for a rebate offsetting the increased tax associated with the change in property valuation following redevelopment (the incremental property tax increase).

**Do you meet these criteria?**

A landowner may apply for an annual rebate equivalent to up to 50% of the municipal portion of the incremental tax increase or total remediation costs, whichever is less. The maximum duration of this rebate is 10 years or when the cumulative rebate equals the total eligible costs. There is a limit of one rebate per property. Affordable housing projects may be prioritized and will be eligible for greater assistance for remediation costs. Criteria are provided below:

*If you are an applicant, please place a checkmark (✓) in the applicable boxes below.*

**Program 14 Criteria:**

- The property is within the eligible area (see Part 3) AND**
- Site is comprised of privately-owned lands proposed for development or redevelopment AND**
- There is a need for remediation, defined as a site with a Phase II E.S.A. which indicates that site conditions do not meet standards (under the Environmental Protection Act) to permit filing of a Record of Site Condition.**

**Eligible Costs**

- Environmental remediation and costs of achieving acknowledgement of a Record of Site Condition by the M.E.C.P. and Certificate of Property Use as may be required. This includes both remedial action plans and risk management plans, and implementation costs;
- Waste transfer to landfill and tipping fees for contaminated soils land fill;
- Fill and grading to replace contaminated soils;
- Demolition of existing buildings or structures;

- Site development and infrastructure work including improvement or reconstruction of existing on-site infrastructure and development, triggered by the existence of contamination and requirements for remediation;
- Legal fees directly related to site investigation, remediation and filing of a Record of Site Condition and compliance with any Certificate of Property Use.
- Insurance premiums for Cost Cap Insurance and Pollution Legal Liability (P.L.L.) Insurance;
- Ongoing site environmental monitoring and management (part of risk management strategies); and
- Interim financing costs (interest and financing fees) related to eligible costs. Long-term debt financing costs are not eligible.

### **Additional Considerations**

The landowner/developer pays for the full cost of remediation and rehabilitation as well as the resulting annual increase in property tax, which is then rebated if the application is accepted.

The rebate is assignable by the owner of the property to another party (subsequent owner, tenant or other assignment) at any time during the period of the agreement. Should the original owner transfer its interest in the property, the rebate can, with the agreement of the municipality, continue to be assigned to the original owner for the duration of the rebate period.

The maximum amount of the rebate in any year is limited to the value of the work undertaken under eligible costs in that year or the increase in municipal property tax on the property compared to the base (before redevelopment) property tax, whichever is less. Eligible costs not reimbursed in the year they are incurred can be rolled-over to subsequent years.

**5.15 PROGRAM 15: BROWNFIELD BUILDING PERMIT FEES REDUCTION**

**Is your property eligible?**

Brownfield sites undergoing redevelopment in need of remediation within the Brownfield Priority Area are eligible to receive a rebate for fees associated with applications for Building Permit approval.

**Do you meet these criteria?**

A developer and/or landowner may apply for a rebate on building permit fees for a development on land that requires remediation. The assistance will be in the form of providing a rebate equivalent to 50% of the building permit fees associated with the development up to the cost of remediation. The maximum rebate is \$50,000. Criteria are provided below:

*If you are an applicant, please place a checkmark (✓) in the applicable boxes below.*

**Program 15 Criteria:**

- The property is within the eligible area (see Part 3) AND**
- Site is comprised of privately-owned lands proposed for development or redevelopment AND**
- There is a need for remediation, defined as a site with a Phase II E.S.A. which indicates that site conditions do not meet standards (under the Environmental Protection Act) to permit filing of a Record of Site Condition**

**Eligible Costs**

- Environmental remediation and costs of achieving acknowledgement of a Record of Site Condition by the M.E.C.P. and Certificate of Property Use as may be required. This includes both remedial action plans and risk management plans, and implementation costs;
- Waste transfer to landfill and tipping fees for contaminated soils land fill;
- Fill and grading to replace contaminated soils;
- Demolition of existing buildings or structures;
- Site development and infrastructure work including improvement or reconstruction of existing on-site infrastructure and development, triggered by the existence of contamination and requirements for remediation;



- Legal fees directly related to site investigation, remediation and filing of a Record of Site Condition and compliance with any Certificate of Property Use.
- Insurance premiums for Cost Cap Insurance and Pollution Legal Liability (P.L.L.) Insurance;
- Ongoing site environmental monitoring and management (part of risk management strategies); and,
- Interim financing costs (interest and financing fees) related to eligible costs. Long-term debt financing costs are not eligible.

### **Additional Considerations**

Although the building permits fees are rebated, they are not waved outright. Fees are to be paid in advance and are to be reimbursed upon successful completion, approval of an application and substantial occupancy.

Fees associated with any other municipal processes, or outside agencies are not subject to the rebate.

Applicants receiving a rebate under this program are ineligible to receive the rebate under the Downtown Residential Above Commercial Building Permit Fee Rebate program.

**5.16 PROGRAM 16: BROWNFIELD DEVELOPMENT CHARGE DEFERRAL****Is your property eligible?**

Brownfield sites undergoing redevelopment in need of remediation within the Brownfield Priority Area are able to postpone the cost of Development Charges (D.C.) through a Development Charge deferral. The development proposal must not be eligible for DC annual installment payments under Bill 108 – at this point this means rental housing, institutional, commercial, and industrial developments are not eligible.

**Do you meet these criteria?**

A developer and/or landowner may apply for a deferral of up to 50% of the Development Charge for a period of up to 18 months without interest, subject to a Deferral Agreement. Criteria are provided below:

*If you are an applicant, please place a checkmark (✓) in the applicable boxes below.*

**Program 16 Criteria:**

- The property is within the eligible area (see Part 3) AND**
- Site is comprised of privately-owned lands proposed for development or redevelopment AND**
- There is a need for remediation, defined as a site with a Phase II E.S.A. which indicates that site conditions do not meet standards (under the Environmental Protection Act) to permit filing of a Record of Site Condition**

## 5.17 PROGRAM 17: BROWNFIELD ENVIRONMENTAL REMEDIATION TAX CANCELLATION ASSISTANCE

### Is your property eligible?

Brownfield sites undergoing remediation within the Brownfield Priority Area are eligible for a cancellation of the property tax increase resulting from remediation and redevelopment. Under the Brownfields Financial Tax Incentive Program (B.F.T.I.P.) municipalities can get matching provincial tax cancellation assistance.

### Do you meet these criteria?

A landowner may apply for annual tax cancellation assistance, limited to the increase in property tax over the established “base” tax. Criteria are provided below:

*If you are an applicant, please place a checkmark (✓) in the applicable boxes below.*

#### **Program 17 Criteria:**

- The property is within the eligible area (see Part 3) AND**
- Site is comprised of privately-owned lands proposed for development or redevelopment AND**
- There is a need for remediation, defined as a site with a Phase II E.S.A. which indicates that site conditions do not meet standards (under the Environmental Protection Act) to permit filing of a Record of Site Condition.**

### Eligible Costs

- Environmental remediation and costs of achieving acknowledgement of a Record of Site Condition by the M.E.C.P. and Certificate of Property Use as may be required. This includes both remedial action plans and risk management plans, and implementation costs;
- Waste transfer to landfill and tipping fees for contaminated soils land fill;
- Fill and grading to replace contaminated soils;
- Demolition of existing buildings or structures;
- Site development and infrastructure work including improvement or reconstruction of existing on-site infrastructure and development, triggered by the existence of contamination and requirements for remediation;

- Legal fees directly related to site investigation, remediation and filing of a Record of Site Condition and compliance with any Certificate of Property Use.
- Insurance premiums for Cost Cap Insurance and Pollution Legal Liability (P.L.L.) Insurance;
- Ongoing site environmental monitoring and management (part of risk management strategies); and,
- Interim financing costs (interest and financing fees) related to eligible costs. Long-term debt financing costs are not eligible.

### **Additional Considerations**

The specifics of any tax assistance will be identified in a municipal by-law which establishes the date that such tax assistance commences and the date of expiry of the assistance.

The matching education portion tax assistance is limited to the earlier of a 36-month consecutive period or the date that tax assistance equals the costs of remediation necessary to permit filing of a Record of Site Condition and the cost of complying with any certificate of property use issued under Section 168.6 of the Environmental Protection Act.

The matching education portion must be applied for by the municipality and is provided upon approval by the Minister of Finance.

Assistance under this program terminates upon transfer of title to the property, severance or subdivision. In the case of severance and subdivision of land, termination of the program applies only to those parts of the original land holding which are severed or subdivided to other owners.

## PART 6 DEFINITIONS

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**Actual remediation costs:** The actual costs to remediate the Lands, proven by the Owner to have been incurred. These are costs deemed to be eligible for program assistance, and are verified as such to the satisfaction of the City.

**Affordable:** A unit for which the rent is at or below the average rent of a unit in the regional market area as determined by the Canada Mortgage and Housing Corporation (C.M.H.C.).

**Affordable rental unit:** A rental unit which meets the definition of affordable.

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

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

**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.

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

**Brownfields Financial Tax Incentive Program (B.F.T.I.P.):** A financing tool established under the authority of section 365.1 of the Municipal Act, 2001 that allows municipalities to provide property tax assistance to landowners as an incentive for environmental rehabilitation. The Minister of Finance can also approve matching education property tax assistance for eligible properties under this program.

**Building permit:** Applications to the City of Belleville for Building Permit approval under the Ontario *Building Code Act*.

**City of Belleville Community Improvement Plan (C.I.P.):** All of Parts 1 to 6 of this plan, including Table 1 and Map 1, Appendix A (C.I.P. 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.

**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 City as provided for in an Agreement and subject to all program protocols and conditions as stated in the Agreement and the C.I.P.

**Environmental Protection Act (E.P.A.):** The Act which provides for the protection and conservation of the natural environment. With respect to brownfield redevelopment, the Act sets out the requirements for the assessment and clean-up of a property and the filing of a Record of Site Condition (R.S.C.) and includes provisions reducing the potential liability from orders for property owners after a Record of Site Condition has been filed.

**Environmental Site Assessment:** The assessment of the environmental condition of the land including the soil, ground water and sediment, if any. It is required in order to file an R.S.C. in Ontario's Environmental Site Registry (Part XV.1 of the E.P.A.).

**Guideline on Affordable Rental Rates:** A document prepared and updated annually by City 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 second unit:** A second unit which is in compliance with the Official Plan and all relevant City of Belleville By-laws, and adheres to all applicable law. The City of Belleville may require, at its discretion, evidence of current condition of second units via photos

or video; site plan or conceptual plan; and/or, other reports or drawings, to confirm compliance.

**Municipal portion:** Taxes arising from that element of the total tax rate, set annually, which supports expenditures by the City of Belleville as a single tier municipality.

**Phase I E.S.A.:** The study conducted to determine the likelihood that one or more contaminants have affected all or part of a property. The specific requirements for carrying out a Phase I E.S.A. are set out in Part VII of the Ontario Regulation 153/04.

**Phase II E.S.A.:** The study conducted to determine the location and concentration of one or more contaminants in the natural environment. The specific requirements for carrying out a Phase II E.S.A. are set out in Part VIII of the Ontario Regulation 153/04.

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

**Qualified Person:** means a person that meets the qualification requirements specified by Ontario Regulation 153/04.

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

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

**Remediation Plan:** Remediation Works and any Risk Management Plan developed for the lands. Risk Assessment means site investigation and other actions undertaken by a Qualified Person for Risk Assessment in accordance with the Ministry of the Environment, Conservation and Parks guideline entitled "Procedures for the use of Risk Assessment under Part XV.1 of the *Environmental Protection Act*".

**Risk Management Plan:** Measures to manage or limit the movement of contaminant or limit the potential for receptors to be exposed to contaminants, as more fully described in Section 7.8 of the Ministry of the Environment, Conservation and Parks guideline entitled “Guide: Site Assessment, the Cleanup of Brownfields Sites and the Filing of Records of Site Condition”.

**Substantial occupancy:** A unit or building which has received approval for occupancy (i.e., Occupancy Permit) from the City’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 C.I.P.

**Tax liability:** The annual real property taxes levied by the City of Belleville 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: C.I.P. GOALS

This section describes the land use, economic, social and environmental goals for the City of Belleville's C.I.P. programs, which are aligned to the City's Official Plan.

## A.1 AFFORDABLE HOUSING

In March 2019, a Housing Summit was convened in the City in response to an identified affordable housing crisis in Belleville. The intention of the summit was to discuss the affordable housing issues and provide recommendations to Council for solutions. The Housing Summit concluded that there is a need to increase the supply of affordable rental units. The goal of the Affordable Housing C.I.P. is to help address this issue by financially incentivizing the development of rental units at or below the average market rate to increase the supply of affordable housing. To achieve long-term benefits, the affordable units are intended to remain affordable rather than turning into above market rate housing stock.

The County of Hastings is the Service Manager for the City of Belleville and is responsible for providing a range of programs and services that address the local housing needs (e.g., through the provision of non-market housing). The affordable housing incentive programs included in the C.I.P. are intended to complement the existing services and programs offered by the County.

## A.2 DOWNTOWN REVITALIZATION

The purpose of the Downtown C.I.P. is to encourage improvements and investment into the City's core, which services a large catchment area that extends beyond its municipal boundaries. The principal goal of the incentives targeted for Belleville's downtown are to encourage downtown property and business owners to improve properties through various means to build upon the traditional character of the downtown as a means to attract visitors and investment to the Downtown, as well as to encourage the creation of new residential units.

The incentive programs of the Downtown C.I.P. are intended to reduce the cost of development and redevelopment in Downtown Belleville in order to:

- a) Revitalize the existing building inventory in the downtown;

- b) Preserve the traditional and the heritage features within the downtown streetscape and encourage improvement that is compatible and sympathetic to the history of the area;
- c) Encourage improvements to all façades including those facing municipal parking lots and rear façades which face the Riverfront Trail;
- d) Encourage investment in the downtown that improves the economic climate of the core area and enhances the quality of the public realm; and,
- e) Increase the residential population of the downtown.

### A.3 BROWNFIELDS

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

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

#### A.3.1 ECONOMIC DEVELOPMENT

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

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

- Diversification of the City's economic base - smaller, lighter industries continue to locate to Belleville;
- Locational advantage and transportation linkages - proximity to major cities (e.g. Toronto, Ottawa) and the United States and range of transportation corridors (i.e. water, rail, highway);

- Potential for niche housing markets – empty nesters and retirees, students and other population groups may generate the demand for well-located, higher density housing in Belleville’s urban and waterfront areas; and,
- Tourism demand – opportunities to build upon the City’s range of natural, historic and cultural attractions, as well as the wider tourism potential of the Bay of Quinte.

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

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

### **A.3.2 ENVIRONMENTAL PROTECTION AND RESTORATION**

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

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

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

### A.3.3 QUALITY OF LIFE AND COMMUNITY HEALTH

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

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

# APPENDIX B: ADMINISTRATION

## B.1 LEGISLATIVE AND POLICY BASIS FOR THE C.I.P.

### B.1.1 ONTARIO PLANNING ACT

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The *Ontario Planning Act* R.S.O. 1990 (amended in 2019) establishes the rules for land use planning in Ontario, including community improvement. Section 28 (1) of the *Planning Act* includes the following definition of community improvement:

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

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

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

- a) construct, repair, rehabilitate or improve buildings on land acquired or held by it in the community improvement project area in conformity with the community improvement plan, and sell, lease or otherwise dispose of any such buildings and the land appurtenant thereto;
- b) sell, lease or otherwise dispose of any land acquired or held by it in the community improvement project area to any person or governmental authority for use in conformity with the community improvement plan.

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

- a) Grants or loans re eligible costs

- i. Section 28 (7) For the purpose of carrying out a municipality's community improvement plan that has come into effect, the municipality may make grants or loans, in conformity with the community improvement plan, to registered owners, assessed owners and tenants of lands and buildings within the community improvement project area, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole or any part of the eligible costs of the community improvement plan.
- b) Eligible costs
  - ii. Section 28 (7.1) For the purposes of subsection (7), the eligible costs of a community improvement plan may include costs related to environmental site assessment, environmental remediation, development, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities.
- c) Maximum amount
  - iii. Section 28 (7.3) The total of the grants and loans made in respect of particular lands and buildings under subsections (7) and (7.2) and the tax assistance as defined in section 365.1 of the *Municipal Act*, 2001 that is provided in respect of the lands and buildings shall not exceed the eligible cost of the community improvement plan with respect to those lands and buildings.

### **B.1.2 MUNICIPAL ACT**

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

### B.1.3 PROVINCIAL POLICY STATEMENT

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The Provincial Policy Statement (P.P.S.) 2020 provides policy direction on matters of provincial interest related to land use planning and development. This C.I.P. is consistent with the applicable provisions of the P.P.S., and implements the following policies:

- 1.1.1 Healthy, liveable and safe communities are sustained by:
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- 1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:
- a) establishing and implementing minimum targets for the provision of housing which is affordable<sup>8</sup> to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- 1.7.1 Long-term economic prosperity should be supported by:
- d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;
  - e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;

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<sup>8</sup> As defined in the Provincial Policy Statement.

- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through 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.
- 2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

**B.1.3.1. Brownfields**

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

The P.P.S. requires the following policies to be pursued with respect to brownfield redevelopment:

- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.
- 1.6.3 Before consideration is given to developing new infrastructure and public service facilities:
  - a) the use of existing infrastructure and public service facilities should be optimized; and,



- b) opportunities for adaptive re-use should be considered, wherever feasible.

1.7.1 Long-term economic prosperity should be supported by:

- d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;
- f) promoting the redevelopment of brownfield sites;

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

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

The P.P.S. requires the following policies to be pursued with respect to brownfield redevelopment:

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

1.6.3 Before consideration is given to developing new infrastructure and public service facilities:

- a) the use of existing infrastructure and public service facilities should be optimized; and,

- b) opportunities for adaptive re-use should be considered, wherever feasible.

1.7.1 Long-term economic prosperity should be supported by:

- d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;
- f) promoting the redevelopment of brownfield sites;

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

#### **B.1.4 CITY OF BELLEVILLE OFFICIAL PLAN**

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Municipal official plans provide a framework for comprehensive and integrated long-term planning. They are intended to guide the development of strong communities, a clean and healthy environment and economic growth. A comprehensive review of the City of Belleville Official Plan is nearing completion; however, this C.I.P. has been written such that is aligned to both the existing Official Plan as well as the forthcoming updated Official Plan. Revisions to the Official Plan in future years may necessitate subsequent updates to the C.I.P. to ensure conformity with the Official Plan.

Council may, by By-law, designate the whole or any part of a municipality as a community improvement area. The draft Official Plan designates the whole of the City as community improvement policy areas, and recognizes that of particular importance for community improvement initiatives are:

- a) Lands designated City Centre;
- b) Specific Policy Area #1 – Bayshore Planning Area; and
- c) Specific Policy Area #2 – Point Anne; and,
- d) Areas identified for intensification.

Within community improvement policy areas, the Official Plan indicates that initiatives for improvement may include:

- a) Upgrading and provision of improved municipal hard services (i.e. sewers, water systems, roads, hydro, sidewalks, etc.);

- b) Upgrading of municipal soft services (i.e. parks, playgrounds, community centres) and improvement to the amenity of public lands;
- c) Acquisition of lands to protect natural heritage areas (i.e. significant areas of flora and fauna or wildlife habitat such as the alvar or the Moira River caves);
- d) Upgrading and provision of transit and traffic control systems;
- e) Encouraging development in areas and corridors targeted for intensification;
- f) Encouraging the development of affordable housing in all forms, including medium and high density residential development;
- g) Encouraging the development of employment lands;
- h) Rehabilitation of existing buildings and structures which result in greater accessibility and visitability; and,
- i) Replacement of inappropriate uses which have a serious negative impact upon an area with alternative uses and/or more appropriate buildings.

The Official Plan provides a number of techniques that can be employed to achieve desired improvements, including the giving of grants, loans or other financial incentives to finance improvements to privately owned buildings and properties.

Section 7.8.3 specifies the policies regarding Contaminated Lands and Brownfield Sites, applying to all lands within the Official Plan, particularly those located within the Brownfields Community Improvement Project Area. The provisions delineate what the City will require of proponents of applications for development which includes sites suspected or known to be contaminated.

### **B.1.5 BROWNFIELD STATUTE LAW AMENDMENT ACT, 2001**

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

**B.1.6 ENVIRONMENTAL PROTECTION ACT**

A number of the provisions relating to the environmental investigation and Record of Site Condition process required under Part XV.I of the Environmental Protection Act came into force on October 1, 2004 with the issuance of Regulation 153/04. Ontario Regulation 153/04 was amended by Ontario Regulation 511/09 which came fully into effect on July 1, 2011. Amendments increasing the flexibility of the Record of Site Condition process were approved on December 4th, 2019, with further amendments pending (as of January 2020).

**B.2 IMPLEMENTATION**

The general administration of the program shall be the responsibility of the Policy Planning & Approvals Planning section of the Engineering and Development Services Department, in consultation with other departments as appropriate.

Approvals under each program will be determined by the authority(ies) indicated in Table 2. Subject to meeting all eligibility criteria, approval for incentive programs will be based on merit.

**Table 2: Approval Authority by Program**

PROGRAM NAME <sup>9</sup>	APPROVAL OR APPROVAL IN PRINCIPLE	CONFIRMED BY
1. Affordable Rental Housing DC Rebate	Approved in Principle by Working Committee <sup>10</sup>	Director of Engineering and Development Services
2. Affordable Rental Housing Building Permit Fee Rebate	Approved in Principle by Working Committee	Director of Engineering and Development Services
3. Affordable Rental Housing T.I.E.R.	Approved in Principle by Working Committee	City Council

<sup>9</sup> Some program names shortened to fit Table 2.

<sup>10</sup> The Working Committee is an ad hoc committee of City Staff, appointed by Director of Engineering & Development Services, consisting of three representatives from: (i) the Finance Department; (ii) the Planning Department; and, (iii) and the CAO or another representative as delegated by the CAO.

PROGRAM NAME <sup>9</sup>	APPROVAL OR APPROVAL IN PRINCIPLE	CONFIRMED BY
4. Second Units in New Construction Rebate	Approved by Director of Engineering and Development Services	n/a
5. Second Units in Existing Housing Rebate	Approved by Director of Engineering and Development Services	n/a
6. Accessibility Top-Up Rebate	Approved in Principle by Working Committee	Director of Engineering and Development Services
7. Downtown Residential Above Commercial Building Permit Fee Rebate	Approved in Principle by Working Committee	Director of Engineering and Development Services
8. Downtown Residential Above Commercial T.I.E.R.	Approved in Principle by Working Committee	City Council
9. Downtown Fire Retrofitting Rebate	Approved in Principle by Working Committee	Director of Engineering and Development Services
10. Façade Design Rebate	Approved in Principle by Working Committee	Director of Engineering and Development Services
11. Façade Renovation Rebate	Approved in Principle by Working Committee	Director of Engineering and Development Services
12. Façade Renovation Rebate – Rear	Approved in Principle by Working Committee	Director of Engineering and Development Services
13. Brownfield E.S.A Rebate	Approved in Principle by Working Committee	City Council
14. Brownfield T.I.E.R.	Approved in Principle by Working Committee	City Council
15. Brownfield Building Permit Fees Reduction	Approved in Principle by Working Committee	City Council
16. Brownfield DC Deferral	Approved in Principle by Working Committee	City Council

PROGRAM NAME <sup>9</sup>	APPROVAL OR APPROVAL IN PRINCIPLE	CONFIRMED BY
17. Brownfield Remediation Tax Cancellation Assistance	Approved in Principle by Working Committee	City Council

**B.2.1 C.I.P. FUNDS**

During preparation of its annual budget, City Council will determine the contribution to be made available to the various programs under this C.I.P. for the current year. The financial incentive programs available under this C.I.P. will be administered by City staff within the budget established by Council. Any unspent funds at year-end may be placed in reserves to be used in subsequent years. Projects will not be approved that result in over-expenditure to what has been allocated to the CIP’s active program(s) by City Council.

Properties may only receive incentives through any given program one time during the life of the C.I.P.

Should there be C.I.P. funding remaining at the conclusion of the approvals resulting from the spring intake period (see Section 4.3.3), additional applications may be received and evaluated in September. Any unspent funds at year-end may be placed in reserves to be used in subsequent years.

If there are municipal budget constraints to support the C.I.P. programs, the City will prioritize funding to rebate barrier-free units under Program 6, given the demand for these housing units and their scarcity; next the City will prioritize funding for affordable housing units, given the demand for these housing units and their scarcity.

**B.3 MONITORING AND UPDATE**

Programs under the C.I.P. may be offered at the discretion of Council, and may be established or rescinded by Council without an amendment to this Plan. The administrative details of the specific programs may also be amended by Council without a formal amendment. The incentive programs may apply, at the discretion of Council, to the whole or to part of the community improvement project area. Additions of other

community improvement project areas and additions of programs shall require an amendment to this Plan.

The City of Belleville shall review this C.I.P. programs at regular intervals to ensure that the intent and project objectives are being met. Monitoring will include reviewing the programs, the municipal financial contribution to the programs and the use of the programs.

# APPENDIX C: FAÇADE IMPROVEMENT PROGRAM DESIGN AND IMPROVEMENT CRITERIA

## Design Character of Belleville's Downtown

Belleville's downtown consists of a variety of architectural styles typical of downtowns built in Ontario in the mid/late 19th century and early 20th century. Many of these buildings exhibit unique architectural characteristics and are worthy of conservation as they contribute greatly to the character of the downtown and the City. These buildings are typically referred to as having traditional façades.

In addition, there are numerous buildings located in the downtown built post World War II that exhibit characteristics different from older buildings. These buildings also contribute towards the character of the downtown. These buildings are typically referred to as having non-traditional façades. These non-traditional façades should be maintained as non-traditional façades and replicate traditional façades.

## C.1 CRITERIA

### C.1.1 CONSIDERATIONS

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All proposed improvement projects will be assessed under three main considerations:

- a) Consistencies with these design guidelines and the original architectural design of the building.
- b) The extent to which a project improves the overall appearance of the property and of adjacent and nearby buildings.
- c) The overall benefit to the downtown and consistency with the City's Official Plan and other applicable policies.

Projects for buildings with major structural problems will not be eligible for rebates under this program, unless the structural issues have first been remedied to the satisfaction of the Chief Building Official.



## APPENDIX C: FAÇADE IMPROVEMENT PROGRAM DESIGN AND IMPROVEMENT CRITERIA

While not specifically covered by the program, The City may approve projects that have a component pertaining to correcting structural deficiencies provided that there is improvement to the façade included in the project.

Projects where façades are to be altered that would not enhance the building's architectural characteristics, the aesthetics of the property, or be compatible with adjoining buildings will not be eligible for rebates under this program.

### C.1.2 VALIDITY OF FAÇADE IMPROVEMENTS

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Valid improvements to façades that can be used to determine the value of the project for funding under the Façade Improvement Program include the following:

- a) Masonry restoration and stabilization;
- b) Installation of storefront awnings;
- c) Replacement of back-lit signs with decorative front-lit signage;
- d) Painting of woodwork and metal;
- e) Architectural and security lighting improvements;
- f) Renovation of storefronts;
- g) Entranceway modifications to improve accessibility for people with disabilities; and,
- h) Landscaping.

Improvements/works not valid are:

- a) Building insulation;
- b) Interior work;
- c) New exterior boarding including EIFS Cladding (foam boards) that cover up original architectural features of traditional façades; and,
- d) Painting of unpainted heritage masonry

### C.1.3 COMPONENTS VALID FOR REBATES

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Rebates may be based on the following components of an improvement project:

- a) Professional design fees (by an architect, architectural technician, technologist, or designer);
- b) Contractor charges (material and labour);
- c) Equipment rental; and/or,

## APPENDIX C: FAÇADE IMPROVEMENT PROGRAM DESIGN AND IMPROVEMENT CRITERIA

- d) Inspection fees (e.g., architect's inspection to confirm the work was done as per design).

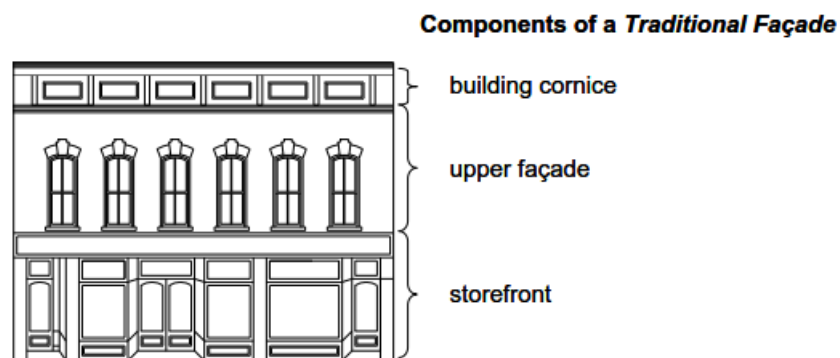
To determine valid costs where an improvement project involves more than façade improvements, costs shall be apportioned based on the projected value of the work.

### C.1.4 TRADITIONAL FAÇADES

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The traditional façade of storefronts are found on buildings built in the 19th and early part of the 20th century. While these façades have a variety of sizes, shapes and styles, they essentially consist of the storefront, upper façade, and cornice.

- a) The storefront is the lower part of the building around the main commercial entrance at street level.
- b) The upper façade is the middle part of the building constructed of stone, brick or wood with regularly spaced windows.
- c) The building cornice at the top of the structure decoratively caps the building.



Project proposals may address any or all of these components of a traditional façade. Projects that are in keeping with the characteristics of the traditional façade will be acceptable. Priority may be given to projects that restore or replicate original elements. Items that should be considered include:

- a) Restoration of original elements and architectural detailing;
- b) Window and door sizes, shapes, proportions, detailing, and locations;
- c) Signage details (size, location, colour, lighting methods);
- d) Appropriate style and use of awnings;
- e) Paint colours and effective use of colour to enhance building aesthetics; and,
- f) Use of natural and traditional building materials.

## APPENDIX C: FAÇADE IMPROVEMENT PROGRAM DESIGN AND IMPROVEMENT CRITERIA

The program encourages and prioritizes restoration of façades to their original state using authentic or original materials and that are in keeping with Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada.

Projects that use modern materials and building and design techniques may also be acceptable if the project will result in an overall façade that maintains the principles of heritage conservation.

### C.1.4.1. Restoration of Original Elements

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This program encourages removal of vinyl or aluminum siding, replacement of vinyl windows, and the restoration of original brick, stone or wood on traditional façades.



**Figure 1:** Newer materials covering traditional façades should be removed where possible, and original building features should be restored.

Where new materials are used in the restoration of a traditional façade, they should match the texture, colour, size, shape and detail of the original material.

The following is suggested for masonry restoration:

## APPENDIX C: FAÇADE IMPROVEMENT PROGRAM DESIGN AND IMPROVEMENT CRITERIA

- a) Generally, cleaning of historic masonry is not recommended, as it may cause damage. If cleaning is undertaken, it should be done gently so as not to remove the patina of the material, and should not be done simply to create a new appearance. Any cleaning technique of historic masonry needs to be an acceptable method and recognized by a heritage professional recognized by the Canadian Association of Heritage Professionals.
- b) Abrasive cleaning such as sandblasting is extremely damaging to traditional façade materials, and will accelerate masonry deterioration due to the destruction of the protective exterior of the brick allowing water penetration. This is not supported by this program. It can also greatly change the appearance of a building. Masonry surfaces that were historically painted should generally remain painted.
- c) When repointing (repairing deteriorated mortar joints), it is important that new mortar match the original in strength, composition, and colour. New mortars made with Portland cement are much harder than historic lime mortars, and can damage traditional masonry. The use of power tools to remove old mortar on traditional façades is also not recommended, as they can easily cause irreparable damage. Only the use of lime mortars and appropriate masonry processes are supported by this program.

The following is suggested for brick sealing:

- a) It is not recommended to seal brick surfaces with silicones or consolidants, which may trap water vapour behind the surface of the brick. As the vapour condenses, it may freeze or leach salts that could harm the brick face. This is not supported by the program.
- b) It is not recommended to add stucco on a deteriorated brick surface as it may crumble over time. This is not supported by this program.
- c) Repointing with porous mortar is recommended to allow breathing of the wall outside, and it allows moisture to migrate and evaporate through the mortar, rather than brick. Repointing with Portland cement on traditional façades is not supported by this program.

### C.1.4.2. Windows and Doors

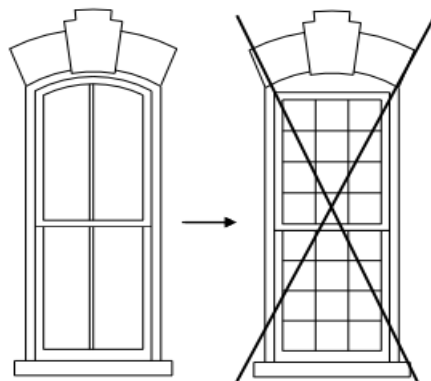
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Original windows should be repaired wherever possible. The use of replacement vinyl and aluminum windows and doors on traditional façades is not supported by the

## APPENDIX C: FAÇADE IMPROVEMENT PROGRAM DESIGN AND IMPROVEMENT CRITERIA

program. Interior storm windows may be used to make original windows more energy efficient without affecting their appearance.

Where it is not possible to repair the original windows, or where older replacements have already been installed, new replacement windows and doors should fit the shape of the opening and any architectural detailing around the opening should not be covered. Preferred projects are those that most closely replicate the original window and door design including the number of glass panes, profiles of the sash rails and muntins, and frame colours. Hybrid windows may also be acceptable.



The window at right is an example of an **inappropriate** replacement for the window at left. It does not fit the shape of the opening as the original window did.

It is also not preferred, as it has a different number of glass panes, and a different muntin profile (the dividers between the glass panes are the wrong thickness).

### C.1.4.3. Heritage Properties

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Properties designated under the Ontario Heritage Act require special consideration. Structural or façade improvement projects undertaken on designated properties under the *Ontario Heritage Act* shall be consistent with the designation by-law and Parks Canada Standards and Guidelines for the Conservation of Historic Places.

Applications for façade improvement of designated properties may also require a heritage permit.

## APPENDIX C: FAÇADE IMPROVEMENT PROGRAM DESIGN AND IMPROVEMENT CRITERIA



1910



2020

### C.1.5 NON-TRADITIONAL FAÇADES (LATER 20TH CENTURY BUILDINGS)

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Non-traditional façades are typically found on buildings that were constructed post World War II. They can exhibit a tremendous range of architectural style and building characteristics with wide variation in elements such as colour, building materials, height and massing, architectural detailing, and window and door treatment.

Downtowns typically consist of both traditional and non-traditional façades. Through the evolution of a downtown, buildings can become destroyed by neglect or fire or other reasons and are replaced by newer buildings. Sometimes these replacement buildings are important architectural records of the time they are constructed. Other replacement buildings may not represent important architectural expressions. Non-traditional façades do contribute to the history of a downtown. This is expressed through the Ontario Governments Eight Guiding Principles in the Conservation of Built Heritage Properties. Specifically, the principle of legibility which states 'New work should be distinguishable from old' which means that 'buildings or structures should be recognized as products of their own time.'



## APPENDIX C: FAÇADE IMPROVEMENT PROGRAM DESIGN AND IMPROVEMENT CRITERIA



**Before**

**After**

Components of a non-traditional façade that would be of importance under this program include:

- a) Window and door sizes, shapes, detailing, and locations;
- b) Signage details (size, location, colour, lighting methods);
- c) Appropriate style and use of awnings;
- d) Architectural detailing;
- e) Paint colours and effective use of colour to enhance building aesthetics; and,
- f) Use of building materials appropriate to the original design of the building.

As buildings with non-traditional façades are sometimes located adjacent to buildings with traditional façades, care must be exercised to ensure enhancements reflect the scale of any adjoining historic buildings and do not negatively impact these adjacent historic structures.

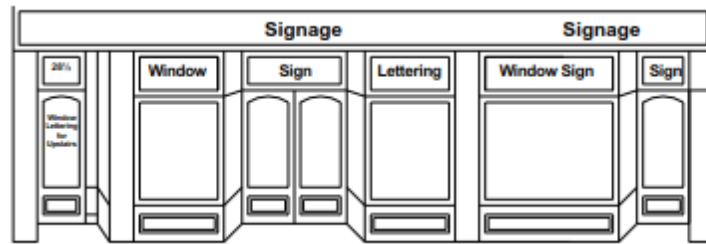
### **C.1.6 SIGNS**

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Signs will be eligible under this program.

Signs should reflect the scale and characteristics of the building's architecture. Projects using natural materials with external lighting are preferred. Projecting wood signs in accordance with the Sign By-Law are encouraged where located at the storefront level so as to avoid disrupting the window rhythm of the upper façade.

## APPENDIX C: FAÇADE IMPROVEMENT PROGRAM DESIGN AND IMPROVEMENT CRITERIA



Examples of traditional façade signage.

Signs consisting of individual decorative letters on the façade that enhance architectural characteristics of the building are encouraged. Fascia signs that do not detract from the architectural appearance of the façade may also be permitted.

Projects incorporating back-lit fascia 'box' signs will not be eligible for grants under this program.



**Gooseneck lamps are an example of traditional-style lighting that can be used instead of back-lit box signs**

Sign colours should be restricted to colours considered traditional such as white, black, silver or gold with background colours that complement the overall building colour. These include colours offered through paint companies that are marketed as heritage colours.

### **C.1.7 AWNINGS**

Retractable awnings are encouraged where consistent with the original building design. Non-retractable awnings that do not detract from the architectural appearance of the façade may also be permitted where consistent with the architectural style of the building. Retractable awnings are preferred over fixed awnings. Where an awning is to contain signage, it is preferable that signage consists of primarily individual block letters and be of a size and scale that is consistent with other buildings nearby.





**Retractable awnings are encouraged by the Program where appropriate. They allow light to enter businesses when retracted, and provide shade and shelter on the sidewalk when extended.**

### **C.1.8 COLOUR**

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To create an atmosphere of consistency throughout the downtown, the program encourages applicants to:

- a) Leave natural masonry unpainted;
- b) Provide weather-protective finishes for wood surfaces;
- c) Use typical heritage palette colours for background finishes;
- d) Colour test to find original colours of historic structures; and,
- e) Develop a scheme for the entire building to coordinate all façade elements, and to fit appropriately with adjacent buildings.

### **C.1.9 REAR FAÇADES**

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Upgrading or establishment of a rear façade with frontage along the Moira River and the Riverfront Trail may qualify for an enriched rebate. Improvements to these façades would need to demonstrate their ability to activate the rear façade (e.g. attract pedestrian activity and beautifying the area, by the addition of a river-facing patio on the rear of a restaurant).

The criteria for assessing the eligibility of the rear façade shall be the same as applying to the main façade in terms of design, materials, signage and colours.

### **C.1.10 NEW CONSTRUCTION**

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Additions to buildings (adding new floor area) are not eligible for rebates under this program unless the project involves adherence to Parks Canada Standards and

## APPENDIX C: FAÇADE IMPROVEMENT PROGRAM DESIGN AND IMPROVEMENT CRITERIA

Guidelines for Conservation of Historic Places in Canada and Ontario's Eight Guiding Principles of Heritage Conservation.

### **C.1.11 PERMANENT LANDSCAPING**

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Permanent non-movable landscaping will be eligible under this program provided it is a component of an overall façade improvement proposal. Landscaping should reflect the scale and characteristics of the building's architecture, and be consistent with the downtown.

### **C.1.12 SECURITY LIGHTING**

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Lighting which improves the sense of security in the area and deters vandalism will be eligible under this program provided that it is a component of an overall façade improvement proposal. Lighting must be consistent with the architectural style of the building.

# APPENDIX D: BROWNFIELDS PROGRAM GUIDE

## D.1 ELIGIBLE BROWNFIELD COSTS

Successful applications for financial assistance involving tax-based assistance will necessitate a site-specific brownfield redevelopment funding agreement between the City and the applicant for Programs 14 and 17 (tax-based assistance) of the C.I.P. This agreement will establish the magnitude of anticipated eligible costs as well as provide for mechanisms to verify actual costs as eligible under the Plan.

Eligible costs are generally defined as costs incurred in the remediation of a property which, as of the date of site assessment, does not meet the standards of the *Ontario Environmental Protection Act* to permit a Record of Site Condition to be filed in the Ontario Environmental Site Registry. The City will require verification of these costs when applying the programs to individual projects which have been approved for funding assistance.

Assistance under the Brownfields programs contained in the C.I.P. is limited to the costs of environmental site assessment, remediation and risk management and compliance with environmental regulatory approval requirements. Assistance is limited to the stated eligible costs. All other rehabilitation-related costs are ineligible under this Plan.

Eligible costs for the Brownfield Environmental Site Assessment Rebate are: Phase II E.S.A.s and Risk Assessments.

For all other Brownfield programs, the following costs are eligible for assistance:

- Environmental remediation and costs of achieving acknowledgement of a Record of Site Condition by the M.E.C.P. and Certificate of Property Use as may be required. This includes both remedial action plans and risk management plans, and implementation costs;
- Waste transfer to landfill and tipping fees for contaminated soils land fill;
- Fill and grading to replace contaminated soils;
- At the discretion of Council, demolition of existing buildings or structures;

- At the discretion of Council, site development and infrastructure work including improvement or reconstruction of existing on-site infrastructure and development, triggered by the existence of contamination and requirements for remediation;
- Legal fees directly related to site investigation, remediation and filing of a Record of Site Condition and compliance with any Certificate of Property Use.
- Insurance premiums for Cost Cap Insurance and Pollution Legal Liability (P.L.L.) Insurance;
- Ongoing site environmental monitoring and management (part of risk management strategies); and,
- Interim financing costs (interest and financing fees) related to eligible costs. Long-term debt financing costs are not eligible.

### D.2 ELIGIBLE SITES AND PRIORITIES

#### **Brownfield E.S.A. Rebate eligibility:**

- Private sector landowners/developers who are actively seeking renovation/redevelopment or re-use of the property and provide Phase I E.S.A. conducted by a Qualified Person indicating a requirement for a Phase II E.S.A.
- Site may be located anywhere within the boundaries of the City of Belleville.

#### **All other Brownfield program applications must meet all of the following conditions:**

- Privately-owned lands proposed for development or redevelopment.
- Sites located in the Brownfield Priority Area.
- The need for remediation is defined as a site with a Phase II E.S.A which indicates that site conditions do not meet standards (under the Environmental Protection Act) to permit filing of a Record of Site Condition.

#### **Prioritization:**

- Sites that meet the eligibility criteria of the Affordable Housing programs or the Downtown programs will be prioritized for assistance.
- Highest priority will be given to sites to affordable housing projects within the Downtown.
- Affordable housing projects will be eligible for greater assistance for remediation costs via the T.I.E.R. program.

**D.3 BROWNFIELD REDEVELOPMENT FINANCIAL INCENTIVE PROGRAMS**

**D.3.1 BROWNFIELD ENVIRONMENTAL SITE ASSESSMENT (E.S.A.) REBATE PROGRAM**

Category	Summary
<b>Description</b>	For sites with a Phase I E.S.A., assistance to further specify extent and nature of environmental contamination through rebate assistance of Phase II E.S.A. and study and development of any Remediation Action Plan.
<b>Intended Recipient</b>	Private sector landowners/developers who are actively seeking renovation/ redevelopment or re-use of the property and provide Phase I E.S.A. conducted by a Qualified Person indicating a requirement for a phase II E.S.A.
<b>Program Specifics</b>	<ul style="list-style-type: none"> <li>• City of Belleville will reimburse owner for costs associated with eligible studies.</li> <li>• Maximum individual rebate is \$25,000 or 50% of the cost of the E.S.A., whichever is less.</li> <li>• Maximum assistance per property of:               <ul style="list-style-type: none"> <li>○ Maximum of 2 studies per property; and</li> <li>○ Maximum of \$40,000 per property.</li> </ul> </li> <li>• The above limits are at the discretion of the City of Belleville. Funding may be increased at the discretion of the City based on the merits of each individual application as determined by the City. Applicants may be required to furnish the City with additional information, relinquish ownership of E.S.A. reports and enter into additional agreements as necessary to the satisfaction of the City.</li> </ul>

Category	Summary
<b>Implementation Specifics</b>	<ul style="list-style-type: none"> <li>• Based on the principle of achieving maximum leverage of non-City funds, applicants who identify other sources of financial assistance for environmental site assessments will be given preference in the allocation of funds.</li> <li>• Total combined assistance toward the costs of environmental site assessment from all public sources will not exceed 50% of total environmental site assessment costs. City funding will be the funding of last resort where other sources of public assistance exist.</li> </ul>

**D.3.2 BROWNFIELD TAX INCREMENT EQUIVALENT REBATE (TIER) PROGRAM**

Category	Summary
<b>Description</b>	Tax Increment means the difference between the property tax liability for the lands in any year of the Program and the existing “base” tax liability. The T.I.E.R. is a rebate equal to a portion of the tax increment. It is limited to the Municipal Portion of the tax liability. The T.I.E.R. is provided for under Section 28(7) of the <i>Ontario Planning Act</i> .
<b>Intended Recipients</b>	<ul style="list-style-type: none"> <li>• Private sector owners of environmentally contaminated sites that have significant potential for redevelopment or rehabilitation.</li> <li>• To be eligible for assistance, sites must demonstrate the existence of environmental contamination of the surface, soils, groundwater or built structures.</li> <li>• Equal preference given to commercial and residential development, reuse and/or conversion.</li> </ul>

Category	Summary
<b>Program Specifics</b>	<ul style="list-style-type: none"> <li>• The City reimburses the landowner for all eligible costs by way of an annual rebate equivalent to 50% of the municipal portion of the incremental property tax increase over an established “base” assessment and tax liability.</li> <li>• Affordable housing projects developed on brownfield sites are eligible to receive 100% of the tax increment. Eligibility for remediation cost assistance will be established through the Brownfield TIER application process, but distribution of assistance can occur through either the Affordable Housing T.I.E.R. or the Brownfield T.I.E.R. (whichever program’s requirements are satisfied first) – there will only be one TIER per project.</li> <li>• Rebate represents foregone income for the City. Site redevelopment creates tax income, a portion of which is foregone under this program.</li> <li>• City should be cognizant of any significant increase in annual municipal operating costs as a result of redevelopment of the property in receipt of tax assistance.</li> <li>• One rebate per property.</li> <li>• The maximum program duration is 10 years or when the total cumulative rebate equals the total eligible costs, whichever occurs first.</li> <li>• Available only in the Brownfield Priority Area</li> </ul>



Category	Summary
<b>Implementation Specifics</b>	<ul style="list-style-type: none"> <li>• Rebate based on the “<i>Reimbursing Developer</i>” approach – the landowner/developer pays for the full cost of remediation and rehabilitation as well as the resulting annual increase in property tax.</li> <li>• The rebate is assignable by the owner of the property to another party (subsequent owner, tenant or other assignment) at any time during the period of the agreement. Should the original owner transfer its interest in the property, the rebate can, with the agreement of the municipality, continue to be assigned to the original owner for the duration of the rebate period.</li> <li>• The maximum amount of the rebate in any year is limited to the value of the work undertaken under eligible costs in that year or the increase in municipal property tax on the property compared to the base (before redevelopment) property tax, whichever is less.</li> <li>• Eligible costs not reimbursed in the year they are incurred can be rolled-over to subsequent years.</li> <li>• The rebate is limited by the maximum eligible costs in combination with all other programs of assistance provided by this Plan.</li> </ul>

**D.3.3 BROWNFIELD BUILDING PERMIT FEES REBATE**

Category	Summary
<b>Description</b>	Assistance to private sector land owners for redevelopment of brownfield sites for residential and non-residential use by rebating the cost of Building Permit fees.
<b>Intended Recipients</b>	<p>Private sector land owners/developers who are actively seeking redevelopment of contaminated lands and which provide:</p> <ul style="list-style-type: none"> <li>(i) Applications for redevelopment/re-use of the property which necessitates environmental site assessment and remediation.</li> <li>(ii) A Phase II E.S.A. which demonstrates that the proposed use does not meet M.E.C.P. standards for property use as contained in the <i>Soil, Ground Water and Sediment Standards</i> for use under Part XV.1 of the <i>Environmental Protection Act</i>.</li> </ul>
<b>Program Specifics</b>	<ul style="list-style-type: none"> <li>• 50% reduction in building permit fees for developments on Brownfield sites.</li> <li>• Maximum rebate of \$50,000 per property or 50% reduction in building permit fee costs (up to the cost of remediation), whichever is less.</li> </ul>
<b>Implementation Specifics</b>	<ul style="list-style-type: none"> <li>• As necessary, the City may amplify or adjust the application and approval protocols associated with this program.</li> <li>• Applicants who receive a permit rebate under this program are ineligible for access to building permit fee rebate under the Downtown programs.</li> </ul>

**D.3.4 BROWNFIELD DEVELOPMENT CHARGE DEFERRAL**

Category	Summary
<b>Description</b>	Assistance to redevelopment of brownfield sites for residential and non-residential use by deferring the cost of development related to development charges.
<b>Intended Recipients</b>	<p>Private sector land owners/developers who are actively seeking redevelopment of contaminated lands and which provide:</p> <p>(iii) Applications for redevelopment/re-use of the property which necessitates environmental site assessment and remediation.</p> <p>A Phase II E.S.A. which demonstrates that the proposed use does not meet M.E.C.P. standards for property use as contained in the <i>Soil, Ground Water and Sediment Standards</i> for use under Part XV.1 of the <i>Environmental Protection Act</i>.</p>
<b>Program Specifics</b>	<ul style="list-style-type: none"> <li>• Deferral of up to 50% of the Development Charge for a period of up to 18 months without interest, subject to a Deferral Agreement</li> <li>• Limited to properties that are not eligible for annual installments under Bill 108</li> <li>• At this point rental housing, institution, commercial, industrial are eligible for the installment program and as a result would not be eligible under this deferral program.</li> </ul>
<b>Implementation Specifics</b>	<ul style="list-style-type: none"> <li>• City has the right to review and amend any and all aspects of the program, including the purpose, form, method of application, evaluation and amount of funding of the program, from time to time, or at any time, for any reason, and at the sole and absolute discretion of the City.</li> </ul>

**D.3.5 ENVIRONMENTAL REMEDIATION TAX CANCELLATION ASSISTANCE PROGRAM**

Category	Summary
<b>Description</b>	Cancellation of property tax increase (which result from remediation and redevelopment) for eligible properties as an incentive for environmental rehabilitation. Under the Brownfields Financial Tax Incentive Program (B.F.T.I.P.) municipalities can get provincial education property tax assistance to match municipal property tax assistance so that a property owner can clean up eligible brownfield properties under the provisions of Section 365.1 of the <i>Municipal Act, 2001</i> .
<b>Intended Recipient</b>	Private sector landowners who are actively seeking renovation/ redevelopment or re-use of the property which, as of the date of site assessment, does not meet the standards of the Ontario Environmental Protection Act to permit a Record of Site condition to be filed in the Ontario M.E.C.P.'s Environmental Site Registry (i.e. a contaminated site in need of remediation or risk management to enable a Record of Site Condition to be acknowledged by the M.E.C.P. to permit the intended use of the property.

Category	Summary
<b>Program Specifics</b>	<ul style="list-style-type: none"> <li>• Program includes annual cancellation of tax increases over the established base tax.</li> <li>• Specifics of any tax assistance will be identified in a municipal by-law which establishes the date that such tax assistance commences and the date of expiry of the assistance.</li> <li>• Assistance is limited to the increase in property tax over the established “base” tax.</li> <li>• At commencement of tax assistance, tax assistance comprising the municipal portion of any tax increase cancellation is in effect until the date specified in the municipal by-law.</li> <li>• Matching education portion tax assistance is limited to the earlier of a 36-month consecutive period or the date that tax assistance equals the costs of remediation necessary to permit filing of a Record of Site Condition and the cost of complying with any certificate of property use issued under Section 168.6 of the Environmental Protection Act.</li> </ul>

Category	Summary
<b>Implementation Specifics</b>	<ul style="list-style-type: none"> <li>• This program is solely for development projects within the City that involve remediation of contaminated soil or buildings and/or risk management strategies which are eligible for assistance under Section 365.1 of the <i>Ontario Municipal Act</i>.</li> <li>• At commencement of tax assistance, tax assistance comprising the municipal portion of any tax increase cancellation is in effect until the date specified in the municipal by-law.</li> <li>• With respect to the matching education portion of any tax assistance, such assistance is provided upon application to the Ontario Minister of Finance by the municipality and approval by the Minister of Finance.</li> <li>• At all times, total tax assistance is limited to the eligible costs defined in this Plan.</li> <li>• Municipal and Provincial tax assistance can be commenced at any time as specified in the By-Law. Subject to approval, and any conditions imposed by the Minister of Finance with respect to the matching education portion. However, assistance cannot be applied retroactively in respect of remediation prior to the approval of the City BFTIP By-Law.</li> <li>• Eligible costs not reimbursed in the year in which they are incurred, can be rolled-over to subsequent years.</li> <li>• The amount of tax assistance in any one year is limited to the lesser of:             <ul style="list-style-type: none"> <li>(i) The amount of eligible work carried out in that year; or</li> <li>(ii) The amount of property tax which is cancelled by the City.</li> </ul> </li> <li>• The amount of annual tax assistance is reduced by the amount of any outstanding property tax payable on the property.</li> <li>• Financial assistance under Section 365.1 of the <i>Ontario Municipal Act</i> is cumulative with any other financial assistance for site remediation necessary to permit a Record of Site Condition to be filed and comply with any certificate of Property Use.</li> <li>• Assistance under this program terminates upon transfer of title to the property, severance or subdivision. In the case of severance and subdivision of land, termination of the program applies only to those parts of the original land holding which are severed or subdivided to other owners.</li> </ul>