



Central Area Community Improvement Plan

Brownfields Tax Assistance Program (TAP)

Application Package

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City of
Peterborough

Brownfields Tax Assistance Program (TAP) Guide

1) PROGRAM DESCRIPTION

The purpose of the Brownfield Tax Assistance Program (TAP) is to encourage the remediation and rehabilitation of brownfield sites by providing a cancellation of the property tax increase on a property that is undergoing or has undergone remediation and development to assist with payment of the cost of environmental remediation. This program applies only to properties requiring environmental remediation and/or risk assessment/management.

2) WHAT IS A BROWNFIELD SITE?

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

3) WHO CAN APPLY?

Any property owner within the Central Area Community Improvement Project Area (see attached map) may apply in writing to the City and must receive written approval prior to commencing any work related to the application.

4) IS THERE A FEE TO APPLY?

No.

5) IS A PROJECT ELIGIBLE FOR FUNDING FROM MORE THAN ONE CIP INCENTIVE PROGRAM?

Yes.

6) WHAT TYPES OF WORK ARE ELIGIBLE FOR TAX ASSISTANCE?

Work that addresses property contamination issues including soils and/or groundwater as well as building remediation work such as asbestos removal will be eligible for tax assistance.

7) WHAT IS THE MAXIMUM AMOUNT OF TAX ASSISTANCE?

The maximum amount of tax assistance available is the total cost of remediating/rehabilitating a property. The legislative authority for the Brownfield TAP is established under Section 365.1 (2) of the Municipal Act, 2001 which allows municipalities to pass a bylaw providing tax assistance to an eligible property in the form of cancellation of all or part of the taxes levied on that property for municipal and education purposes during the "rehabilitation period" and the "development period" of the property, as defined in Section 365.1 of the Municipal Act, 2001, for a period up to 3 years.

8) WHEN WILL THE TAX ASSISTANCE BE PROVIDED?

Where the Minister of Finance has approved an application for matching education property tax assistance, the municipal property tax assistance and education property tax assistance will begin when

Council passes the Minister of Finance approved by-law for tax assistance. Each year the tax assistance will be recalculated and the project will be monitored to ensure all program requirements continue to be met.

9) HOW DO I APPLY FOR TAX ASSISTANCE?

First arrange a pre-application meeting with Municipal Staff in order to determine program eligibility. If authorized to apply for tax assistance, complete and submit an application form and ensure that your application includes the required supporting documentation.

10) YOU'VE SUBMITTED YOUR APPLICATION. WHAT HAPPENS NEXT?

- Applications and supporting documentation are reviewed by staff to ensure that they meet all of the eligibility requirements. If your application does not meet the eligibility requirements, you will be notified in writing.
- Staff may request clarification or additional supporting documentation.
- Staff will perform an initial site visit(s) and inspection(s) of the property (if necessary).
- A recommendation on the application is made by staff and forwarded to City Council, along with a Brownfield Tax Assistance Program Grant Agreement signed by the applicant.
- If your application is approved by Council, the Grant Agreement is then executed by the City. A copy of the executed agreement(s) is then returned to you for your records.
- Construction of the approved works may now commence, subject to issuance of a building permit(s).
- Contact City staff towards completion of works.
- Upon completion of the works, staff will conduct a final site visit(s) and inspection(s) (as necessary) to ensure compliance with the Grant Agreement and any permits issued pursuant to the Ontario Heritage Act.
- Submit to the City, copies of paid invoices and "after" picture(s) of the completed works.
- Upon review and approval of all submitted documentation, the City will issue a grant cheque to the applicant for the full amount of the approved funding.
- The owner is to contact the Planning Division in advance of any deviations from the approved design and Brownfields Tax Assistance Program agreement. Additional Council approval may be required to maintain program eligibility if there are any changes.

Brownfields Tax Assistance Program

Application Process

STEP 1: APPLICATION SUBMISSION

- Pre-application meeting between City staff and owner to review eligibility requirements.
- Staff inspects building/site (if necessary).
- Owner submits application including all required supporting documentation.

STEP 2: APPLICATION REVIEW AND EVALUATION

- Staff checks application to ensure conformity with all program eligibility requirements.
- Staff review and evaluate application and supporting documentation.
- Staff calculates estimated maximum amount of municipal and education property tax assistance.
- Staff prepare the following documentation:
 - a) a recommendation report on the application;
 - b) an agreement;
 - c) a draft by-law and an application to the Minister of Finance, if requesting matching education tax assistance.
- Items a)- c) above are forwarded to the Minister of Municipal Affairs and Housing.
- Ministry of Finance approval is received in form of a letter from Minister of Finance.
- Any conditions specified by the Minister of Finance are included in the by-law.

STEP 3: APPLICATION APPROVAL

- A recommendation on the Application, the Agreement (dated and signed by the owner) and the by-law (if applicable) are forwarded to Council (or Council's designate) for consideration.
- Council approves the tax assistance and passes by-law.
- The Agreement is executed by City officials and a copy is provided to the property owner.
- A copy of by-law and information as prescribed by Ontario Regulation 274/04 is forwarded to Minister of Municipal Affairs and Housing and Minister of Finance within 30 days of passing of by-law.

STEP 4: PAYMENT

- Within 30 days of filing an RSC, the property owner notifies the City that an RSC has been filed and provides the City with proof that the RSC has been acknowledged by the MOE.
- The City notifies the Minister of Finance that an RSC has been filed within 30 days of receiving notice from the owner.
- Staff conduct building/site inspection (if necessary).
- Staff review all final reports and documentation submitted for conformity with program and grant agreement requirements.
- Staff calculates actual tax assistance.
- Each year, tax assistance is recalculated.
- Project is monitored to ensure all programs and grant agreement requirements continue to be met.



Brownfields Tax Assistance Program Application Form

A. GENERAL INFORMATION AND INSTRUCTIONS

1. Before filling out this application form, **please read the attached Program Guide** (pg.1) and arrange for a pre-application meeting with staff. The Program Guide describes the purpose and basic terms and conditions of the Brownfields Tax Assistance Program.
2. If an agent is acting for the property owner, please ensure that the required authorization as provided in the application form is completed and signed by the owner. The grant agreement must be executed with the property owner and tax assistance will only be in favour of the property owner.
3. If you find insufficient space on this form to respond to questions, please provide additional information on a separate page and attach to your completed application form.
4. Please ensure that the application form is complete and that all required signatures and supporting documents have been supplied.
5. Please print (black or blue ink) the information requested on the application form.
6. There is no application fee.
7. You may deliver your application in person or send it by mail to:
City of Peterborough
Planning and Development Services
500 George St N
Peterborough, ON K9H 3R9
Attention: Manager, Planning Division
8. For further information on this program, please contact the Manager, Planning Division at 705-742-7777 ext.1781 or by email (khetherington@peterborough.ca).

1. APPLICANT INFORMATION (PLEASE PRINT)

Name of Property Owner

Mailing Address

Telephone Number

Fax Number

E-mail

Name of Agent

Mailing Address

Telephone Number

Fax Number

E-mail

2. PROPERTY INFORMATION

Address of Property

Assessment Roll Number

Existing Property Use

Is property designated under the Ontario Heritage Act?

Yes ____ No ____

Are property taxes paid in full on this property?

Yes ____ No ____

Are there any outstanding work orders on this property?

Yes ____ No ____

3. ENVIRONMENTAL INFORMATION (this section to be completed by a Qualified Person as defined by the Environmental Protection Act and Ontario Regulation 153/04)

ENVIRONMENTAL CONSULTANT (QUALIFIED PERSON) INFORMATION

Name: _____
Address: _____

Phone Number: _____
Fax Number: _____
Email: _____

TOTAL ENVIRONMENT COSTS

Please fill in the table below and attach all available environmental studies conducted on the property.

Type of Study	Date Study Completed	Study Cost
Phase 1 ESA		\$
Phase 2 ESA		\$
Remedial Work Plan		\$
Risk Assessment/ Risk Management Plan		\$
Other (List)		\$
Total Costs		\$

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[illegible]

Provide an estimate of all eligible environmental costs in the table below. (If these cost estimates are not included in the attached environmental studies, please attach a detailed work plan containing estimates for each of these costs as applicable).

Eligible Expense	Actual/Estimated Cost
Environmental studies (total from table on page 5)	\$
Environmental remediation	\$
Placing clean fill and grading	\$
Preparing and filing an RSC	\$
Installing environmental and/or engineering controls/works	\$
Monitoring, maintaining and operating environmental and/or engineering controls/works	\$
Environmental Insurance Premiums	\$
Total	\$

DECLARATION OF QUALIFIED PERSON

A Phase II Environmental Site Assessment (ESA) has been conducted on the property described in this application, and as of the date the Phase II ESA was completed, this property did not meet the standards that must be met under subparagraph 4i of Subsection 168.4 (1) of the Environmental Protection Act to permit a record of site condition to be filed under that subsection in the Environmental Site Registry.

Name of Qualified Person _____

Signature of Qualified Person _____

Title _____

Company Name _____

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TOTAL REHABILITATION/CONSTRUCTION COSTS

Provide detailed cost estimates prepared by a licensed contractor for eligible rehabilitation costs in the table below.

Eligible Cost	Actual/Estimated Cost
Building Demolition	\$
Building rehabilitation and retrofitting	\$
On-site infrastructure upgrading (e.g. on-site water sewers, sanitary sewers, stormwater management)	\$
Off-site infrastructure upgrading (e.g. off-site roads, water services, stormwater management, electric and gas utilities)	\$
Total Eligible Construction/Rehabilitation Costs	\$

CONSTRUCTION SCHEDULE

Approximate Start Date of Demolition of Existing Buildings: _____

Approximate End Date of Demolition of Existing Buildings: _____

Approximate Start Date of Rehabilitation/Construction: _____

Approximate End Date of Rehabilitation/Construction: _____

5. OTHER SOURCES OF FUNDS

Has this property received grants/loans or other financial assistance from the City or other level of government? Yes_____ No_____

If yes, please specify type and amount of financial assistance received:

6. TAX INFORMATION

Current Assessed Value of Property (\$): _____

Current Property Taxes (Annual) (\$): _____

Is the property in tax arrears? Yes _____ No _____

If yes, specify amount: _____

7. REQUIRED SUPPORTING DOCUMENTATION

Please place a check in the box to ensure that you have included the required supporting documentation.

- ☐ photographs of the existing building
- ☐ historical photographs
- ☐ a heritage impact statement for designated or eligible properties
- ☐ a site plan and/or professional design/study/architectural drawings
- ☐ specification of the the proposed works, including a work plan for the improvements to be completed and construction drawings
- ☐ estimated project construction costs, including an itemized listing of said costs
- ☐ environmental reports and/or Record of Site Condition, as necessary

8. OWNER'S AUTHORIZATION

(to be completed if an Agent is representing the property owner)

I, _____, being the registered owner of the subject lands hereby authorize _____ to prepare and submit this application for the Brownfields Tax Assistance Program.

Signature of Owner: _____ Date: _____

9. LEGAL

I / WE HEREBY APPLY for tax assistance under the City of Peterborough Brownfields Tax Assistance Program.

I / WE HEREBY AGREE to abide by the terms and conditions of the Tax Assistance Program.

I / WE HEREBY AGREE to enter into an agreement with the City of Peterborough that specifies the terms of the Tax Assistance.

I / WE HEREBY AGREE to abide by the terms and conditions of the agreement and understand that an agreement for the Tax Assistance amount shall be registered against the title of the property prior to the City releasing the funds.

I / WE HEREBY CERTIFY that the information contained in this application is true, correct and complete in every respect and may be verified by the City of Peterborough by such inquiry as it deems appropriate, including inspection of the property for which the application is being made.

I / WE HEREBY AGREE that if any statements or information in this application or submitted in support of this application are untrue, misleading or there is a material omission, the application may be rejected or not approved, or the Tax Assistance may be delayed, reduced or cancelled.

I / WE HEREBY GRANT permission to the City, or its agents, to inspect my/our property that is the subject of this application.

I / WE HEREBY AGREE that the Tax Assistance may be delayed, reduced or cancelled if the work is not completed, not completed as approved or if the contractors are not paid.

I / WE HEREBY AGREE the program for which application has been made herein is subject to cancellation and / or change at any time by the City in its sole discretion, subject to the terms and conditions specified in the Program. Participants in the program whose application has been approved and who has entered into an agreement with the City of Peterborough will continue to receive their Tax Assistance, subject to the agreement.

I / WE HEREBY AGREE all Tax Assistance will be calculated and awarded in the sole discretion of the City of Peterborough. Notwithstanding any representation by or on behalf of the City of Peterborough, or any statement contained in the program, no right to any Tax Assistance arises until it has been duly authorized, subject to the applicant meeting the terms and conditions of the program and the grant agreement. The City of Peterborough is not responsible for any costs incurred by the Owner / Applicant in any way relating to the Program, including, without limitation, costs incurred in anticipation of Tax Assistance.

Owner or Authorized

Agent Name:

Signature(s):

Date:

General Administration Provisions Applicable to all CIP Financial Incentive Programs

The provision of any CIP grant is subject to the following general administration provisions:

- Owners of properties within the Central Area Community Improvement Project Area are eligible to apply for funding under the grant program. Application may be made on a “first come, first served basis” to the limit of the available funding, provided all eligible criteria and conditions are met for each program. Where applicable, tenants of properties may apply for funding with the written consent of the property owner.
- All applicants shall be required to have a pre-consultation meeting with City staff prior to filing their applications, to determine factors such as program eligibility, scope of work and project timing.
- Where other sources of government funding and/or non-profit organization funding to be applied against the eligible costs is anticipated or has been secured, these must be declared as part of the application and the grant may be reduced on a pro-rated basis.
- All arrangements for financial incentives under the program shall be to the satisfaction of the Treasurer for the City. All applicants who are approved will be required to enter into an agreement with the City approved by Council or its designate. Actual costs may be subject to independent audit, at the expense of the property owner.
- Property taxes shall be in good standing at the time of application and throughout the length of any loan or grant commitment.
- All proposed development shall conform to the Official Plan and Zoning By-law and other planning requirements. There shall be no outstanding work orders issued by the City against the property. In addition, all improvements shall be made pursuant to a building permit, and constructed in accordance with the Ontario Building Code where required.
- Any property that has a heritage designation or is in the Heritage Property Tax Relief Program must be in compliance with those programs to be eligible for any CIP Programs.
- The City may, at its discretion, and without further amendment to the Community Improvement Plan, extend or discontinue any program when and as it deems appropriate. Notwithstanding this, participants in various programs prior to their closing may continue to receive approved grants after the closing of the program as determined through individual agreement with the City and subject to available funding approved by the City.
- Final decisions with respect to applications and the allocation of funds shall be made by City Council, unless Council delegates its authority to staff. If Council delegates its authority, then an applicant shall be afforded the opportunity to appeal a staff decision to Council. The general administration of the program shall be the responsibility of the Planning and Development Services Department, in consultation with other departments as appropriate.
- Continuation of those programs requiring funding through the annual Capital Budget is subject to City Council approval. These programs include the Facade Improvement Grant Program, the Residential Conversion and Intensification Grant Program, and the refund of building permit fees under the Municipal Incentive Grant Program.

Central Area Community Improvement Project Area



Map Accuracy and Interpretation:

The information depicted on this hardcopy or digital map file is schematic in nature. Accurate interpretation of information shown should be obtained from appropriate city planning staff



City of Peterborough

Scale 1: 60,000

Kilometres

0.0 0.4 0.8 1.2 1.6 2.0



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