

# COMMUNITY IMPROVEMENT PLAN

## DOWNTOWN REVITALIZATION & BROWNFIELD DEVELOPMENT



DIVA

Gananoque

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Ontario

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## TABLE OF CONTENTS

1.0	Introduction .....	3
2.0	Community Improvement Plan.....	3
2.1	Overview .....	3
2.2	Purpose .....	4
2.3	Goals and Objectives.....	4
2.4	Community Improvement Areas .....	5
2.5	Legislation .....	5
3.0	Area “A-1” - Downtown Façade/Business Improvement.....	9
	Grant Requirements (Schedule A) .....	9
3.1	Purpose .....	9
3.2	Design Guidelines: .....	9
3.3	Eligibility .....	9
4.0	Area “A-2” - Downtown Façade/Business Improvement .....	14
	Loan Requirements (Schedule A).....	14
4.1	Purpose .....	14
4.2	Design Guidelines: .....	14
4.3	Eligibility .....	14
5.0	Area “A-3” – COVID-Recovery.....	17
	Grant and Loan Requirements (Schedule B).....	17
5.1	Purpose .....	17
5.2	Guidelines .....	17
5.3	Eligibility .....	17
6.0	Area “B” - Brownfield (Schedule B).....	21
6.1	Purpose .....	21
6.2	Eligibility .....	21
6.3	Timing of Program .....	22
6.4	Terms of Municipal Fees Grant Program (Any time) .....	22
6.5	Terms of Study Grant Program .....	23
6.6	Terms of Tax Cancellation Program .....	24
6.7	Terms of Property Tax Increment program .....	25
6.8	Application and Approval Process – Area “B” .....	26
7.0	Monitoring Program .....	28
8.0	Marketing the CIP .....	28
9.0	Amendments to the CIP.....	28
10.0	Review of the CIP .....	28
11.0	Definitions.....	29
	Schedule A-1 and Schedule A-2 – Downtown CIP area .....	31
	Schedule B – Area A-3* and Brownfield CIP area .....	32
	Schedule C – Summary of Programs.....	33
	Schedule D – Record of Site Condition .....	34

## 1.0 INTRODUCTION

The Town of Gananoque is in the heart of the 1000 Islands and is recognized as one of Eastern Ontario's most stunning waterfront communities. It has truly developed into a world-class destination for travelers, businesses and residents.



Gananoque is a strategic business location. The Town is located on the Detroit/Windsor-Montreal corridor on Highway 401. Along this route resides two thirds of Canada's population, and is approximately two and a half hours east of Toronto, three and a half hours west of Montreal, and one hour south of Ottawa, via Hwy 416. Access to the United States and its markets is only twenty minutes east of Gananoque at the 1000 Islands International Bridge, which connects Hwy 401 to U.S. Interstate 81.

## 2.0 COMMUNITY IMPROVEMENT PLAN

### 2.1 Overview

A Community Improvement Plan (CIP) is a tool that allows a municipality to direct funds and implement policy initiatives toward a specifically defined project area. Section 28 of the *Planning Act* gives municipalities that have enabling policies in their official plans the ability to prepare Community Improvement Plans. CIP's are intended to encourage rehabilitation initiatives and/or stimulate development. Once implemented, the plan allows municipalities to provide tax assistance, grants or loans to assist in the rehabilitation of lands and/or buildings within the defined Community Improvement Project Area.



## 2.2 Purpose

The purpose of the CIP is to provide an opportunity to develop and redevelop properties within the boundaries designated as a Community Improvement Project Area.

The CIP will provide incentives to develop and redevelop property in the form of grants, loans and tax assistance.

## 2.3 Goals and Objectives

2.3.1 The objectives of the CIP as identified in the Official Plan include, but are not limited to:

- i. To revitalize, intensify and strengthen residential, commercial, cultural and employment opportunities;
- ii. To provide a safe, vibrant, pedestrian friendly environment;
- iii. To provide an attractive and inviting environment;
- iv. To enhance and reinforce linkages between the areas and the waterfront open space system;
- v. A cleaner, healthier, safer and more livable environment;
- vi. To increase employment, economic activity and investment;
- vii. To upgrade and maintain all essential municipal services and community facilities;
- viii. To ensure that community improvement projects are carried out within the built up areas of the Town;
- ix. To ensure the maintenance of the existing building stock;
- x. To facilitate the remediation, rehabilitation and/or redevelopment of existing Brownfield sites;
- xi. To encourage private sector investment and the strengthening of the economic base;
- xii. To enhance the visual appearance of Community Improvement Areas;
- xiii. To revitalize our downtown commercial district (General Commercial Policy Area) as a mixed use area and a vibrant shopping destination;
- xiv. To encourage the continued commercial vitality and economic viability throughout all seasons of the year;
- xv. To preserve heritage resources of architectural and historical significance and encourage improvement in buildings consistent with the heritage character of the area;
- xvi. To create an attractive image of the Town that reflects the historic character and heritage of the community;
- xvii. To encourage infilling and redevelopment of vacant or underutilized land as with Brownfield sites;
- xviii. To provide incentives to promote a broad range of building and environmental rehabilitation, development and redevelopment and land acquisition consistent with the Official Plan of the Town of Gananoque;

## 2.4 Community Improvement Areas

2.4.1 The CIP designates two Community Improvement Project Areas.

- i. Area “A-1 and A-2”, Façade/Business Improvement – As shown on Schedule A of the CIP, this area is generally the area of the Business Improvement Area. This area has approximately 50 businesses, located generally on either side of King St. from Charles St. to the Gananoque River, and on the south side of King Street from the Gananoque River to Main Street.
- ii. Area “A-3”, Business Improvement – As shown on Schedule A-3 of the CIP, this is the geographical boundaries of the Town of Gananoque.
- iii. Area “B”, Brownfield – Town wide - As shown on Schedule B of the CIP, this is the geographical boundaries of the Town of Gananoque.

## 2.5 Legislation

### **Municipal Act**

Section 106 of the Municipal Act prohibits Municipalities from providing assistance to businesses that would favour a business over its competitors:

- (1) Despite any Act, a municipality shall not assist directly or indirectly any manufacturing business or other industrial or commercial enterprise through the granting of bonuses for that purpose.
- (2) Without limiting subsection (1), the municipality shall not grant assistance by,
  - i. giving or lending any property of the municipality, including money;
  - ii. guaranteeing borrowing;
  - iii. leasing or selling any property of the municipality at below fair market value; or
  - iv. giving a total or partial exemption from any levy, charge or fee.

Section 106 (3) provides an exception to the above:

- (3) Subsection (1) does not apply to a council exercising its authority under subsection 28 (6), (7) or (7.2) of the *Planning Act* [Community Improvement Plans] or under section 365.1 of this Act [Brownfield Assistance].

### **Planning Act**

Section 28 of the Planning Act permits municipalities to approve a Community Improvement Plan. The Act contains the following definitions:

“**Community Improvement**” means the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment,

construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefor, as may be appropriate or necessary;

**“Community Improvement Plan”** means a plan for the community improvement of a community improvement project area;

**“Community Improvement Project Area”** means a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.

The Act further identifies provisions with respect to grants, loans, agreements and maximum eligibility. It additionally requires the municipality to have provisions set out in their Official Plan permitting community improvement plans.

#### **Town of Gananoque Official Plan**

Section 5.5 of the Town’s Official Plan dated September 15, 2009 and MAH approved May 10, 2010 addresses the Community Improvement Plan.

##### **5.5.1 Policies**

Subject to Section 28 of the Planning Act, in pursuing the objectives of the Official Plan’s Community Improvement Policies Council may:

- a) sell, lease or dispose of lands and buildings acquired or held by the municipality;
- b) give loans and grants to owners, tenants and their assignees for rehabilitation purposes;
- c) provide tax assistance by freezing or canceling the municipal portion of the property tax on eligible properties for remediation purposes;
- d) issue debentures with the approval of the Ontario Municipal Board; and
- e) fostering the improvement of businesses and public spaces to remove barriers, which may restrict their accessibility.

##### **5.5.1.2 Council shall have regard for the following matters in the preparation and adoption of a Community Improvement Plan, namely;**

1. The basis for selection of the community improvement project areas with specific consideration of the following:
  - i. That there is evidence of a need to improve municipal services such as roads, sidewalks, street lighting, parking, sanitary and storm sewers, water supply, parks and recreation, community facilities, the waterfront areas or streetscaping. Improvements may apply to some or all of the above services.

- ii. That the phasing of improvements corresponds to the timing of improvements by the Town and/or senior governments and is within the financial capability of the municipality.
  - iii. That a significant number of buildings in an area show signs of deterioration and need of repair.
  - iv. That there is evidence that a site can be classified as a Brownfield and that the adoption of a community improvement plan would assist in the remediation, rehabilitation and\or redevelopment of a property or area.
  - v. That improvement to the visual appearance or aesthetics be required.
  - vi. That improvements will have a significant impact on strengthening the economic base of the community.
2. The boundary of the area and the land use designations contained in this Plan;
  3. Properties proposed for acquisition and/or rehabilitation;
  4. The estimated costs, means of financing and the staging and administration of the project;
  5. The provision of sufficient flexibility, as circumstances warrant, where project and costing revisions are necessary;
  6. The phasing of improvements and the means of their implementation; and
  7. Citizen involvement during the preparation of a Community Improvement Plan.

#### 5.5.1.3 Implementation of a Community Improvement Plan Policies

Council shall implement the general principles and policies of this Section as follows:

1. Through the identification of specific community improvement projects and the preparation of Community Improvement Plans;
2. Through participation in programs with senior levels of government;
3. Through enforcement of the Municipality's Property Standards Bylaw;
4. Through the acquisition of land to implement adopted Community Improvement Plans;
5. Through the encouragement of the orderly development of land as a logical and progressive extension of development which provides for the infilling of underutilized land;
6. Through the encouragement of the private sector to utilize available government programs and subsidies;
7. Through the enactment of a comprehensive zoning by-law which provides for a range of appropriate uses, for the intensification and integration of land uses, and which stimulates the economic and/or functional role of the areas or alternatively through the adoption of an area specific Development Permit System which streamlines development approval and which ensures that architectural and urban design considerations are implemented; and

8. By encouraging the rehabilitation of existing buildings and structures which will be used for a purpose compatible with the surrounding area.





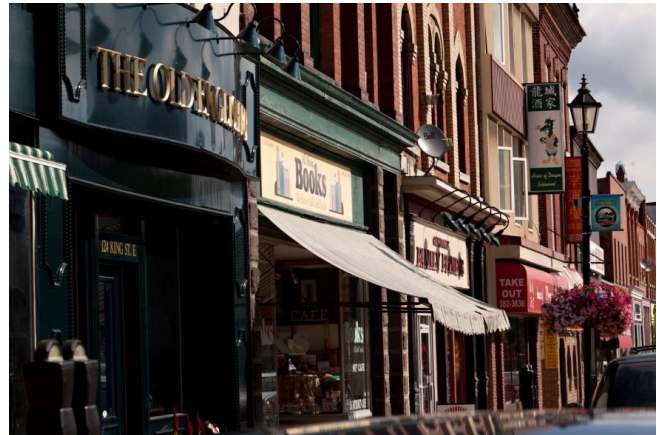
### 3.0 Area “A-1” - Downtown Façade/Business Improvement Grant Requirements (Schedule A)

This section sets out all of the requirements for the Downtown Façade/Business Improvement grant programs in Area “A-1” of the CIP for both interior and exterior. Compliance with these requirements is mandatory. Individual programs may have additional requirements that must also be complied with to be eligible for incentives.

#### 3.1 Purpose

To encourage and provide a program for design changes to stimulate redevelopment and revitalization of the Downtown core.

To encourage and provide a program to rehabilitate existing commercial/mixed use buildings. This will promote improvement of the physical conditions that would otherwise be considered cost prohibitive by a landowner.



#### 3.2 Design Guidelines:

All applications shall be reviewed against the following. In addition, decisions related to awarding incentives will be based on consistency with the following:

- a) Profiles for the Downtown Revitalization Study completed by Commonwealth Historic Resource Management Limited dated 2005;
- b) The design guidelines as set out in the Commercial Traditional Core designations in the Development Permit By-law; and
- c) Applicable Town, Provincial and Federal policies, by-laws, provisions, standards and guidelines.

#### 3.3 Eligibility

The following is a list of criteria required for participation in the CIP for Area "A-1". The list below is not exhaustive and the Town reserves the right to include other criteria or requirements on a site specific basis as deemed appropriate:

- a) The Community Improvement Project Area for Area "A-1" is illustrated in Schedule A attached to this CIP. Only properties within Schedule A are eligible for the incentives available under this CIP.
- b) Only one application shall be received for each storefront, on an assessed property, on a one time basis.

- c) Commercial building owners and tenants of the buildings who operate a business within the CIP area.
- d) Applicants for the CIP may be tenants of a property provided that the application is authorized by the owner of the property.
- e) The Owner is required to enter into an agreement satisfactory to the Town to govern the administration of the incentive program.
- f) Works completed prior to approval by the Town are not eligible.
- g) Costs in excess of the amount set out in the Agreement are the responsibility of the Owner/Applicant.
- h) Applications will be processed and approved on a first come first serve basis, subject to availability of funding as approved by Council.
- i) The total value of all incentives under the CIP program(s) cannot exceed the approved value of eligible costs.
- j) Stacking of grants is allowed (Funding provided through CIP may be used in partnership with other private, provincial or federal funding) provided that the total amount of all incentives, grants and other financial programs provided by all levels of government do not exceed the approved eligible costs.
- k) Property owners who are in arrears of taxes, water and sewer or any other municipal accounts receivable are not eligible to receive any incentives under the CIP. If a payment plan was in place, approved by the Finance Department, an application could be considered.
- l) All outstanding work orders must be satisfied.
- m) If the applicant is in default of any of the general or program specific requirements, or any other requirements of the Town, the Town may delay, reduce or cancel any approved incentives and require repayment of any incentive already provided.
- n) The Town may discontinue any of the programs contained in this CIP at any time, but applicants with approved grants will still receive said grant, subject to meeting the general and program specific requirements.
- o) Eligible applicants can apply for one, more or all of the incentive programs contained in this CIP, but no two programs may be used to pay for the same eligible cost. Also, the total of all grant and tax assistance provided in respect of the subject property for which an applicant is making application under the programs contained in the CIP shall not exceed the eligible cost of the improvements to that property.
- p) Development must conform to approved Official Plan, Development Permit By-law and all other municipal by-laws, legislation and supporting regulations/approvals by other levels of government.

### 3.4 Terms of Grant Program

- a) **Façade** - Maximum matching grant of \$3,000 - A onetime grant of 50% of the eligible costs, to a maximum of \$3,000, is available to assist property owners or tenants to improve. Grant applicants shall consider the entire façade of the building. One grant is available per storefront building.

Eligible façade improvements will include repair/restoration/ replacement/ installation of exterior features including but not limited to the following as determined by the Town:

- i. Repainting, cleaning or re-facing of façades
- ii. Repair or restoration of façade masonry, brickwork or wood
- iii. Exterior woodwork
- iv. Replacement, repair or restoration of cornices, eaves, parapets and other architectural features
- v. Paint (including removal, surface preparation, cleaning and/or painting)
- vi. Installation or repair of canopies and awnings
- vii. Installation or repair of exterior lighting
- viii. Restoration of historic features
- ix. Entranceway modifications that improve the appearance and/or access to the commercial units
- x. Installation new signage or improvements to existing signage (cannot be applied for individually) as per the Sign and Merchandise Display By-law
- xi. Replacement or repair of Windows and doors (cannot be applied for individually)
- xii. Architectural or design fees may be eligible in an amount up to \$500 as part of the total grant awarded for completed construction. In no event shall the total eligible costs exceed \$3,000 per building. The type and amount of eligible work/costs shall be determined in the sole discretion of the Town.
- xiii. Sidewalk improvements may be considered provided all encroachment permits and any applicable policies are met

b) **Accessibility** - Maximum matching grant of \$3,000 for accessibility - A onetime grant of 50% of the eligible costs, to a maximum of \$3,000, is available to assist property owners or tenants to encourage accessibility to the existing buildings.

c) **Interior** - Maximum matching grant of \$3,000 for interior (\$2,000 commercial, \$1,000 residential) - A onetime grant of 50% of the eligible costs, to a maximum of \$3,000, is available to assist property owners to make interior improvements as described below.

- i) Commercial – For properties zoned for commercial use, a onetime grant of a maximum of \$2,000 is available to assist in the following improvements:
  - a) Alterations to interior walls, ceilings and doors
  - b) Paint, wallpaper, windows covers and flooring (including removal, surface preparation, cleaning and/or painting)

- c) Phone and data cabling
  - d) Architectural detail
  - e) Fixed interior lighting
  - f) HVAC, electrical or plumbing upgrades
- ii) Residential – For properties designated for residential use, a onetime grant of a maximum of \$1,000 is available to assist in the conversion of vacant space in upper storey buildings to create new residential dwelling units.

Eligible costs include but are not limited to:

- a) Alterations to interior walls, ceilings and doors
- b) Paint, wallpaper, windows covers and flooring (including removal, surface preparation, cleaning and/or painting)
- c) Phone and data cabling
- d) Architectural detail
- e) Fixed interior lighting
- f) HVAC, electrical or plumbing upgrades

Interior grants will only be eligible where the exterior of the building is in a satisfactory state as determined by the Review Committee in its sole discretion.

- d) **Permit/Applications** - Maximum reimbursement of up to \$500 for building permit and encroachment permit fees for work that is approved for the CIP program. The applicable fees must be paid in full for any approved work and upon completion of all eligible work in accordance with all applicable laws the Town may reimburse the fee.

### 3.5 General Terms of Grant Program

- a) Works as set out in the Agreement must be completed prior to the grant portion being distributed.
- b) Payment of any grant/incentive is conditional upon submission of satisfactory proof of payment of the eligible costs.
- c) Where an incentive is a matching grant, proof of the total costs incurred and paid will be required. In the event that the actual eligible costs are less than the amounts submitted with the application, the matching grant shall be limited to 50% of the total eligible costs.
- d) The Town reserves the right to require a compliance audit and site inspection as a condition of approval and payment of any incentives.
- e) Eligible costs do not include any labour costs for work performed by the applicant/owner. All labour costs must be substantiated with proof of payment.
- f) Works must be completed within one year of the approved agreement unless approved by the Town.

### 3.6 Application and Approval Process

- a) Applicants are required to complete the application form.
- b) Applicants are required to submit supporting documentation such as specifications of the proposed project including plans, colour samples, drawings and photographs of the existing building, past photos or drawings and any other information or materials requested by the Town.
- c) A minimum of three quotes are required for the requested works.
- d) Applicants are required to obtain all necessary building, encroachment or work permits in advance of commencing any work. Approval of a CIP application is not permission to construct required under the Planning Act, Building Code Act or any other applicable laws.
- e) Applications may be circulated to any internal departments for review and comment.
- f) If the application meets all relevant criteria, the Review Committee may recommend approval of the application to Council. A business plan may be a requirement of the Review Committee.
- g) Council has the absolute discretion to approve or refuse any incentive or combination of incentives.
- h) Upon approval by Council, the applicant will be required to sign a site specific agreement between the Owner and the Town on terms satisfactory to the Town.
- i) Upon completion of the works as set out in the agreement and upon payment by the applicant for works performed, the applicant submits proof of payment to the Town along with photos of said works.
- j) Staff will review the proof of payment, photos and conduct a site inspection.
- k) If approved to the satisfaction of the works as outlined in the agreement a requisition will be submitted as set out in the agreement. The requisition will be part of the next available cheque disbursement of the Town



## 4.0 AREA “A-2” - DOWNTOWN FAÇADE/BUSINESS IMPROVEMENT LOAN REQUIREMENTS (SCHEDULE A)

This section sets out all of the requirements for the Downtown Façade/Business Improvement loan programs in Area “A-2” of the CIP. Compliance with these requirements is mandatory. Individual programs may have additional requirements that must also be complied with to be eligible for incentives.

### 4.1 Purpose

To encourage and provide a program for interior/exterior design changes to stimulate redevelopment and revitalization of the Downtown core.

To encourage and provide a program to rehabilitate existing commercial/mixed use buildings. This will promote improvement of the physical conditions that would otherwise be considered cost prohibitive by a landowner.

### 4.2 Design Guidelines:

All applications shall be reviewed against the following. In addition, decisions related to awarding incentives will be based on consistency with the following:

- a) Profiles for the Downtown Revitalization Study completed by Commonwealth Historic Resource Management Limited dated 2005;
- b) The design guidelines as set out in the Commercial Traditional Core designations in the Development Permit By-law; and
- c) Applicable Town, Provincial and Federal policies, by-laws, provisions, standards and guidelines.

### 4.3 Eligibility

The following is a list of criteria required for participation in the CIP for Area "A". The list below is not exhaustive and the Town reserves the right to include other criteria or requirements on a site specific basis as deemed appropriate:

- a) The Community Improvement Project Area for Area "A-2" is illustrated in Schedule A attached to this CIP. Only properties within Schedule A are eligible for the incentives available under this CIP.
- b) Only one application shall be received for each storefront on an assessed property.
- c) Commercial building owners and tenants of the buildings who operate a business within the CIP area.
- d) Applicants for the CIP may be tenants of a property provided that the application is authorized by the owner of the property.
- e) The Owner is required to enter into an agreement satisfactory to the Town to govern the administration of the incentive program.
- f) Works completed prior to approval by the Town are not eligible.

- g) Costs in excess of the amount set out in the Agreement are the responsibility of the Owner/Applicant.
- h) Applications will be processed and approved on a first come first serve basis, subject to availability of funding as approved by Council.
- i) The total value of all incentives under the CIP program(s) cannot exceed the approved value of eligible costs .
- j) Stacking of grants is allowed (Funding provided through CIP may be used in partnership with other private, provincial or federal funding) provided that the total amount of all incentives, grants and other financial programs provided by all levels of government do not exceed the approved eligible costs.
- k) Property owners who are in arrears of taxes, water and sewer or any other municipal accounts receivable are not eligible to receive any incentives under the CIP. If a payment plan was in place, approved by the Finance Department, an application could be considered.
- l) All outstanding work orders must be satisfied.
- m) If the applicant is in default of any of the general or program specific requirements, or any other requirements of the Town, the Town may delay, reduce or cancel any approved incentives and require repayment of any incentive already provided.
- n) The Town may discontinue any of the programs contained in this CIP at any time, but applicants with approved grants will still receive said grant, subject to meeting the general and program specific requirements.
- o) Eligible applicants can apply for one, more or all of the incentive programs contained in this CIP, but no two programs may be used to pay for the same eligible cost. Also, the total of all grant and tax assistance provided in respect of the subject property for which an applicant is making application under the programs contained in the CIP shall not exceed the eligible cost of the improvements to that property.
- p) Development must conform to approved Official Plan, Development Permit By-law and all other municipal by-laws, legislation and supporting regulations/approvals by other levels of government.

#### 4.4 Terms of Loan Program

A Maximum loan of \$10,000 - An interest free loan to a maximum of \$10,000 amortized over 5 years is available to assist property owners with exterior and/or interior improvements.

- i. The term of the loan shall be 5 years and the principal balance of the loan shall be repaid in 5 equal annual installments as outlined in the agreement.
- ii. The loan shall be interest free for the term of the loan; unless the loan is in default.
- iii. Interest and default terms shall be specified in the agreement
- iv. The loan shall be secured against the property for which work is being performed under this CIP.

- v. Should the property be sold, prior to the full repayment of the loan, the financial obligation shall be paid in full by the Building Owner.
- vi. Where a tenant applies for this program, they must secure the permission in writing from the property owner and the owner must be a party to the agreement with the Town. Tenants shall be required to post alternative security in the full amount of the loan.
- vii. Completion of the façade improvement shall be completed within one year of the date of this agreement or the Agreement shall be null and void and any money advanced to the Owner shall be repaid immediately.

#### 4.5 Application and Approval Process

- a) Applicants are required to complete the application form.
- b) Applicants are required to submit supporting documentation such as specifications of the proposed project including plans, colour samples, drawings and photographs of the existing building, past photos or drawings and any other information or materials requested by the Town.
- c) A minimum of three quotes are required for the requested works.
- d) Applicants are required to obtain all necessary building, encroachment or work permits in advance of commencing any work. Approval of a CIP application is not permission to construct required under the Planning Act, Building Code Act or any other applicable laws.
- e) Applications may be circulated to any internal departments for review and comment.
- f) If the application meets all relevant criteria, the Review Committee may recommend approval of the application to Council. A business plan may be a requirement of the Review Committee.
- g) Council has the absolute discretion to approve or refuse any incentive or combination of incentives.
- h) Upon approval by Council, the applicant will be required to sign a site specific agreement between the Owner and the Town on terms satisfactory to the Town.
- i) Upon completion of the works as set out in the agreement and upon payment by the applicant for works performed, the applicant submits proof of payment to the Town along with photos of said works.
- j) Staff will review the proof of payment, photos and conduct a site inspection.
- k) If approved to the satisfaction of the works as outlined in the agreement a requisition will be submitted as set out in the agreement. The requisition will be part of the next available cheque disbursement of the Town.



## 5.0 AREA "A-3" – COVID-RECOVERY GRANT AND LOAN REQUIREMENTS (SCHEDULE B)

This section sets out all of the requirements for a Business Improvement grant and loan program in Schedule "B" of the CIP for COVID-Recovery. Compliance with these requirements is mandatory. Individual programs may have additional requirements that must also be complied with to be eligible for incentives.

### 5.1 Purpose

To encourage and provide a program to stimulate the social or community economic development revitalization of the Town for COVID-Recovery.

This will promote improvement of the physical conditions that would otherwise be considered cost prohibitive by an owner due to circumstance.

### 5.2 Guidelines

All applications shall be reviewed against the following. In addition, decisions related to awarding incentives will be based on consistency with the following:

- a) The Provincial "reopening Ontario after COVID-19" plan and Leeds Grenville and Lanark District Health Unit guidelines for re-opening business; and
- b) Any Applicable Town, Provincial and Federal policies, by-laws, provisions, standards and guidelines.
- c) This program is available from March 16, 2020 to December 31, 2020.

### 5.3 Eligibility

The following is a list of criteria required for participation in the CIP for Area "A-3". The list below is not exhaustive and the Town reserves the right to include other criteria or requirements on a site specific basis as deemed appropriate:

- a) The Community Improvement Project Area for Area "A-3" is illustrated in Schedule "B" attached to this CIP.
- b) Only one application shall be received for each storefront or place of business, on an assessed property, on a one time basis.
- c) Applicants for the CIP may be tenants of a property provided that the application is authorized by the owner of the property.
- d) If the applicant is not the Owner, the Owner is required to enter into an agreement satisfactory to the Town to govern the administration of the incentive or loan program.
- e) Costs in excess of the amount set out in the Agreement are the responsibility of the Owner/Applicant.
- f) Applications will be processed and approved on a first come first serve basis, subject to availability of funding as approved by Council.

- g) The total value of all incentives under the CIP program(s) cannot exceed the approved value of eligible costs-.
- h) Stacking of grants is allowed (Funding provided through CIP may be used in partnership with other private, provincial or federal funding) provided that the total amount of all incentives, grants and other financial programs provided by all levels of government do not exceed the approved eligible costs.
- i) Property owners who are in arrears of taxes, water and sewer or any other municipal accounts receivable are not eligible to receive any incentives under the CIP. If a payment plan was in place, approved by the Finance Department, an application could be considered.
- j) All outstanding work orders must be satisfied.
- k) If the applicant is in default of any of the general or program specific requirements, or any other requirements of the Town, the Town may delay, reduce or cancel any approved incentives and require repayment of any incentive already provided.
- l) The Town may discontinue any of the programs contained in this CIP at any time, but applicants with approved grants will still receive said grant, subject to meeting the general and program specific requirements.
- m) Eligible applicants can apply for one, more or all of the incentive programs contained in this CIP, but no two programs may be used to pay for the same eligible cost. Also, the total of all grant and tax assistance provided in respect of the subject property for which an applicant is making application under the programs contained in the CIP shall not exceed the eligible cost of the improvements to that property.
- n) Development must conform to approved Official Plan, Development Permit By-law and all other municipal by-laws, legislation and supporting regulations/approvals by other levels of government.

#### 5.4 Terms of Grant Program

Maximum grant of \$1,000 - A onetime grant of 100% of the eligible costs is available to assist property owners or tenants to retrofit/improve their place of business to implement required health and safety measures due to COVID-19. One grant is available per storefront building or place of business.

Eligible COVID-Recovery improvements will include but is not limited to the following as determined by the Town:

- i. Implement proper permanent sanitization stations for employees and/or customers
- ii. Implement and erect proper shields and barriers for customer interaction
- iii. Installation of new signage or improvements to existing signage including floors markers or directional flow, curbside pickup/delivery
- iv. Implementation of optional payment methods (financial programs or cashless transactions)

#### 5.5 General Terms of Grant Program

- a) Works as set out in the Agreement must be completed prior to December 31, 2020
- b) Payment of any grant/incentive is conditional upon submission of satisfactory proof of payment of the eligible costs.
- c) In the event that the actual eligible costs are more than the amounts submitted with the application, the grant shall be limited to \$1,000.
- d) The Town reserves the right to require a compliance audit and site inspection as a condition of approval and payment of any incentives.
- e) Eligible costs do not include any labour costs for work performed by the applicant/owner. All labour costs must be substantiated with proof of payment.

## 5.6 Terms of Loan Program

Maximum loan of \$5,000 - An interest free loan to a maximum of \$5,000 amortized over 5 years is available to assist property owners to retrofit/improve their place of business to implement required health and safety measures due to COVID-19.

- viii. The term of the loan shall be 5 years and the principal balance of the loan shall be repaid in 5 equal annual installments as outlined in the agreement.
- ix. The loan shall be interest free for the term of the loan; unless the loan is in default.
- x. Interest and default terms shall be specified in the agreement
- xi. The loan shall be secured against the property for which work is being performed under this CIP.
- xii. Should the property be sold, prior to the full repayment of the loan, the financial obligation shall be paid in full by the Building Owner.
- xiii. Where a tenant applies for this program, they must secure the permission in writing from the property owner and the owner must be a party to the agreement with the Town. Tenants shall be required to post alternative security in the full amount of the loan.

## 5.7 Application and Approval Process

- a) Applicants are required to complete the application form.
- b) Applicants are required to submit supporting documentation such as details of implementation and how the improvement/retrofit The Provincial “reopening Ontario after COVID-19” plan and Leeds Grenville and Lanark District Health Unit guidelines for re-opening business and any other information or materials requested by the Town.

- c) Upon completion of the works as set out in the agreement and upon payment by the applicant for works performed, the applicant submits proof of payment to the Town.
- d) Staff will review the proof of payment and if approved to the satisfaction of the works as outlined in the agreement a requisition will be submitted as set out in the agreement. The requisition will be part of the next available cheque disbursement of the Town.

## **5.06.0**            **AREA “B” - BROWNFIELD (SCHEDULE B)**

### **5.16.1** Purpose

To provide incentives to encourage the reuse, rehabilitation and redevelopment of brownfield properties by removing or reducing the barriers to such redevelopment. The financial incentive program will encourage the private sector to invest in these properties.

The Tax Assistance Program provides a tax freeze on properties that are undergoing remediation and development. It is designed to assist with environmental remediation for properties requiring environmental remediation and/or risk assessment/management.

The Tax Increment provides a grant to the full amount or a portion of the amount of the property tax increase after the property is redeveloped.

### **5.26.2** Eligibility

The following is a list of criteria required for participation in the CIP for Area "B". The list below is not exhaustive and the Town reserves the right to include other criteria or requirements on a site-specific basis as deemed appropriate:

- a) All lands within the geographical area of the Town have been designated under the Community Improvement Plan – Brownfields. Properties within area "B" may be eligible for the incentives available within this Community Improvement Project Area.
- b) Owners of eligible property that is proposed for commercial, industrial, multi-residential and institutional use within Area “B” are eligible to apply for an incentive program.
- c) The Owner is required to enter into an agreement satisfactory to the Town to govern the administration of the incentive program prior to incurring any costs for which an incentives is applied for.
- d) Works completed prior to approval by the Town are not eligible.
- e) Costs in excess of the approved eligible costs are the responsibility of the Owner/Applicant.
- f) Applications will be processed and approved on a first come first serve basis, subject to availability of funding as approved by Council.
- g) The total value of all incentives under the program(s) in this CIP cannot exceed the value of the approved eligible costs.
- h) Stacking of grants is allowed (incentives provided through the CIP may be used in partnership with other private, provincial or federal funding) provided that the total amount of all incentives, grants and other financial programs provided by all levels of government do not exceed the approved eligible costs.

- i) Property owners who are in arrears of taxes, water and sewer or any other municipal accounts receivable are not eligible to receive a loan or grant.
- j) All outstanding work orders must be satisfied.
- k) If the applicant is in default of any of the general or program specific requirements, or any other requirements of the Town, the Town may delay, reduce or cancel the approved incentives and require repayment of the approved incentives;
- l) The Town may discontinue any of the programs contained in this CIP at any time, but applicants with approved grants will still receive said grant, subject to the meeting the general and program specific requirements.
- m) Eligible applicants can apply for one, more or all of the incentive programs contained in this CIP, but no two programs may be used to pay for the same eligible cost. Also, the total of all grant and tax cancellation provided in respect of the eligible property for which an applicant is making application under the programs contained in the CIP shall not exceed the approved eligible costs ;
- n) Development must conform to approved Official Plan, Development Permit By-law and all other municipal by-laws, legislation and supporting regulations/approvals by other levels of government.

### 5.36.3 Timing of Program

For the purposes of the Brownfield CIP there are four areas:

- i. Study Phase – Applies when the applicant is going to undertake a Phase I and Phase II ESA
- ii. Rehabilitation Phase – Applies after a Phase I and Phase II ESA has been conducted and before a building permit is issued (not including a demolition permit).
- iii. Development Phase – Applies when the applicant has a building permit issued and redevelopment is occurring.
- iv. Occupancy Phase – Applies when the building can be occupied.

### 5.46.4 Terms of Municipal Fees Grant Program (Any time)

- a) A onetime grant, equal to the value of the applicable municipal planning application fee and/or building permit fee up to a maximum of \$500.00 whichever is the lesser, provided such matters are supported by the Town and consistent with Town policy including the Official Plan and Development Permit By-law.
- b) Eligible municipal planning applications and building permits fees include:
  - i. official plan amendments;
  - ii. consent application;
  - iii. development permit;
  - iv. demolition permit;

- v. building permit.
- c) The applicant is responsible for all mapping and registration costs for agreements and plans were applicable.
- d) All fees must be paid by the applicant upon submission of the application. Grants, equal to the value of the application fee or building permit will be paid upon final approval of the application or issuance of the demolition or building permit fee, up to the maximum grant amount.
- e) This incentive program is not available in isolation from other CIP Area "B" incentive programs. Eligible properties may apply for this incentive program only in conjunction with one or more applications for other incentive programs.

#### 5.56.5 Terms of Study Grant Program (Study Phase)

- a) Property owners may apply for a study grant incentive at any time. The purpose of the study grant is to confirm whether the property may be eligible for other incentive programs.
- b) Only phase 1 and 2 environmental site assessments that conform with the requirements of Ontario Regulation 153/04 and that are capable of forming part of a complete Record of Site Condition (RSC) are eligible for this incentive program. – see Schedule D.
- c) A maximum of 1 grant per eligible property is available for a phase 1 study. The grant is a matching grant equal to 50% of the cost of the study or \$5,000, whichever is less.
- d) A maximum of 1 grant per eligible property is available for a phase 2 study. The grant is a matching grant equal to 50% of the cost of the study or \$10,000, whichever is less.
- e) The Study must be completed within five years of approval of the funding
- f) The applicant must provide proof of payment for the costs of the study to the Town as a condition of being eligible for the grant.

### 5.66.6 Terms of Tax Cancellation Program (Rehabilitation Phase and Development Phase)

- a) Owners of eligible property may apply for a cancellation of Municipal and Educational property taxes for a total period of three (3) years.
- b) The applicant may apply for a cancellation of taxes for the eligible property during the rehabilitation period and the development period as defined in this CIP.
- c) Educational property tax is subject to Minister of Finance approval.
- d) Eligible properties are those properties for which a phase 2 environmental site assessment has been conducted, and where, as of the date of the phase 2 environmental site assessment, the property did not meet the standards that must be met under subparagraph four i of subsection 168.4 (1) of the *Environmental Protection Act* to permit a record of site condition to be filed under that subsection in the Environmental Site Registry.
- e) Applicants must submit the phase 2 environmental site assessment to the Town to establish eligibility.
- f) Eligible properties must have an estimated total cleanup cost in excess of \$50,000 to be eligible for this program.
- g) Eligible costs are the costs associated with any action taken to reduce the concentration of contaminants on, in or under the property to permit a Record of Site Condition to be filed in the Environmental Site Registry under Section 168.4 of the *Environmental Protection Act*. This includes the cost of:
  - i. Environmental remediation;
  - ii. Placing clean fill and grading;
  - iii. Demolition costs;
  - iv. Costs of removing substances designated under Ontario Regulation 490/09 for projects involving re-use or demolition of existing structures;
  - v. Environmental insurance premiums; and
  - vi. complying with any certificate of property use issued under section 168.6 of the *Environmental Protection Act*

In no case will the total amount of the taxes cancelled under the Property Tax Cancellation Program exceed the total of these eligible costs.

- h) The Property Tax Cancellation Program will cease:
  - i. When the total tax assistance provided equals the total eligible costs as specified above; or
  - ii. After three (3) years for the municipal portion of taxes, and after such time period as is approved by the Minister of Finance for the education portion of taxes, whichever comes first
  - iii. If the applicant is in the Occupancy Phase.
- i) The eligible property will not be eligible to receive tax cancellation until the Town passes a By-law authorizing the provision of assistance. In



addition, the by-law will address any conditions imposed by the Minister of Finance.

- j) Matching education property tax cancellation for eligible property is subject to approval of the Minister of Finance
- k) If the applicant is in default of any conditions in the By-law or brownfield agreement, the tax assistance will be re-payable to the Town and the Province.

#### 5.76.7 Terms of Property Tax Increment program (Occupancy Phase)

- a) Owners of eligible properties may apply for the Property Tax Increment program provided that the estimated costs of remediation is in excess of \$50,000.
- b) Property tax increment grants are only available after a property has been redeveloped following the filing of a record of site condition.
- c) The incentive available is calculated only in relation to the general portion of the total taxes paid and does not include the education taxes levied.
- d) Eligible costs are the costs associated with any action taken to reduce the concentration of contaminants on, in or under the property and any costs to prepare a risk assessment necessary to permit a Record of Site Condition to be filed in the Environmental Site Registry under Section 168.4 of the *Environmental Protection Act*. This includes the cost of:
  - i. Environmental remediation;
  - ii. Risk assessments prepared in accordance with Ontario Regulation 153/04;
  - iii. Placing clean fill and grading;
  - iv. Demolition costs;
  - v. Costs of removing substances designated under Ontario Regulation 490/09 for projects involving re-use or demolition of existing structures;
  - vi. Environmental insurance premiums; and
  - vii. Complying with any certificate of property use issued under section 168.6 of the *Environmental Protection Act*.
- e) Applicants with the Town are eligible to apply for funding under this program provided the following requirements are met:
  - i. Both the pre-construction and post-construction property assessments are established and certified by the Municipal Property Assessment Corporation (MPAC) at the time of application.
  - ii. The cost of the environmental clean-up is identified and certified;
- f) The tax increment is calculated based on the difference between the “pre-construction” municipal taxes and the “post-construction” municipal taxes (the calculation is for the municipal portion of taxes only. The education component of property taxes must be paid in full).The difference in municipal taxes is the portion eligible for a full or partial tax

increment based grant to off-set- eligible costs. This grant is available for a set time period set out in the brownfield agreement between the Town and the land owner.

- g) To be eligible for a tax increment grant the remediation and redevelopment of the eligible property must result in an increase in assessed value and property tax revenues for that property.
- h) The tax increment grant is provided to the property owner annually after all real property taxes have been paid. Once approval is given by Council, a by-law is passed and all applicable agreements are entered into, the Owner will receive an annual grant from the Municipality in accordance with the following formula, commencing the year the property is occupied after remediation and redevelopment:
  - i. year one, 100% of the value of the tax increment;
  - ii. year two, 75% of the value of the tax increment;
  - iii. year three, 50% of the value of the tax increment;
  - iv. year four, 25% of the value of the tax increment;In year five, the Owner shall no longer receive tax increment grants.
- i) The property tax increment program would apply for a four year period as set out in an agreement with the Town and the landowner
- j) The total of all grants provided under this program shall not exceed the total of eligible costs.
- k) Should the property owner default on any of the conditions outlined in the Agreement, the tax assistance provided (plus interest) will become payable to the Town.
- l) The property tax increment grant will be paid to the owner of eligible property. The owner of eligible property may assign the entitlement to receive the grant to any person. The Town will only pay grants to eligible property owners, unless the eligible property owner has provided the Town with a written assignment and direction to pay the grant to another person. The Town shall not be responsible for payments made in accordance with the Plan and/or any written assignment provided by the owner.

#### 5.86.8 Application and Approval Process – Area “B”

- a) Applicants are required to complete the applicable application form, which must be accompanied by the documentation outlined in the application. The application may require the submission of some or all of the following. The Town reserves the right to request additional documentation or information:
  - i. Phase II ESA by a Qualified Person that determines that the property does not meet the standards under Section 168.4(1) of the Environmental Protection Act to permit a Record of Site Condition (RSC) to be filed in the Environmental Site Registry;
  - ii. A description of the planned development along with a timeline for completion and an assessment of Planning Act or other approvals required to proceed;

- iii. An estimate of all eligible costs and where possible supporting documentation related to those costs;
- iv. A pre-construction property assessment confirmed by the Municipal Property Assessment Corporation (MPAC).
- b) A minimum of three quotes are required for the requested works (Study Phase).
- c) Applicants are required to obtain all necessary building or work permits.
- d) Application may be circulated to any internal departments for review and comment.
- e) If the application meets all relevant criteria, the Review Committee may recommend approval of the application to Council.
- f) Upon approval by Council, the applicant will be required to sign a site specific agreement between the Owner and the Town. Council will approve or refuse any incentive or combination of incentives.
- g) Upon completion of the remediation, the applicant must file a Record of Site Condition (RSC) with the Ministry of Environment, with a copy to the Town.
- h) The applicant must pay for all work performed for which an incentive is sought and submit proof of payment to the Town along with two (2) copies of the completed study and all other required documentation.

## **7.0 MONITORING PROGRAM**

The CIP is intended to provide a proactive approach to the redevelopment of property within the Town of Gananoque. The CIP is an opportunity for job retention and creation, increased tax assessment. The Town will monitor:

- i. Jobs created/maintained
- ii. Approved applications
- iii. Unapproved applications and the reasons
- iv. Increase in municipal property tax
- v. Compile participant comments on their experience
- vi. Monitor visual appearance of the community

## **8.0 MARKETING THE CIP**

The successful implementation of the CIP depends on the ability of the initiatives and funding opportunities to be effectively communicated to property owners, business owners, and community organizations.

## **9.0 AMENDMENTS TO THE CIP**

As the plan is implemented, the Plan may be refined to best meet the goals and objectives outlined in this plan. The programs may be altered at any time without an amendment to the plan. An expansion of the CIP area or an increase to the value of the financial programs would require amendment of the Plan in accordance with Section 28 of the Planning Act.

## **10.0 REVIEW OF THE CIP**

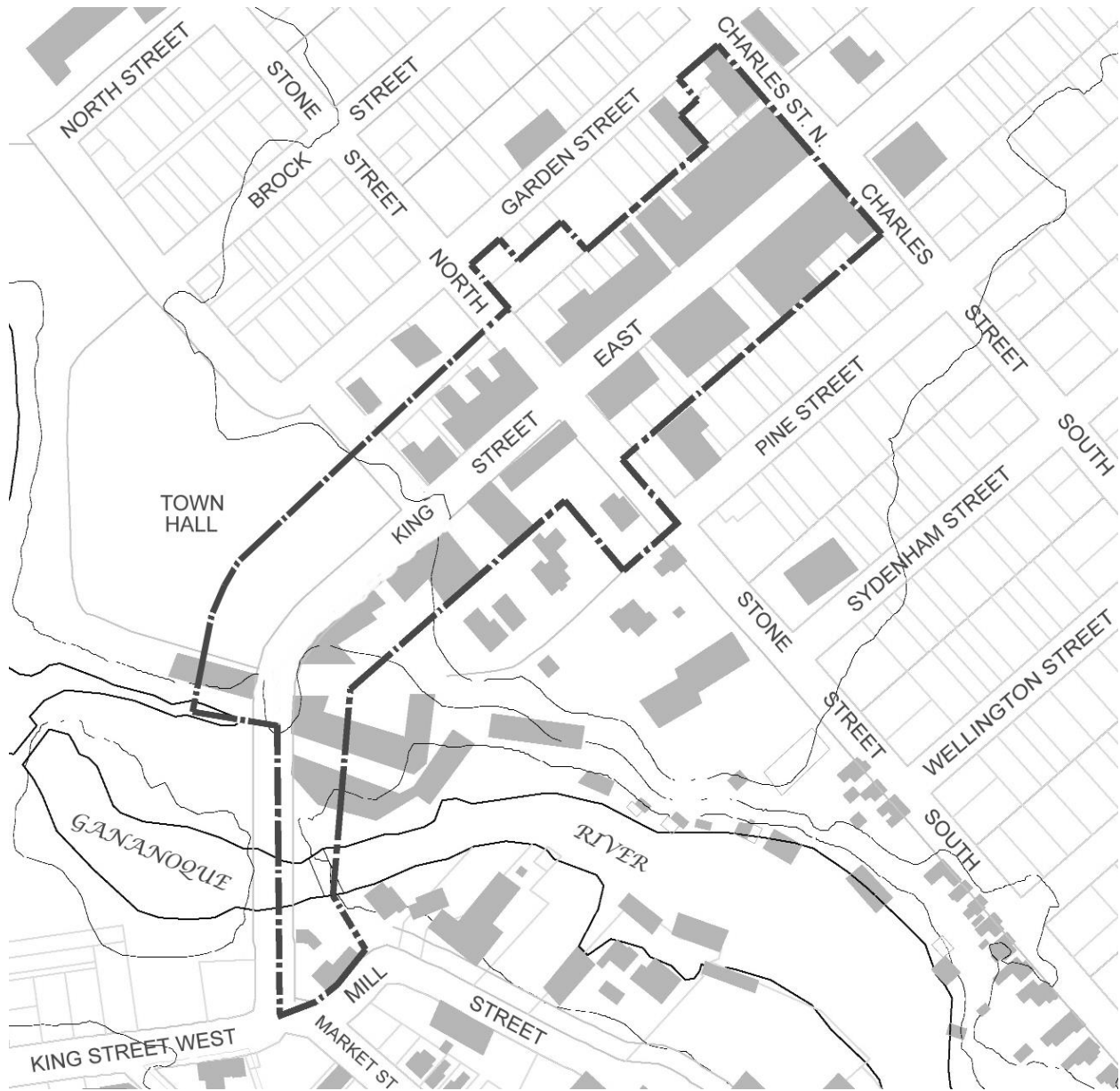
This CIP will be valid for five years from the date of Council adoption. The Town will have an opportunity to review the plan and bring forward recommendations prior to the lapsing of the five year period as to whether the program should continue. The program may be renewed for a maximum of 3 (three) years by bylaw.

## 11.0 DEFINITIONS

- a. **Agreement** shall mean the terms, duration and default provisions of the tax assistance between the property owner and the Town. This Agreement is also subject to approval by Council.
- b. **Applicant** shall mean the registered owner, and may include the assessed owner and tenants of lands and buildings within the community improvement project area and any person to whom such an owner or tenant has assigned the right to receive a grant or loan.
- c. **Brownfield** shall mean vacant or underused sites with potential for redevelopment. They may be contaminated, often due to former industrial or commercial use.
- d. **Contaminated Lands** shall mean situations where elevated levels of contaminants are present in land due to industrial use, waste disposal, accidents or spillages, aerial deposition or migration of contaminants from adjacent areas. Land may also be affected by contamination due to the presence of naturally occurring substances
- e. **Development Period** means, with respect to an eligible property, the period of time starting on the date the rehabilitation period ends and ending on the earlier of,
  - a. the date specified in the bylaw, or
  - b. the date that the tax assistance provided for the property equals the sum of the cost of any action taken to reduce the concentration of contaminants on, in or under the property to permit a record of site condition to be filed in the Environmental Site Registry under Section 168 of the Environmental Protection Act, and the cost of complying with any certificate of property use issued under Section 168 of the Environmental Protection Act.
- f. **Eligible Costs** shall mean costs including the cost of materials, equipment, and contracted labour as more particularly described in each program within the CIP.
- g. **Owner** means the registered Owner of the Lands and includes any successors or assigns.
- h. **Phase I ESA** is the study conducted to determine the likelihood that one or more contaminants have affected all or part of a property. The specific requirements for carrying out a Phase I ESA are set out in Part VII of the Ontario Regulation 153/04 (Record of Site Condition: A Guide on Site Assessment, the Clean-up of Brownfield Sites and the Filing of Records of Site Condition, MOE, 2004).
- i. **Phase II ESA** is the study conducted to determine the location and concentration of one or more contaminants in the natural environment. The specific requirements for carrying out a Phase II ESA are set out in Part VIII of the Ontario Regulation 153/04 (Record of Site Condition: A Guide on Site Assessment, the Clean-up of Brownfield Sites and the Filing of Records of Site Condition, MOE, 2004).
- j. **Post Construction** shall mean the established assessment as certified by MPAC estimating the assessment value of the completed project.
- k. **Pre Construction** shall mean the established assessment as certified by MPAC estimating at the time of the application of the Property Tax Increment Program.
- l. **Qualified Person** shall mean a qualified person (QP) who may conduct or supervise an environmental site assessment (ESA) to be used in support of the submission of a record of site condition (RSC) is defined under Ontario Regulation 153/04 as someone:
  - a. Who holds a licence, limited licence or temporary licence under the Professional Engineers Act; or,
  - b. Who holds a certificate of registration under the Professional Geoscientists Act, 2000 and is a practising member, temporary member or limited member of the Association of Professional Geoscientists of Ontario.

- m. **Record of Site Condition (RSC)** shall mean a document filed in the Environmental Site Registry (ESR). It is a report documenting the results of one or more environmental site assessments (ESAs) of a property conducted or supervised by a qualified person as defined in the Regulation). The RSC will either confirm that there is no evidence of contaminants at the property that would interfere with any future use of the property or that contaminants at the property do not exceed certain concentration limits (standards). The standards are set based on the intended use (residential, commercial, etc.) of the property and on certain physical characteristics of the property. Where the RSC involves standards, the RSC would confirm that the standards for the intended use had been met.
- n. **Rehabilitation** shall mean any effort that result in the productive reuse of lands or buildings within the community improvement project area.
- o. **Rehabilitation period** shall mean, with respect to the eligible property, the period of time starting on the date on which the bylaw providing tax assistance for the property is passed and ending on the earliest of:
  - a. The date that is 18 months after the date that the tax assistance begins to be provided;
    - i. The date that a Record of Site Condition (RSC) for the property is filed in the Environmental site Registry under Section 168 of the Environmental Protection Act; and
    - ii. The date that the tax assistance provided of the property equals the sum of the cost of any action taken to reduce the concentration of contaminants on, in or under the property to permit a record of site condition to be filed in the Environmental Site Registry under Section 168 of the Environmental Protection Act, and the cost of complying with any certificate of property use issued under Section 168 of the Environmental Protection Act.
- p. **Tax Cancellation** means the cancelling of the increase in tax liability.
- q. **Town** means the Corporation of the Town of Gananoque.

**SCHEDULE A-1 AND SCHEDULE A-2 – DOWNTOWN CIP AREA**



SCHEDULE B – AREA A-3\* AND BROWNFIELD CIP AREA



\*Schedule A-3 does not include lands designated Residential

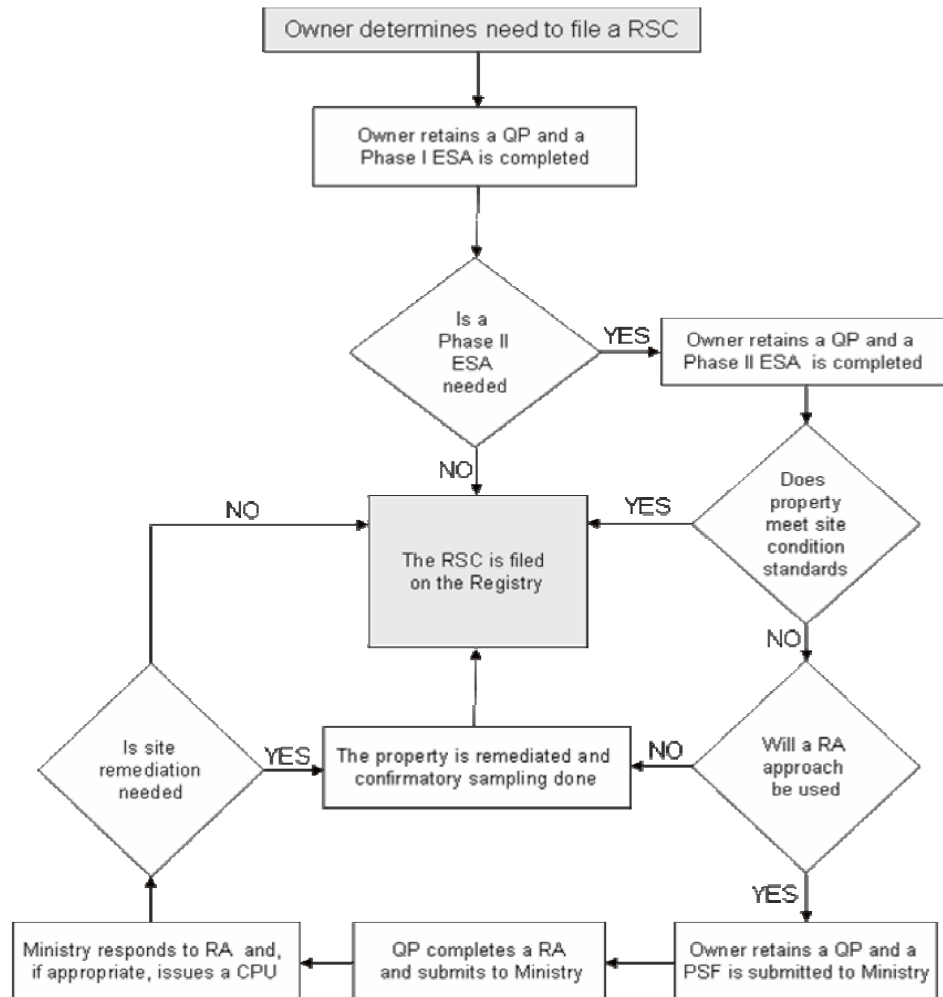


## SCHEDULE C – SUMMARY OF PROGRAMS

Incentive	Summary Details
Downtown Facade Improvement Grant	One time grant up to 50% Maximum \$3,000
Downtown Interior Improvement Residential - Grant	One time grant up to 50% Maximum \$1,000
Downtown Interior Improvement Commercial - Grant	One time grant up to 50% Maximum \$2,000
Downtown Accessibility Improvement Grant	One time grant up to 50% Maximum \$3,000
Downtown Business Improvement Loan	Interest free loan to a maximum of \$10,000 payable over 5 years
Permit/Application Fees Grant	One time grant up to \$500
<u>Business Improvement – COVID-Recovery</u>	<u>One time grant up to 50% Maximum \$1,000</u>
<u>Business Improvement – COVID-Recovery</u>	<u>Interest free loan to a maximum of \$5,000 payable over 5 years</u>
Brownfield Development Grant – Phase I	One time grant up to 50% Maximum \$5,000
Brownfield Development Grant – Phase II	One time grant up to 50% Maximum \$10,000
Brownfield Development Tax Assistance Program	Tax increment grant paid over four years, with a decreasing value
	Cancellation of the education property tax increase up to 3 years, if approved by the Minister of Finance
Brownfield Development Tax Assistance Program	Tax break with escalating scale over 4 years
Application and Permit Fee Grant	One time grant maximum \$500

## SCHEDULE D – RECORD OF SITE CONDITION

**Figure 1: Overview of the RSC Process**



Notes for Figure 1:

1. “CPU” means a certificate of property use
2. “ESA” means an environmental site assessment
3. “Ministry” means Ministry of the Environment
4. “PSF” means a pre-submission form
5. “QP” means a qualified person
6. “RA” means risk assessment
7. “RSC” means a record of site condition

## SCHEDULE E – SUMMARY OF TAX INCENTIVE

### Example of Tax Incentives:

From Vacant Commercial (CX) assessment \$200,000

To Residential (RT) \$1,000,000 and New Commercial (XT)\$3,000,000

	Assessment	Total Taxes	Municipal Tax Incentive	Provincial Tax Incentive Education Tax	Net Tax Owning
Tax Cancellation Year 1	CX \$200,000	\$5,516	\$3,094	\$2,422	\$0
Tax Cancellation Year 2	CX \$200,000	\$5,681	\$3,186	\$2,495	\$0
Tax Cancellation Year 3	CX \$200,000	\$5,852	\$3,277	\$2,575	\$0
Tax Escalation Year 1	RT \$1,000,000 CT \$3,000,000	\$127,355	\$82,780 100%	\$0	\$44,575
Tax Escalation Year 2	RT \$1,000,000 CT \$3,000,000	\$131,175	\$63,948 75%	\$0	\$67,227
Tax Escalation Year 3	RT \$1,000,000 CT \$3,000,000	\$135,111	\$43,910 50%	\$0	\$91,201
Tax Escalation Year 4	RT \$1,000,000 CT \$3,000,000	\$139,164	\$22,614 25%	\$0	\$116,550
Total		\$549,854	\$222,809	\$7,492	\$319,553

Any cancellation /reduction in Education Tax is subject to the Minister of Finance approval.