CITY OF Welland

BROWNFIELD COMMUNITY **IMPROVEMENT PLAN**

2026 Update

PROMOTING REMEDIATION AND REDEVELOPMENT OF BROWNFIELD SITES









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1.0 INTRODUCTION

1.1 What are Brownfields?

For the purposes of this Community Improvement Plan (CIP), a "brownfield" is defined as an abandoned, idled or underutilized property with an active potential for redevelopment, where redevelopment is complicated by known or suspected environmental contamination. Brownfields are usually, but not always, former industrial or commercial properties.

The terms "brownfield redevelopment" and "brownfield development" are used interchangeably in this document to mean the environmental remediation and/or risk assessment/risk management and building rehabilitation/renovation/adaptive reuse or development/redevelopment of brownfields.

1.2 Rationale for Brownfield Redevelopment in Welland

It is estimated that there are over 200 ha. (500 acres) of potential brownfield land in Welland.[1] Brownfield sites can and do have environmental, economic and social impacts in Welland. As described below, brownfield redevelopment can help to remove these impacts and provide significant environmental, economic and social benefits for residents and property and business owners in Welland.

1.2.1 Environmental Benefits

From the environmental perspective, the contamination of soil and groundwater that results from brownfield sites may be a concern for human health and safety, as well as environmental quality and health. The environmental remediation and redevelopment of brownfield sites serves to improve the environmental quality of soil and groundwater in Welland, which in turn can improve aquatic, ecological and human health. The positive impact of brownfield development on the environment is not limited to individual sites. Environmental restoration of individual sites can have a cumulative positive impact on the environment, including the protection of groundwater resources, wetlands and wildlife habitat.[2]

Underused brownfield sites in the serviced urban area represent a lost opportunity to limit greenfield development at the urban area boundary. Studies have shown that the redevelopment of brownfields can decrease the demand for greenfield development, which in turn reduces the potential environmental impacts associated with greenfield development, such as air and water pollution and the loss of agricultural land. One particular U.S. study found that every acre of brownfield land developed would have required 4.5 acres of greenfield land.[3] This demonstrates the potential of brownfield development to reduce the amount of greenfield land consumed, thereby reducing sprawl and its associated negative environmental impacts, including air and water pollution and the loss of prime agricultural land. By using existing infrastructure, brownfield development can also reduce the costs of urban sprawl, including the costs of providing hard and soft services to greenfield areas.

[1] See 2007 Welland Brownfield Strategy, Section 5.0.
[2] Regional Analytics. 2002.
[3] Deason et al. 2001.

Brownfield projects, be they employment or residential uses, can also reduce the distance between the location of employment areas and residential areas, and therefore transportation costs. For example, one study found that every hectare of brownfield land redeveloped for residential purposes can save as much as $66,000 a year in transportation costs relative to equivalent greenfield development.[4] Therefore, brownfield development can have the effect of reducing commuting needs, reducing traffic congestion and air pollution.

1.2.2 Economic Benefits

From an economic perspective, the existence of brownfields can reduce the availability of land for local economic development, thereby limiting employment opportunities. Brownfield sites can also lower surrounding property values, reduce property tax revenues, create land use conflicts, and contribute to neighbourhood deterioration.

A study of brownfield development in Canada found that every $1 spent in the Canadian economy on brownfield development generates approximately $3.80 in total economic output in all industries in the Canadian economy.[5] Several other Canadian and U.S. studies have found that brownfield development can increase neighbourhood property values.[6] Experience in Hamilton and other municipalities that have had brownfield development programs in place for some time suggests that brownfield development projects can result in a significant increase in long-term property tax revenues to local and provincial governments. As well, the redevelopment of brownfield sites for employment, commercial and residential uses represents an excellent economic opportunity for a municipality to increase the property tax revenues generated by these properties without incurring the significant public infrastructure costs typically associated with greenfield development.

1.2.3 Social Benefits

From a social perspective, brownfield sites can attract vandals, open dumping and other illegal activity that can lead to neighbourhood and employment area deterioration and negatively impact the quality of life in a community. While the economic and environmental benefits of brownfield development are more obvious, brownfield development can also generate significant social benefits at the local level. Based on an analysis of a dozen brownfield projects across Canada, the NRTEE concluded that brownfield development can be an engine for urban renewal.[7] Case studies reviewed by the NRTEE showed that this renewal can take the form of:

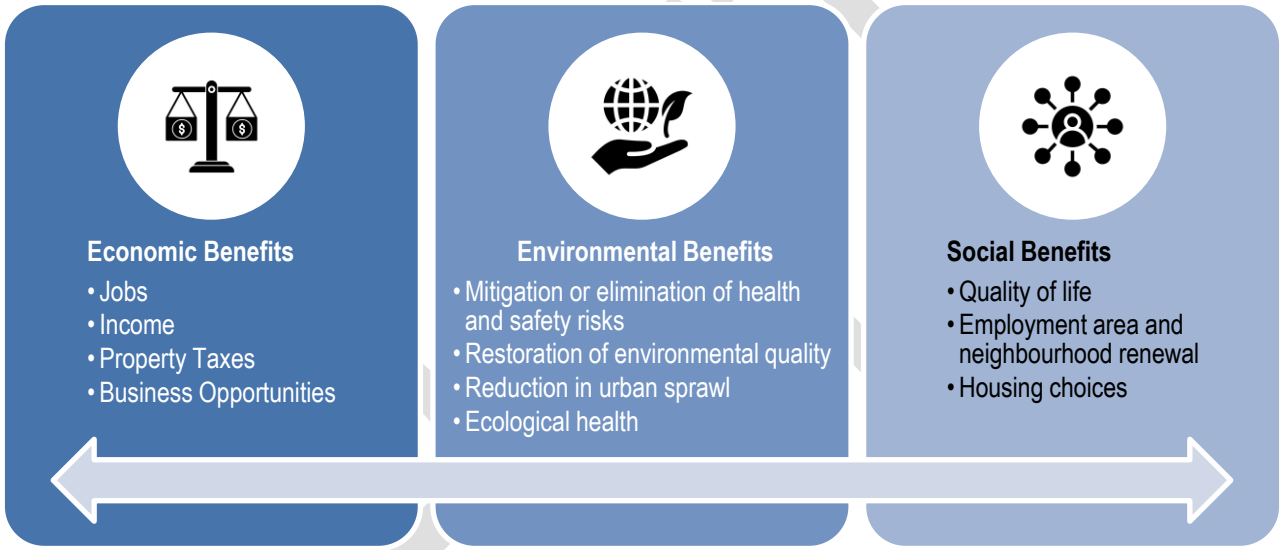
- neighbourhood, employment area and downtown revitalization; improved aesthetic quality of the urban environment;
- provision of affordable housing opportunities; creation of recreational and public open spaces;
- improved safety and security; and,

[4] Hara Associates. 2003.
[5] Regional Analytics. 2002.
[6] See for example, Environment Canada. 1998.
[7] National Roundtable on the Environment and the Economy. 2003.

- an increased sense of community participation and civic pride.accrue at the local level because all development, be it brownfield or greenfield, is inherently local. Therefore, the rationale for addressing the brownfield issue in Welland can be found in the significant economic, environmental, and social benefits that would accrue in Welland.

Figure 1 below summarizes the benefits of brownfield development and the interrelationship between these benefits. For example, the economic benefits resulting from brownfield development, such as increased incomes and property tax revenues can contribute to social benefits such as neighbourhood stability and quality of life. Therefore, financial incentive programs that result in an increase in brownfield development will translate into economic, environmental and social benefits.

Figure 1 Benefits of Brownfield Redevelopment



Source: Regional Analytics, 2002, Figure 2, p. 7.

1.3 Purpose of the CIP

As described in the previous section, brownfields in Welland are impacting the City's ability to increase employment, property tax revenues, and promote neighbourhood renewal. Brownfields are also impacting the City's ability to meet intensification and growth targets specified in Provincial, Regional and City planning policies.

In May of 2007, the City of Welland adopted and implemented a Brownfield Community Improvement Plan (CIP), which was later updated in 2018. As described in Section 1.4 below, a comprehensive review of the 2018 Brownfield CIP was undertaken as part of this updated Brownfield CIP.
The purpose of this Brownfield CIP (the "CIP") is to outline a framework of incentive programs, a municipal leadership strategy, and a marketing strategy designed to promote the assessment, remediation, risk management, adaptive reuse, development and redevelopment of brownfields by the private sector in Welland.

1.4 Methodology

A project staff team (PST) comprised of senior City staff from several departments was established to help guide preparation of this CIP. The PST provided data on the quantitative results of the brownfield incentive programs. The PST also met on several occasions during preparation of the CIP to receive project updates, review results and provide input to the consultant.

The first step in the preparation of this CIP was a review of the incentive programs contained in the 2007 Brownfield CIP and 2018 Brownfield CIP and the quantitative results of these programs. City staff responsible for administering and marketing the incentive programs were also interviewed by the consultant to identify potential content, administrative, and marketing improvements to the programs, as well as other steps the City can take to help promote brownfield redevelopment. The best incentive program practices used by a number of other municipalities with long-standing brownfield redevelopment programs in Ontario were reviewed and compared to the incentive programs contained in the City of Welland 2018 Brownfield CIP.

Next, a review of the legislative framework for the preparation and adoption of a CIP to promote brownfield redevelopment was conducted. This was followed by a review of key City, Region of Niagara, and Provincial policies that provide direction on brownfields. This included a review of:

i) Provincial policies including the Provincial Planning Statement (PPS);
ii) Region of Niagara policies including the Regional Official Plan (ROP),Niagara Region Incentives Policy, and Niagara Region 10-Year Economic Development Strategy; and,
iii) City of Welland policies including the Official Plan, Council Strategic Priorities, Economic Development Strategic Plan, Strategic Plan (2023-2026), Recreational Waterway Master Plan, and the other approved CIPs in Welland (the Downtown and Connected Districts CIP and the City of Welland Niagara Gateway Economic Zone and Centre CIP).

As part of the 2026 update to the Brownfields CIP, focus group interviews were conducted with key brownfield stakeholders identified by City staff. These stakeholders included large and small brownfield developers, some of whom had experience with the City's brownfield incentive programs, as well as local residential home builders and industrial building representatives. These key stakeholders were asked questions about:

- impediments to brownfield redevelopment in Welland;
- how they became aware of the City's incentive programs/ efforts to promote brownfield redevelopment; their experiences applying for the City's brownfield and other CIP incentive programs; and,
- what key program content, administrative, and marketing changes the City could make to improve the effectiveness and attractiveness of its brownfield redevelopment incentive programs.

The key brownfield stakeholders were then invited to a public open house in March 2025 where the results of the review of the existing brownfield incentive programs and the interviews with City staff and key stakeholders were presented by the consultant. Proposed revisions to the brownfield incentive

programs were also presented to the key stakeholders in attendance. A roundtable was then held with these key stakeholders to obtain their feedback on the proposed incentive program, municipal leadership, and marketing strategy improvements. This important feedback gathered was used to refine and finalize the incentive programs, municipal leadership strategy, and marketing strategy.

Finally, the proposed revised incentive programs, municipal leadership strategy, and marketing strategy were presented to the City of Welland General Committee of Council in March of 2026 where support and direction was provided to finalize the update to the Brownfield CIP. The result of this comprehensive process is the Brownfield CIP contained herein. It should be noted that the preparation of this CIP follows FCM's Leadership in Brownfield Redevelopment Program (LiBRe) best practices framework.

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1.5 Report Content

Section 2: Legislative Framework

- Outlines the provincial legislative framework for the preparation of this CIP

Section 3: Policy Framework

- Outlines the City, Regional, and Provincial policy framework used to guide preparation of the CIP

Section 4: Community Improvement Needs Analysis

- Summarizes the community improvement needs

Section 5: Community Improvement Project Area

- Presents the recommended Community Improvement Project Area (CIPA) for the CIP

Section 6: Incentive Programs

- Outlines the CIP Incentive Programs designed to stimulate brownfield redevelopment in Welland

Section 7: Municipal Leadership Strategy

- Outlines a municipal leadership strategy including municipal strategies and actions to promote brownfield redevelopment

Section 8: Marketing Strategy

- Contains a basic marketing strategy designed to increase the effectiveness of the CIP by actively promoting the CIP incentive programs and brownfield redevelopment opportunities

Section 9: Monitoring Program

- Contains a monitoring program to monitor the results of the incentive programs and municipal leadership strategy

Section 10: Glossary of Terms

Section 11: References

2.0 LEGISLATIVE FRAMEWORK

2.1 Municipal Act, 2001

Section 106 (1) and (2) of the *Municipal Act, 2001* prohibits municipalities from directly or indirectly assisting any manufacturing business or other industrial or commercial enterprise through the granting of bonuses.

Prohibited actions include giving or lending any property of the municipality, including money; guaranteeing 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. This prohibition is generally known as the "bonusing rule". Section 106 (3) of the *Municipal Act, 2001* provides an exception to this bonusing rule for municipalities exercising powers under Subsection 28 (6), (7) or (7.2) of the *Planning Act* or under Section 365.1 of the *Municipal Act,* 2001. It is this exception under Section 28 of the *Planning Act* that allows municipalities with enabling provisions in their official plans to prepare and adopt Community Improvement Plans (CIPs). CIPs provide municipalities with a comprehensive framework for the provision of economic development incentives in areas requiring community improvement.

Section 365.1 of the *Municipal Act, 2001* operates within the framework of Section 28 of the *Planning Act*. A municipality with an approved CIP in place that contains provisions specifying tax assistance for environmental remediation costs can pass a by-law providing tax assistance to an eligible brownfield property in the form of a deferral or cancellation of part or all of the taxes levied on that property for municipal and education purposes during the assistance period of the property, both as defined in Section 365.1 (1) of the Municipal Act, 2001. Upon receiving a copy of the proposed by-law from the lower-tier municipality, the upper-tier municipality may, by resolution, agree that the by-law may also provide for the cancellation of all or a portion of the taxes levied for upper-tier purposes, and the by-law so agreed to by the upper-tier municipality and passed by the lower-tier municipality is binding on the upper-tier municipality. Lower tier municipalities may also apply to the Province to provide matching education property tax assistance through the Province's Brownfields Financial Tax Incentive Program (BFTIP).

2.2 Planning Act

Section 28 of the *Planning Act* allows municipalities with provisions in their official plans relating to community improvement to designate by by-law a "community improvement project area" and prepare and adopt a community improvement plan for the community improvement project area. Once the community improvement plan has been adopted by the municipality and comes into effect, the municipality may exercise authority under Section 28(6), (7) or (7.2) of the *Planning Act* or Section 365.1 of the *Municipal Act, 2001* in order that the exception provided for in Section 106 (3) of the *Municipal Act, 2001* will apply.

According to Section 28 (1) of the *Planning Act*, a "community improvement project area" is defined as "a municipality or an area within a municipality, the community improvement of which in the opinion of

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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". It is important to note that there are a variety of reasons that an area can be designated as an area in need of community improvement. The criteria for designation cover physical deterioration, faulty arrangement, unsuitability of buildings and any other social or community economic development reasons.

Section 28 (1) of the *Planning Act* defines "community improvement" as "the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable, or other uses, buildings, structures, works, improvements or facilities, or spaces therefore, as may be appropriate or necessary". This represents a wide range of possible municipal actions.

Once a CIP has come into effect, the municipality may:

i) Acquire, hold, clear, grade or otherwise prepare land for community improvement (Section 28 (3) of the *Planning Act*);
ii) Construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the community improvement plan (Section 28 (6));
iii) Sell, lease, or otherwise dispose of any land and buildings acquired or held by it in conformity with the community improvement plan (Section 28 (6)); and
iv) Make grants or loans, in conformity with the community improvement plan, to registered owners, assessed owners and tenants of land 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 (Section 28 (7)).

Section 28 (7.1) of the *Planning Act* specifies that the eligible costs of a community improvement plan for the purposes of Subsection 28 (7) 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.

Section 28 (7.3) of the *Planning Act* specifies that the total of all grants and loans made in respect of particular lands and buildings under Section 28 (7) and (7.2) of the *Planning Act* and tax assistance provided under Section 365.1 of the *Municipal Act, 2001* in respect of the land and buildings shall not exceed the eligible cost of the community improvement plan with respect to those lands and buildings.

Section 28(11) of the *Planning Act* allows a municipality to register an agreement concerning a grant or loan made under subsection 28(7) or an agreement entered into under subsection 28(10) against the land to which it applies and the municipality shall be entitled to enforce the provisions thereof against any party to the agreement and, subject to the provisions of the *Registry Act* and the *Land Titles Act*,

against any and all subsequent owners or tenants of the land.
Section 69 of the *Planning Act* allows municipalities to reduce or waive the amount of a fee in respect of a planning application where it feels payment is unreasonable. Municipalities can use this tool to waive all matter of planning application fees to promote community improvement without inclusion in a CIP. Alternatively, a municipality can collect fees and then provide a partial or total rebate of fees in the form of a grant, but this must be specified within a CIP.

3.0 POLICY FRAMEWORK

3.1 Provincial Planning Statement, 2024

The Provincial Planning Statement (the "PPS") is issued under Section 3 of the *Planning Act* and provides direction on matters of provincial significance related to land use planning and development. Section 3 of the *Planning Act* requires that, "decisions affecting planning matters shall be consistent with policy statements issued under the Act". The latest version of the PPS came into effect on October 20, 2024.

The PPS defines brownfield sites as:

> *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.*

The vision for land use planning in Ontario in the PPS states that "Ontario will continue to be a great place to live, work, and visit where all Ontarians enjoy a high standard of living and an exceptional quality of life." To this end, the PPS promotes:

- An appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by permitting and facilitating all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units (Section 2.2.1);
- General intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities (Section 2.3.1.3);
- Supporting healthy, integrated, and viable rural areas by promoting regeneration, including the redevelopment of brownfield sites (Section 2.5.1);
- Economic development and competitiveness by providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of

existing and future businesses (Section 2.8.1.1);

- Planning to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that support the achievement of compact, transit-supportive, and complete communities (Section 2.9.1);
- Healthy, active, and inclusive communities by planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and where practical, water-based resources (Section 3.9.1);
- Conservation of protected heritage property, which may contain built heritage resources or cultural heritage landscapes (Section 4.6.1);
- Development on, abutting, or adjacent to lands affected by human-made hazards only if rehabilitation or other measures to address and mitigate known or suspected hazards are underway or have been completed (Section 5.3.1);
- Assessment and remediation, as necessary, of sites with contaminants in land or water prior to any activity on the site associated with the proposed use such that there will be no adverse effects (Section 5.3.2).

3.2 Niagara Region Official Plan

The Niagara Region Official Plan (ROP) sets the long-term policy framework to guide land use and development until 2051 and establishes how resources will be protected over the plan's horizon, including the natural environment, cultural heritage, agricultural system, source water, and minerals and aggregates. The ROP was approved with modifications by the Ministry of Municipal Affairs and Housing in November 2022 and is in full force and effect. The ROP establishes policies on managing growth, housing, sustainable development, economic development, protecting natural areas and features, transportation and infrastructure.

The City of Welland's urban area is designated as a "Delineated Built-up Area", a "Designated Greenfield Area" and an "Employment Area" within Schedule B to the ROP – Regional Structure. Downtown Welland is further designated as a "Regional Centre" on Schedule B to the ROP – Regional Structure, which is a Strategic Growth Area.

Section 4 of the ROP establishes employment and economic development policies for the Region. As illustrated on Schedule G to the ROP (Employment Area), the City of Welland is located within the Niagara Economic Centre, an area noted in the ROP as having unique economic importance to the Region and Ontario due to its proximity to major international border crossings. Welland contains three designated employment areas where residential, major retail, or major office uses are prohibited. These designated employment areas fall within the boundaries of the Brownfield CIPA and therefore, incentives which support the development of uses prohibited in designated employment areas per the PPS and the ROP will not be permitted.

Section 4.2.2 of the ROP establishes policies for the Niagara Economic Centre and echoes the growth

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management policies of the PPS, prioritizing improvements to existing and planned major goods movement facilities to focus on development and redevelopment of major facilities, manufacturing and supply chain facilities while supporting economic diversity and promoting increased opportunities for cross-border trade and tourism. The ROP has identified the Niagara Economic Centre as a preferred location for future employment areas.

Section 4.5 of the ROP speaks to economic prosperity and how the Region can enhance its unique qualities to increase economic prosperity. Policies in this section of the ROP recognize that affordable housing is paramount to attracting employers and workers to the Region, and direct the Region to maintain its Economic Development Strategy to ensure Regional land use planning and economic development goals and strategies are aligned.

Section 4.5.2 of ROP establishes policy direction to support economic prosperity in the Region, as summarized below:

- Attracting employers and workers to the region by supporting a range and mix of housing types, including affordable housing for workers, to meet the needs of households of different sizes, ages and incomes and supporting live-work opportunities. (Section 4.5.2.1a. i and ii);
- Planning for and protecting employment areas, and maximizing the economic development potential of the Niagara Economic Gateway (Section 4.5.2.1a.iii and iv);
- Improving regional infrastructure to support existing business growth, attract new investment and improve resiliency by: planning and protecting goods movement facilities and corridors, supporting the completing of the Niagara-Hamilton trade corridor, prioritizing transit opportunities, protecting airport and aerodrome lands, integrating new technologies which support efficient and sustainable development, undertaking climate change adaption planning and supporting economic opportunities associated with climate change mitigation and adaption (Section 4.5.2.1.b);
- Supporting the agri-tourism industry by promoting all sizes, intensities and types of agricultural uses and farm practices including on-farm diversified uses and agriculture related uses (Section 4.5.2.1.c);
- Protecting mineral aggregate operations and mineral aggregate resources from incompatible uses to support the local building sector (Section 4.5.2.1.d); and
- Supporting culture and nature-based tourism by protecting the natural environment system, supporting the creation of trails, parks and open spaces, aiding efforts to designate Niagara region as a UNESCO Global geopark and recognizing the importance of Niagara as a UNESCO Biosphere Reserve. Efforts will be further supported by promoting good urban design, the conservation of cultural heritage resource, recognizing the Welland Canal Cultural Heritage Landscape as a cultural heritage designation and promoting downtown and community revitalization (Section 4.5.2.1.e).

Regarding community improvement more specifically, Section 7.5 of the ROP speaks to implementation tools and states that the Region may support community improvement through regional programs enabled by plans, policies, and by-laws and through participation in local municipal

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programs. Section 7.5.4 of the ROP further encourages local municipalities to adopt CIPs.

3.3 Niagara Region Incentives Policy

The Niagara Region Incentives Policy identifies regional incentive programs aligning with Regional Council's priority areas, being affordable housing, employment, brownfield remediation, and public realm. Incentives are provided by the Region in these priority areas to satisfy the following goals:

- To increase the amount of affordable housing in Niagara, particularly the supply of purpose-built rental housing, and to maintain existing affordable rental housing stock;
- To attract and retain new businesses and full-time jobs to Niagara;
- To encourage the remediation of contaminated sites for better environmental, economic, health and safety, and urban planning outcomes.

A number of incentives are available under each priority area, including the following incentive programs which are relevant to the Brownfield CIP:

- **Brownfield Tax Increment Grant**: Matching tax increment grant with local municipalities to encourage brownfield remediation and redevelopment, where projects are eligible for refund of taxes based on increased assessment resulting from redevelopment
- **Brownfield Regional Development Charges Deferral**: Deferral of Regional development charges for eligible brownfield sites until an occupancy permit is issued or up to 5 years from signing deferral agreement[8]
- **Large-Scale Brownfield Regional Development Charges Grant**: Grant equal to Regional development charges owing for eligible brownfield projects that meet specific criteria, including, among others, having a lot area greater than 10 ha in size.

3.4 Niagara Region 10-Year Economic Development Strategy

The Niagara Region 10-Year Economic Development Strategy outlines strategic directions, goals, and actions that will guide the Region's work as it collaborates with its partners to build a strong and sustainable economy over the 2022-2032 time period.

Strategic directions and goals include:

- **Sector Development and Support**: Foster resilient diversity in the economy through the development of emerging sectors and value-added opportunities while continuing to grow and support strong industry clusters, uniquely established by strategic location, natural assets, and competitiveness.

[8] As of June 5, 2025, Section 26.1(3.1) of the *Development Charges Act* now allows for deferral of payment of development charges for non-rental residential development up until either a permit is issued under the *Building Code Act* authorizing occupancy of the building or the day the building is first occupied, whichever comes first.

- **Diversity, Equity, and Inclusion**: Consistently incorporate the principles of diversity, equity, and inclusion throughout goals to attract and sustain an inclusive society where everyone has the necessary tools to succeed and thrive.
- **Education and Workforce Support**: Work with businesses, employment organizations, and post-secondary institutions to ensure a robust workforce.
- **Business Retention and Expansion**: Ensure that municipal economic development offices have support, as appropriate, from Niagara Economic Development to encourage their businesses to stay and grow. Recognize the differences between communities, urban and rural, and the opportunities and challenges they both face. Encourage collaboration between the two tiers of local government in support of business retention and expansion.
- **Green Development and Sustainability**: Look to not only preserve, but leverage its unique natural features to build a sustainable environment through innovative thinking and adopting new technologies. There will be an alignment with climate change policies with all levels of government to achieve smart and environmentally sustainable development.
- **Infrastructure and Transportation**: The transportation infrastructure network will support the efficient movement of goods, provide adequate connections to support the tourism industry, and provide high-quality access to employment for all residents. Achieve a higher and better use of infrastructure to support economic growth in Niagara.

The priorities set in the Region's Economic Development Strategy will help to guide and establish priorities for the Brownfield CIP.

3.5 City of Welland Official Plan

The City's Official Plan (OP) was adopted by Council on May 4, 2010, and approved, in part, with modifications and deferrals by Niagara Regional Council on September 15, 2011. The City's OP is the comprehensive policy document that outlines the City's long-term vision for the community and provides a range of policies governing growth management, land use planning, and development. The OP also aims to promote quality of life and the balancing of environmental, economic, cultural and social factors. The Plan is a 20-year land use vision which has incorporated a range of local, Regional and Provincial policies, plans and strategies.

At the time of updating the Brownfield CIP, the City is in the process of preparing a comprehensive update to its Official Plan. A draft Official Plan is available for public review, though has not been adopted and is therefore not yet in full force and effect.

3.5.1 Strategic Directions

The OP sets out a number of strategic directions for the City of Welland. This includes a number of strategic directions that are relevant to this CIP, including: Welland as a: leadership community, economic gateway, sustainable city, safe, healthy and accessible city, and a proud and attractive city. One of the strategic directions under the Sustainable City notes that Welland will promote and

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implement programs which maintain and improve the quality of the land and its nutrients, including the remediation of brownfield sites (2.5.2 iv).

3.5.2 Growth Management Strategy

The Growth Management Strategy in the OP notes that the City encourages appropriately planned infilling and intensification along the Welland Recreational Waterway, brownfield and greyfield areas and areas with access to planned or existing transit services. One of the key growth related planning objectives in the OP is "to encourage the redevelopment of brownfield areas" (3.2 iv).

3.5.3 City Structure

Section 3.4.4 defines intensification and notes the importance of intensification as an appropriate means of accommodating growth since it makes better use of existing serviced land. The increase in housing units and employment created by intensification is also considered a good approach to maintaining and improving vibrancy. The OP notes that intensification will be encouraged throughout the Built Up Area, however, the strategic location for intensification projects should generally be within the Downtown, on brownfield sites, along the Welland Recreational Waterway and along key transit corridors within the City.

Policy 3.4.4.1D of the OP sets out the City's intensification target which is 40% of all annual housing development should occur within the City's Built-Up Area after 2015.[9] Section 3.4.4.1E of the OP specifies that one of the strategies to help achieve this target is providing financial incentives for reinvestment in strategic locations through Community Improvement Plans (Downtown and Connected Districts Community Improvement Plan and Brownfield Community Improvement Plan)..Section 3.4.4.2 of the OP contains specific policies on brownfield redevelopment. These policies note that brownfields are important from an economic development planning perspective because they are underutilized serviced land in an urban setting which has potential for redevelopment. Left in a derelict state, they may adversely impact the attractiveness of the surrounding area for investment and degrade the areas in which they are located. Policy 3.4.4.2.C notes that with an estimated 200 ha of brownfield lands located throughout Welland, the City actively supports the reuse and redevelopment of its brownfield areas.

The OP notes that the City's original Brownfield CIP was approved in April 2007 and that the remediation and redevelopment of brownfield sites, particularly in proximity to the Welland Recreational Waterway, is an important objective of the OP and the Brownfield CIP. Policy 3.4.4.2.F notes that the City will continue to provide municipal leadership and work with developers and entrepreneurs to find new opportunities and partnerships in addressing the redevelopment of brownfields.

3.5.4 Urban Land Use

The Housing and Residential policies in Section 4.2 of the OP note that new high density residential

[9] Intensification targets are increased in the draft OP to encourage 75% of all annual housing development to occur in the Built-Up Area.

uses should be located in a number of areas, including on brownfield sites; however, these locational criteria are proposed for removal in the draft updated OP. New policies proposed for affordable housing in the draft updated OP (4.2.3.9) note the City's consideration of several planning tools and incentives to encourage developers to build affordable and attainable housing for ownership and rental units, including financial incentive programs such as grants, development charge deferrals, delaying application fees, and property tax reductions that promote brownfield redevelopment and affordable housing options including purpose-built rentals.

Section 4.3 notes that the City will promote opportunities for intensification and redevelopment in Employment Areas located within the Built Up Area of the City, including, but not limited to, further implementation of the Brownfield CIP. In fact, Policy 4.3.3.3 notes that while infilling is encouraged throughout the City's existing built up Employment Areas, the City will give priority to viable brownfield redevelopment opportunities when prioritizing resources to support infill and intensification programs.

3.5.5 Area Specific Policy Areas

The OP identifies a number of areas that are potential brownfield redevelopment areas. This includes the former John Deere site and adjacent lands, and a portion of the former Atlas Steel South Plant.

3.5.6 Community Improvement Plans

The Community Improvement policies are contained in Section 7.10 of the OP and are attached in **Appendix B**. This section of the OP notes that the *Planning Act* allows municipalities to identify Community Improvement Project Areas, prepare Community Improvement Plans, and provide incentive programs which stimulate redevelopment of lands as a means to maintain the vitality of the municipality. Section 7.10.1 outlines the goals of the Downtown and Connected Districts CIP and several types of incentive programs that may be offered in the Downtown and Connected Districts CIP. Section 7.10.2 outlines the goals of the Brownfield CIP. The goal of community improvement on brownfield lands is to promote the remediation, rehabilitation, adaptive re-use, redevelopment and overall improvement of brownfield sites. Section 7.10.2.2 notes that the Brownfield CIP may offer a range of programs, including, but not limited to:

i) Environmental Site Assessment Grant Program;
ii) Brownfields Tax Assistance Program; and,
iii) Brownfields Rehabilitation Grant Program.[10]

The Brownfield CIP will describe the eligibility criteria to obtain funding through any of the CIP's programs. The program funding will be established by Council, but shall not place a burden on municipal finances.

The draft updated OP introduces new policies to allow Council to delegate its authority to approve Community Improvement Plan applications under the *Planning Act* to the Director of Planning and Development, enabling the Director to approve CIP applications and enter into CIP agreements.

Section 7.10.3 sets out the criteria for the establishment of new community improvement project

[10] The draft updated OP recognizes the Brownfield Fees Grant Program that was introduced in the Brownfield CIP in the 2018 update.

areas. These criteria include:

i. Conditions of existing buildings;
ii. Land use issues;
iii. Aesthetic issues;
iv. Transportation or infrastructure issues;
v. Natural or human-made environmental issues;
vi. Social or community issues;
vii. Economic issues; and
viii. Any other relevant issues which create barriers to the repair, rehabilitation or redevelopment of underutilized or dilapidated land/buildings.

Section 7.10.3.2 notes that new CIPs shall contain a statement of purpose, goals, a description of the Community Improvement Project area, a description of all programs and/or projects, an implementation plan, and a technical appendix justifying the delineation of the area and the need for the programs. The preparation and adoption of new Community Improvement Plans shall meet the minimum requirements of the Planning Act for public consultation.

3.6 City of Welland Strategic Plan (2023-2026)

In 2023, the City of Welland adopted its Strategic Plan to shape the future of its community. The Plan's vision is "to inspire and promote an active, resilient and sustainable community delivering the best quality of life possible for all". It is founded on four key values: Efficiency, Innovation, Integrity and Resiliency. These four values are translated into 4 strategic priorities to develop an actionable road map for the City to achieve its vision:



CIPs are a key tool to support the achievement of economic growth and align with the City's objective to create a competitive business environment within a multi-sector market through supportive incentive programs. The CIP's intended outcomes will help to improve the City's identity and attractiveness which is an objective of the Strategic Plan.

Modernizing the CIP can also consider methods to promote environmental stewardship through the consideration of incentives catered to promoting renewable, low carbon, and alternative energy

systems, and low impact development stormwater management techniques. As it relates to health, well being and livability, the CIP can support the creation of an adequate supply of housing types that meet a variety of needs and build upon existing successes to achieve a greater mix and range of housing types. Through monitoring and evaluation, future CIP updates can assess the effectiveness of existing incentives in achieving these objectives and through community consultation determine ways to enhance incentives to achieve even better results.

3.7 Economic Development Strategic Plan and Manufacturing Attraction Strategy

The City of Welland Economic Development Strategic Plan and Manufacturing Attraction Strategy was prepared in December 2013. This Strategy builds on previous economic development studies completed in 2004 and 2006 with a mandate to affirm historical target sectors, identify new opportunities and markets and make recommendations for an investment attraction action plan for the City.

The Strategy contains an economic base and industry sector analysis, a structural analysis and SWOT analysis and sector recommendations. The Strategy also identifies key market manufacturing sub-sector opportunities, site selection criteria and investment readiness, sector highlights and messaging, lead generation recommendations and implementation action plans.

The following strategies are included:

- Corporate calling - regular company visit, including board/elected officials;
- Upper-level government relations - sector briefings, participation in trade missions;
- Industry associations - partner with Canadian manufacturers and exporters (CME and other key sector industry associations);
- Participation in sector specific industry events in key markets (exhibit or walk/network shows);
- Commission professional pre-show lead generation and meetings;
- Local market influencers activities (capture business leaders participating in recreational activities);
- Support improved energy infrastructure, pricing and security;
- Enhance business start-up programs to support workforce development in partnership with existing resources and expanded relationships with centres of excellence at both Niagara College and Brock University; and,
- Commission accredited business retention and expansion (BR+E) Program.

3.8 Development Charges By-law

Development charges (DCs) help to offset increases in capital costs which fall to the City of Welland as a result of new growth. Specifically, the City collects DCs relative to increased capital costs involved with the provision of:

- Studies;
- Parks and recreation;
- Libraries;
- Transit;

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- Fire protection;
- Roads;
- Water services;
- Wastewater services; and,
- Stormwater management.

By-law 2022-163 establishes DCs for the City of Welland for designated services in accordance with the *Development Charges Act*, 1997.

Section 20 of By-law 2022-163 establishes a 75% reduction to in DCs payable that is applicable to all non-exempt development occurring within any brownfield area as designated in a Community Improvement Plan, limited to the urban area of the City (see Schedule D to By-law 2022-163). Only development with an approved application and agreement under the brownfield grant process is eligible for the 75% DC reduction.

Section 21 a) of By-law 2022-163 further allows for a 25% reduction in DCs payable in designated areas, where the development includes three or more of the following features:

1. **Intensification of an existing use**: meaning redevelopment or building addition so as to add floor area and/or residential unit(s);
2. **Creation of mixed uses**: meaning redevelopment, addition, or conversion so as to add a new compatible use or uses to a building or property, or meaning development that proposes a mixed use building or a mix of uses on a site;
3. **Contribution towards the creation of a walkable neighbourhood character**: meaning development, redevelopment, addition or conversion within a neighbourhood context that features one or more of the following:
    a. safe and clearly demarcated pedestrian access to and within the development site,
    b. building orientation and pedestrian access oriented toward the street,
    c. site and building access directly from the street without requiring passage across driveway or parking area,
    d. street-oriented building facade that features fenestration and entranceways to create a sense of permeability and movement between the street and the building interior,
    e. contribution to the quality of the public space on the street by the provision of space for public assembly, street furniture, artworks and/or landscaping.
4. **Creation of a range of housing opportunities and choices**: meaning development, redevelopment, addition or conversion that adds multiple-unit housing types to the housing stock;
5. **Reduced setbacks from roadways**: meaning development, redevelopment or conversion that places the building facade at the front lot line or closer to the street than the mid-point between the

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street line and the existing building.[11]

6. **Energy conservation measures and environmental management efforts**: meaning development and redevelopment that features one or more of the following:
    a. LEED Certification
    b. Thermal or ground source heating, use of alternative energy, LED lighting technology
    c. Intensive landscaping which may assist, for example, in stormwater management
    d. Restoration of natural environment, habitats, and heritage features.

The DC reduction is supported by an agreement between the landowner and the City, entered into prior to the issuance of a building permit, to the effect that should the project features listed above not be put into place to the City's satisfaction within an agreed-upon timeframe, the landowner is required to repay the 25% DC reduction to the City, with interest payable. The agreement may be registered on title in the land registry office.

This framework is also utilized to offer enhanced financial incentives under this CIP to projects where the as-built development incorporates at least three (3) of the above six (6) criteria.

3.9 Other Community Improvement Plans

In addition to the Brownfield CIP, the City of Welland has three other CIPs in effect, the Downtown and Connected Districts CIP, the City of Welland Niagara Gateway Economic Zone and Centre CIP, and the Affordable Rental Housing CIP.

3.9.1 City of Welland Niagara Gateway Economic Zone and Centre CIP

The City of Welland Niagara Gateway Economic Zone and Centre CIP (Gateway CIP) was endorsed by Regional Council in July of 2012. The Gateway Community Improvement Project Area is "all designated employment lands in the settlement areas within Welland, Port Colborne, Niagara Falls, Fort Erie and Thorold". City of Welland Council adopted the Gateway CIP in March of 2014. The Gateway CIP offers three incentive programs, a Tax Increment Based Grant Program, a Planning Application Fee Grant Program and a Regional Development Charge Grant Program. Through its Development Charges By-law, the City also offers a 100% reduction of City development charges payable for employment uses within the City of Welland Niagara Gateway Economic Zone and Centre Community Improvement Project Area. The incentive programs in the Gateway CIP have leveraged $307 million in private sector investment and have been utilized to attract five new employment uses and expand three existing employment uses in Welland.General Program Requirement 6.2 u) in the Gateway CIP requires that the total of all grants, loans and tax assistance provided in respect of the particular lands and buildings for which an applicant is making application under the programs contained in the Gateway CIP and any other applicable CIPs shall not exceed the eligible costs of the improvements to those particular lands and buildings under all applicable CIPs.

[11] Where there is an existing building line along the block-face that is set back from the street line, "reduced front setbacks from roadways" means placing the building facade closer to the street line than the mid-point between the street line and the established building line.

3.9.2 Downtown and Connected Districts CIP

The Downtown Connected Districts CIP was adopted by Welland Council in August of 2014. The Community Improvement Project Area for this CIP includes the Downtown East and West Areas, King Street Area and the Health and Wellness Cluster. This CIP contains the following six incentive programs:

1) Urban Design Study Grant;
2) Façade Improvement Grant;
3) Building Improvement Grant/Loan;
4) Residential Grant/Loan;
5) Planning and Building Fees Grant;
6) Tax Increment Grant;
7) Development Charge Reduction; and,
8) Downtown Reserve Fund

Through its Development Charges By-law, the City also offers a reduction of City development charges in the Downtown and Connected Districts Community Improvement Project Area equal to 75% of the development charge normally payable. An additional 25% City development charge reduction is available for projects that incorporate smart growth design criteria.

The total of all grants, loans and tax assistance provided in respect of the particular property for which an applicant is making application under the programs contained in the Downtown and Connected Districts CIP and any other applicable CIPs shall not exceed the eligible costs of the improvements to that particular property under all applicable CIPs.

3.9.3 Affordable Rental Housing CIP

The Affordable Rental Housing CIP was adopted by Welland Council in July 2023. The Community Improvement Project Area for this CIP includes properties in the Urban Area Boundary identified in the City of Welland Official Plan. This CIP contains the following seven incentive programs:

1) Tax Increment Grant (TIG);
2) Affordable Housing Study Grant (AHG);
3) Affordable Residential Forgivable Loan (ARFL);
4) Extended Benefit Grant (EBG);
5) Municipal Fees Grant (MFG);
6) Special Lands Program (SLP); and,
7) Affordable Housing Reserve Fund.

As with the Gateway CIP and Downtown and Connected Districts CIP, the general program requirements of the Affordable Housing CIP stipulate that where incentives are combined within the Affordable Housing CIP or another CIP, including incentives not provided by the City of Welland, the total value shall not be greater than the total eligible project costs.

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4.0 COMMUNITY IMPROVEMENT NEEDS ANALYSIS

4.1 Methodology

As described in Section 1.4, an analysis was conducted to identify key brownfield community improvement needs, goals, and improvements to the 2018 Brownfield CIP that could be made to help better address the community improvement needs and goals. The key steps in this analysis included:

i) a review of the incentive programs in the 2018 Brownfield CIP;
ii) interviews with City staff responsible for administering and marketing the incentive programs;
iii) a best practices review of incentive programs currently being used by a number of other municipalities with long-standing brownfield redevelopment programs;
iv) focus group interview with key brownfield stakeholders;
v) a public open house with key brownfield stakeholders to discuss potential enhancements to the CIP programs; and,
vi) input from the project staff team during the entire process.

4.2 Needs

Based on the methodology described above, the following were identified as the key brownfield community improvement needs to be addressed by this CIP:

- increased financial assistance for the cost of environmental site assessments;
- increased financial assistance for the cost of environmental remediation;
- financial assistance for non-environmental costs associated with brownfield sites such as the costs of building demolition, building renovation/upgrading, and on-site infrastructure upgrading;
- assurances that approved municipal financial assistance will be available;
- where possible, a reduction in the time required to obtain approval for incentive program applications and municipal planning applications;
- greater clarity on upfront information and documentation requirements for brownfield incentive programs;
- increased education and awareness of brownfield incentive programs and redevelopment opportunities in Welland;
- expanding the Community Improvement Project Area to include a greater number of eligible properties; and,
- because there is still a considerable amount of greenfield land available in Welland and Niagara as a whole, brownfield incentive programs in Niagara must be very attractive as compared to both municipalities within Niagara and those outside of Niagara.

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4.3 Goals

Based on the methodology described above, the following were identified as the goals of this CIP:

a) Improve the physical and visual quality of brownfield sites;

b) Improve environmental health and public safety through remediation, risk assessment, and risk management of brownfield sites;

c) Increase construction activity and building permits;

d) Improve the City's residential intensification rate;

e) Improve the potential profitability of brownfield sites.

f) Retain and increase employment opportunities;

g) Provide opportunities for housing and other uses in close proximity to Downtown Welland and the Welland Recreational Waterway;

h) Promote Smart Growth, including more efficient use of existing public infrastructure and services and the reduction of urban sprawl and its related costs;

i) Increase property tax assessment and property tax revenues for the City of Welland, Region of Niagara, and the Province of Ontario; and,

j) Utilize public sector investment to leverage significant private sector investment in brownfield remediation, adaptive re-use, and redevelopment.

4.4 Improvements

Overall, interviews with the key brownfield stakeholders, a number of whom had made application for the City's existing brownfield incentive programs, produced positive responses with respect to the attractiveness of the City's brownfield incentive programs and the process of applying for these incentive programs.

However, the responses of the key brownfield stakeholders and the experience of City staff administering the brownfield incentive programs did point to a number of potential program and administrative improvements, including:

- expanding the eligible studies under the Environmental Site Assessment (ESA) Grant Program to include designated substances and hazardous materials surveys, among other studies;
- increasing the amount of funding available under the ESA Grant Program to reflect the increased costs of undertaking environmental site assessments as a result of amendments to O. Reg 153/04 that took effect on July 1, 2011;
- wherever possible, offsetting the upfront costs of brownfield remediation and redevelopment through grant programs in favour of loan or rebate programs;
- significantly increasing the percentage of the tax increment grant available under the Brownfields Rehabilitation Grant (TIG) Program;
- adding the removal/abatement of designated substances and hazardous materials as an eligible cost

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under the TIG Program;

- where the Community Improvement Project Area of the Brownfield CIP and the Downtown and Connected Districts CIP overlap, providing an additional tax increment grant (TIG) incentive for brownfields over and above the TIG available for properties that are not brownfields;
- clarifying and streamlining front-end application information submission requirements;
- enabling greater coordination and collaboration between the City and the Region on available incentive programs;
- increasing dedicated City staff resources for processing of incentive program applications; and,
- enhancing and expanding the marketing of all the City's incentive programs, including the brownfield redevelopment incentive programs.

5.0 COMMUNITY IMPROVEMENT PROJECT AREA

The prevailing trend in municipalities who have more recently prepared comprehensive Brownfield CIPs is to designate the entire municipality, or at least the entire urban area, as the community improvement project area to which their Brownfield CIP will apply.

An inventory of potential brownfield sites in Welland identified operating and non-operating heavy industrial uses, as well as a number of commercial uses, institutional uses and vacant lands. Based on existing and previous uses of these properties, most of them have a moderate to high potential for contamination. However, most of these properties also have good redevelopment potential and are in close proximity to the Welland Recreational Waterway.

While the most easily identifiable brownfield properties in Welland are concentrated in the older areas of the city, near the Welland Recreational Waterway, there are no doubt properties in other parts of the City that are also brownfields. These will include lands with current and former uses such as gasoline stations, dry cleaners, printers, manufacturers, textile mills, asphalt plants, petroleum storage and automobile wrecking yards. Some of these uses, such as gasoline stations, will be spread across the urban area of the City.

The Community Improvement Project Area (CIPA) for this Community Improvement Plan is the entire municipal boundaries of the City of Welland.

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6.0 INCENTIVE PROGRAMS

6.1 Approach

The incentive programs contained in this section of the CIP were developed using input from the review of the 2018 Brownfield CIP incentive programs, the policy review, best practices review, key stakeholder consultation, and input from PST. The incentive programs are collectively designed to address the community improvement needs for brownfields in Welland and achieve the goals for this CIP identified in Section 4.0. The financial incentive programs in this CIP are directed at the private sector and are designed to encourage private sector environmental assessment, remediation/risk management, adaptive reuse, redevelopment and construction activity on brownfield sites.

Once this CIP is adopted and approved, the incentive programs contained in the CIP can be activated by Council, one or more at a time, based on Council approval of the implementation of each program, subject to the availability of funding. This CIP is an enabling document, however, Council is under no obligation to activate and implement any of the incentive programs contained in this CIP. The programs in this CIP can be used individually or together by an applicant, but the total of all grants, and tax assistance provided in respect of the particular property for which an applicant is making application under the programs contained in this CIP and any other applicable CIPs shall not exceed the eligible cost of the improvements to that particular property under all applicable CIPs. Council, in its sole discretion acting in the public interest, may vary this CIP through its decision-making process.

This CIP contains the following incentive programs as outlined in the balance of Section 6.0:

1) Environmental Study Grant (ESG) Program;
2) Brownfields Tax Assistance (BTA) Program;
3) Brownfields Tax Increment Grant (BTIG) Program; and,
4) Brownfields Fees Grant (BFG) Program.

Figure 2 below summarizes basic details for each of the incentive programs and the balance of Section 6.0 describes the purpose and specific details and requirements for each of the incentive programs. Once the CIP has been adopted and approved, Council can set the maximum grant available for each program at or below the maximum specified for that program in the CIP, depending on budget considerations at the time.

The incentive programs contained in this section are augmented and complemented by a proactive Municipal Leadership Strategy (Section 7.0), a Marketing Strategy (Section 8.0) and a Monitoring Program (Section 9.0) that will monitor implementation progress and program results.

This CIP includes general program requirements (Section 6.2) that apply to all the incentive programs contained in the CIP and program specific requirements applicable to each incentive program to help ensure that the goals contained in this CIP will be achieved while protecting the financial interests of the City.

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Figure 2 Summary of Incentive Programs

Program Name	Program Description
Environmental Study Grant (ESG) Program	- Grant is equal to 50% of the cost of an eligible environmental study to a maximum: a) grant of $20,000 per environmental study. b) of three (3) studies per project. c) total grant of $60,000 per project. - Where the applicant is a non-profit housing developer, the **50%** in the above is increased to **100%.**
Brownfields Tax Assistance (BTA) Program	- A one-time grant equal to the Municipal property taxes for **up to 3 years**, or up to the point in time where total tax assistance provided equals the total of actual eligible costs, whichever comes first. - A one-time Grant equal to **50%** of the Municipal property taxes for **up to 3 years**, or up to the point in time where total tax assistance provided equals the total of actual eligible costs, whichever comes first, where an interim use is proposed on a brownfield site undergoing environmental remediation. *N.B. Cancellation of Regional property taxes is subject to the approval of Regional Council or Regional Council's designate. As of the date of this CIP, the Niagara Region is not a participating municipality in the BTA Program.* *N.B. Cancellation of education property tax increase is subject to approval by the Minister and is a separate process from the CIP program application process.*
Brownfields Tax Increment Grant (BTIG) Program	a) If property is **inside** the Downtown and Connected Districts Community Improvement Project Area, annual grant is equal to **80%** of the Municipal (City and Region) property tax increment created by the project for **up to 10** years after project completion; • If project achieves at least 3 of the City's 6 Development Charge Exemption criteria, the 80% above is increased to **90%**[12] b) If property is **outside** the Downtown and Connected Districts Community Improvement Project Area, annual grant is equal to: • **60%** of the Municipal (City and Region) property tax increment created by the project for **up to 10 years** after project completion, if the project remediation costs are less than $250,000; • **80%** of the Municipal (City and Region) property tax increment created by the project for **up to 10 years** after project completion, if the project remediation costs are $250,000 or greater. *N.B. The Regional BTIG is subject to the approval of Regional Council or Regional Council's designate.*
Brownfield Fees Grant (BFG) Program	- Reimbursement type Grant equal to **100%** of all planning and building permit fees **up to $60,000**. - If a portion of the project is for the development of affordable housing, as defined in the *Development Charges Act*, the **$60,000** in the above is increased to **$80,000.**

[12] See Appendix C for a full list of criteria.

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6.2 General Program Requirements

All of the financial incentive programs contained in this CIP are subject to the general requirements listed below and the individual requirements specified under each program. The general and program specific requirements contained in this CIP are not necessarily exhaustive, and the City reserves the right to include other requirements and conditions as deemed necessary on a program and/or property specific basis.

a) Application for any of the incentive programs contained in this Plan can be made only for properties within the Community Improvement Project Area;

b) Application for the incentive programs contained in this Plan cannot be made on a retroactive basis. This has two meanings. First, The City will accept applications for the financial incentive programs contained in this CIP only after this CIP has been formally adopted by City Council and approved. Second, this also means that a complete application for any financial incentive program contained in this CIP must be submitted to the City, prior to the commencement of the eligible studies or eligible works that are the subject of the application;

c) For the purposes of making application for any of the incentive programs in the CIP (except for the ESG Program), an eligible property is a property where a Phase II Environmental Site Assessment has been conducted in accordance with Ontario Regulation (O. Reg.) 153/04, and that as of the date the Phase II Environmental Site Assessment was completed, did not meet the required standards under subparagraph 4i of 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 for the proposed use of the property;

d) All environmental site assessments and risk assessments referenced in the incentive programs contained in this CIP and submitted in support of, or as a requirement of, the incentive programs contained in this CIP must be prepared in accordance with O. Reg. 153/04[13];

e) With the exception of the ESG Program and the BFG Program, the applicant must be the owner of the property;

f) For the ESG Program, if the applicant is not the owner of the property, the applicant must provide written consent (in a form acceptable to the City to be provided at the application stage) from the owner of the property to make the application and receive the grant (the property owner assigns the grant to the assignee);

g) An application for any financial incentive program contained in this CIP must be accompanied by plans, estimates, contracts, reports and other details requested by the City for purposes of satisfying the City with respect to costs, design, performance, and conformity of the project with

[13] Wherever O. Reg 153/04 is referenced in this CIP, this is understood to mean the current O. Reg 153/04 as of the date of this CIP, and in future, any regulation(s) that replace O. Reg 153/04.

the CIP;

h) Review and evaluation of an application and supporting materials against program eligibility requirements will be done by staff who will then make a recommendation to Council or Council's designate;

i) All applications are subject to approval by Council or Council's designate. Should Council's designate decide not to approve the application, the applicant has the right to appeal that decision to Council;

j) As a condition of application approval, the applicant may be required to enter into a grant agreement with the City. This Agreement will specify the terms, duration and default provisions of the incentive to be provided. This Agreement is also subject to approval by Council or Council's designate;

k) Each program in this CIP is considered active if Council has approved implementation of the program and Council has approved a budget allocation (as applicable) for the program;

l) Where other sources of government and/or non-profit organization funding (Federal, Provincial, Municipal, Canada Mortgage and Housing Corporation, Federation of Canadian Municipalities, etc.) that can be applied against the eligible costs are anticipated or have been secured, these must be declared as part of the application, and accordingly, the grant from the City may be reduced on a pro-rated basis;

m) Polluting owners who knowingly polluted their properties will not generally be permitted to make direct application for any of the incentive programs contained in this CIP. However, the City reserves the right to make exceptions to this requirement on a case-by-case basis where redevelopment benefits to the municipality and community would be very significant;

n) 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;

o) The total of all grants and tax assistance provided in respect of the particular property for which an applicant is making application under the programs contained in this CIP and any other applicable CIPs shall not exceed the eligible cost of the improvements to that particular property under all applicable CIPs;

p) The City reserves the right to audit the cost of environmental studies, environmental remediation and risk management works, and building renovation/retrofit, demolition, construction, and any other works that have been approved under any of the financial incentive programs, at the expense of the applicant;

q) The City reserves the right to request additional cost estimates beyond those specified in the specific program requirements.

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r) The City is not responsible for any costs incurred by an applicant in relation to any of the programs, including without limitation, costs incurred in anticipation of a grant and/or tax assistance;

s) If the applicant is in default of any of the general or program specific requirements, or any other requirements of the City, the City may delay, reduce or cancel the approved grant and/or tax assistance, and require repayment of the approved grant and/or tax assistance;

t) The City may discontinue any of the programs contained in this CIP at any time, but applicants with approved grants and/or tax assistance will still receive said grant and/or tax assistance, subject to meeting the general and program specific requirements and the requirements of any grant/tax assistance agreement entered into with the City;

u) All proposed works approved under the financial incentive programs and associated improvements to buildings and/or land must conform to all provincial laws, municipal by-laws, policies, procedures, and standards;

v) All works completed must comply with the description of the works as provided in the application form and contained in the program agreement, with any amendments as approved by the City;

w) Existing and proposed land uses must be in conformity with applicable Official Plan(s), Zoning By-law and other planning requirements and approvals at both the local and regional level;

x) All improvements made to buildings and/or land shall be made pursuant to a Building Permit, and/or other required permits, and constructed in accordance with the Ontario Building Code and all applicable zoning requirements and planning approvals;

y) When required by the City, outstanding work orders, and/or orders or requests to comply, and/or other charges from the City must be satisfactorily addressed prior to grant and/or tax assistance approval/payment;

z) No grant and/or tax assistance approval/payment will be provided if a property is in a position of tax arrears.

aa) City staff, officials, and/or agents of the City may inspect any property that is the subject of an application for any of the financial incentive programs offered by the City; and,

bb) Applicants approved for the programs contained in the CIP will be required to complete the approved works within timeframes specified by the City.

cc) The Region of Niagara's contribution referenced in the Brownfield CIP programs is contingent on its participation in the program, approval of its contribution, and compliance with its own funding eligibility requirements and eligible costs.

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dd) Further and more detailed program requirements may be outlined in the corresponding CIP Program Guides.

6.3 Environmental Study Grant (ESG) Program

6.3.1. Purpose

The purpose of the Environmental Study Grant (ESG) Program is to promote the undertaking of environmental studies so that more and better information is available with respect to the type of contamination and potential remediation costs on brownfield properties.

6.3.2. Description

A Phase I Environmental Site Assessment (ESA) has become a standard requirement of most financial institutions. A Phase I ESA does not provide detailed information with respect to the type of contamination and cost of remediation. Therefore, Phase I ESAs are not eligible for funding under this program.

Eligible environmental studies include:

- a Phase II ESA;
- Designated Substance and Hazardous Materials Survey;
- Remedial Work Plan;
- a Risk Assessment/Risk Management Plan;
- Excess Soil Characterization Reports;
- Sampling and Analysis Plan;
- Excess Soil Destination Reports, where soil originates from the site and is found to be contaminated; and,
- Annual Reports for Environmental Monitoring and Inspection required through a Certificate of Property Use.

Environmental Study Grants will only be offered on eligible properties where there is potential for renovation or adaptive reuse of the buildings on the property, and/or development/redevelopment of the property. In addition, Environmental Study Grants will be made available to not-for-profit affordable housing providers to meet the requirements of upper-tier funding programs, even when the subject property is not a brownfield site. Proof of application to the upper-tier funder must be provided.

Applicants must clearly demonstrate their legitimate intention to undertake one of these activities on an eligible property by whatever means deemed necessary by the City.[14]

The ESG Program will provide a grant equal to 50% of the cost of eligible environmental studies to a

[14] This may include, but is not necessarily limited to, the submission of a letter of intent to renovate, adaptively reuse, and/or redevelop the property, and submission of a preliminary development plan (if planning applications have not yet been submitted).

maximum:

a) grant of $20,000 per eligible environmental study;
b) of three (3) studies per project; and,
c) total grant of $60,000 per project.

Where the applicant is a not-for-profit housing developer, the ESG Program will provide a grant equal to 100% of the cost of eligible environmental studies to the maximum noted above.

Applications for this program will be processed and approved on a first come, first serve basis, subject to a higher priority being placed on applications where planning applications have already been approved or submitted, and applications located on key known or suspected brownfield sites. Review and evaluation of an application and supporting materials against program eligibility requirements will be completed by City staff and a decision on the grant application will be made by City staff as Council's delegate. Grant payments approved under this program would be provided to applicants following submission to the City for review of the final completed environmental study with the original invoice, indicating that the study consultants have been paid in full.

Property owners may assign the grant to non-owners, otherwise known as assignees. For example, some property owners may wish to enable prospective purchasers to be eligible for a study grant. Assignees are eligible to apply for and receive this grant, subject to providing the municipality with written consent from the owner to conduct the study and provided that the property owner has assigned the grant to the assignee.

The grant may be reduced or cancelled if the study is not completed, not completed as approved, or if the consultant(s) that conducted the study are not paid in full. The applicant will agree to provide the City with permission to notify any other subsequent project proponents of the existence of an environmental study or studies.

6.3.3. Program Requirements

Applicants are eligible to apply for funding under this program, subject to meeting the general program requirements, the following program requirements, and subject to the availability of funding as approved by Council:

a) A complete application must be submitted to by the City prior to the start of any environmental study to which this grant will apply;

b) If the applicant is not the owner of the property, the applicant must provide written consent from the owner of the property to make the application, conduct the study and receive the grant payment.

c) Environmental studies shall be for the purpose of:

    i) surveying designated substances and hazardous materials at the site (Designated

Substances and Hazardous Materials Survey);

ii) confirming and describing the location and concentration of contamination at the site (partial, complete, or supplemental Phase II ESA);

iii) developing a plan to remove, treat, or otherwise manage contamination found on the site (Remedial Work Plan, Risk Assessment/Risk Management Plan);

iv) planning, investigation (for example sampling and testing) and analysis of area(s) from which excess soil will be excavated with known or suspected contaminants to understand the quality of the excess soil (Sampling and Analysis Plan);

v) documenting the results of sampling and analysis, if required, providing a description of excavated soil or crushed rock which may be reused, with or without processing, at the project area, and which excess soil may be deposited at a Class 1 site or landfill, and identifying the type of potential reuse sites to which excess soil from the project area may be transported (Soil Characterization Report);

vi) documenting information on the reuse sites or other sites (such as landfills, dumps, Class 1 soil management sites, and Class 2 soil management sites) at which excess soil will be deposited to verify that intended reuse sites are willing to accept excess soil from the project area and that the excess soil is of appropriate quality and quantity for the intended beneficial reuse, including contingency measures in the event that excess soil cannot be deposited at an intended site (e.g., the location of an alternate deposit site, which may include returning the excess soil to the source site) (Excess Soil Destination Assessment Report), where the soil originates from the site and is found to be contaminated;

vii) documenting all activities related to the Risk Management Measures (RMMS) undertaken on an annual basis as required in accordance with the Certificate of Property Use (Annual Reports for Environmental Monitoring and Inspection).

For application types above, applicants must complete and submit to the City for review and retention a Phase I ESA that demonstrates the property is suspected of environmental contamination and that preparation of a Phase II ESA is recommended.

For application type c iii to vi) above, applicants must complete and submit to the City for review and retention a Phase I ESA that demonstrates the property is suspected of environmental contamination and that preparation of a Phase II ESA is recommended, and a Phase II ESA that demonstrates that as of the date the Phase II ESA was completed, the property did not meet the required standards under subparagraph 4i of 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 for the proposed use of the property;

d) All ESG applications will include:

i) For new environmental studies, the grant application requires the submission of two (2) independent cost estimates (e.g., Phase II ESA, Designated Substances and Hazardous Materials

Survey, Excess Soil Sampling and Analysis Plan, Soil Characterization Report)[15]

ii) For follow-up or subsequent studies, where the work extends previously completed or ongoing assessments, only one (1) cost estimate is required (e.g., Supplemental Phase II ESA, Remedial Work Plan, Risk Assessment/Risk Management Plan, Annual Reports for Environmental Monitoring and Inspection).

iii) a detailed study work plan to be completed by a Qualified Person; and,

iv) a description of the planned development/redevelopment, building renovation/adaptive reuse, and/or building expansion, including any planning applications that have been submitted/approved;

e) All completed environmental studies must comply with the description of the studies as provided in the grant application form;

f) One (1) electronic copy of the study shall be supplied to the City for review and retention;

g) Approval of an ESG application (except Risk Assessments/Risk Management Plans) will be revoked if the study is not submitted within two (2) calendar years of the date that the ESG application is approved.

h) The total value of any grant(s) provided under this program will be deducted from eligible program costs for the BTA Program and/or BTIG Program, as applicable.

6.4 Brownfields Tax Assistance (BTA) Program

6.4.1. Purpose

The purpose of the Brownfields Tax Assistance (BTA) Program is to encourage the remediation, renovation, adaptive reuse, interim use, and redevelopment of brownfield sites by providing a grant equal to the property taxes on a property that is undergoing or has undergone remediation and redevelopment to assist with payment of the cost of environmental remediation. This program applies only to properties requiring environmental remediation and/or risk assessment/management.

Interim uses are intended to temporarily activate vacant brownfield sites while they await permanent development and serve to restore the aesthetic value of the land, provide safe compliant community access, and bridge the gap during the long-term remediation and development process. The BTA Program provides a grant equal to 50% of the property taxes on a property where an interim use is established on a brownfield site during remediation and prior to redevelopment. The types of interim uses that may be permitted on brownfield sites undergoing remediation will be outlined in the Zoning By-law.

6.4.2. Description

The legislative authority for the BTA Program is established under Sections 365.1 (2) of the *Municipal*

[15] The grant to be paid will be based on the lesser of the two cost estimates, or the total of actual eligible costs, whichever is less.

Act, 2001 which allows municipalities to pass a by-law providing tax assistance to an eligible property in the form of cancellation, credit, or refund of all or part of the taxes levied on that property for municipal and education purposes during the "assistance period" of the property as defined in Section 365.1 of the *Municipal Act, 2001*. Matching education property tax assistance for eligible properties under the Provincial Brownfields Financial Tax Incentive Program (BFTIP), or through any replacement programs administered by the Ministry of Finance, is subject to application and approval of the Minister of Finance on a case-by-case basis. The BTA Program may also be administered under Section 28 (7) of the *Planning Act,* in which tax assistance is provided at the time of approval to an eligible property in the form of a grant or refund to the extent required to provide the tax assistance, if the taxes have been paid. A by-law to provide tax assistance is not required for Tax Assistance under Section 28 of the *Planning Act.* However, the tax assistance would apply only to the City portion of the taxes, and not to the Regional or Provincial portions.

"Eligible costs" for the BTA Program are the costs of any action taken to reduce the concentration of contaminants on, in or under the property to permit a Record of Site Condition (RSC) for the proposed use to be filed in the Environmental Site Registry under Section 168.4 of the *Environmental Protection Act.* The costs of the excavation, management, and transportation or disposal of on-site excess soils shall not be an eligible cost, except where the soil originates from the site and is found to be contaminated.

These eligible costs are specified in the Program Requirements in Section 6.4.3 below. In no case will the total amount of the tax assistance provided under the BTA Program exceed the total of these eligible costs.

The City will provide municipal (City and Region)[16] property tax assistance in the form of a one-time grant equal to the of municipal property taxes and said tax assistance will cease:

a) when the total tax assistance provided equals the total eligible costs; or,
b) upon registration of a severance, plan of subdivision or plan of condominium, or occupancy therein; or,
c) after three (3) years, whichever comes first.

The matching education property tax assistance will cease:

a) when the total tax assistance provided equals the total eligible costs; or,
b) upon registration of a severance, plan of subdivision or plan of condominium, or occupancy therein; or,
c) after three (3) years, whichever comes first.

Where an interim use of a brownfield site is proposed, the City will provide municipal (City and Region)[17] property tax assistance in the form of one-time grant equal to 50% of the municipal property taxes and said tax assistance will cease:

a) when the total tax assistance provided equals the total eligible costs;

[16] Authorization of Regional tax assistance is subject to approval of Regional Council or Regional Council's designate.
[17] Authorization of Regional tax assistance is subject to approval of Regional Council or Regional Council's designate.

b) upon registration of a severance, plan of subdivision or plan of condominium, or occupancy for a permanent use therein; or,
c) after three (3) years, whichever comes first.

As part of the tax assistance provided to the applicant, the City may seek participation from the Regional Municipality of Niagara (Region) in order to provide for a cancellation of the municipal (City and Region) property tax increase. The matching Regional portion of the property tax assistance is subject to approval by Regional Council or Regional Council's designate. The tax assistance provided by the Region may be delivered on a different schedule than the tax assistance provided by the City and may be subject to additional conditions. As of the date of this report, the Niagara Region is not a participating municipality in the BTA Program.

Where a municipal property tax assistance program is in place under Section 365.1 of the *Municipal Act, 2001*, the City may also apply to the Ministry of Finance for matching education property tax assistance on behalf of the property owner. Matching education property tax assistance for eligible properties under the Provincial Brownfields Financial Tax Incentive Program (BFTIP), or through any other replacement programs administered by the Province, is subject to approval of the Minister of Finance on a case by case basis, may be provided on a different schedule from the tax assistance provided by the City and the Region, and may be subject to additional conditions.

If a property or a portion of a property that has been approved for tax assistance is severed, subdivided, sold or conveyed prior to the end of the three (3) year period specified above, both the education property tax assistance and the municipal (City and Region) property tax assistance will automatically end.

Any property approved for tax assistance may be subject to passing of a by-law by the City that authorizes the provision of the tax assistance. This by-law will contain conditions required by the City as well as conditions required by the Region and the Province. In order for the by-law to apply to Regional property taxes, before it is passed by the City, the City must supply a copy of the proposed by-law to Regional Council. Regional Council must by resolution agree that the by-law will also provide for a matching equivalent cancellation of the Regional property taxes for up to 3 years. In order for the by-law to apply to education property taxes, before it is passed by the City, the by-law must be approved in writing by the Province.

6.4.3. Program Requirements

Only owners of property within the CIPA are eligible to apply for funding under this program, subject to meeting the general program requirements, the following program requirements, and subject to availability of funding as approved by City Council, Regional Council and the Minister of Finance:

a) A complete application must be submitted to by the City prior to the start of any remediation and/or risk management works to which the tax assistance will apply;

b) The application must be accompanied by a Phase I ESA, and also a Phase II ESA that shows

that the property does not meet the standards under subparagraph 4i of Section 168.4(1) of the *Environmental Protection Act* to permit a Record of Site Condition (RSC) for the proposed use to be filed in the Environmental Site Registry;

c) The application must be accompanied by a Phase II ESA and a Remedial Work Plan or Risk Assessment that contains or is accompanied by:

   i) a minimum of two (2) cost estimate[18] for the actions that will be required to reduce the concentration of contaminants on, in or under the property to permit a record of site condition (RSC) for the proposed use to be filed in the Environmental Site Registry under Section 168.4 of the *Environmental Protection Act*; and,

   ii) a work plan prepared by a Qualified Person and cost estimate for said environmental remediation and/or risk assessment/risk management actions, including a description of the proposed remediation, including the methods and technologies to be used;

d) The property shall be renovated or developed/redeveloped such that the work undertaken is sufficient to at a minimum result in an increase in the assessed value of the property;

e) The total value of the tax assistance provided under this program shall not exceed total eligible costs. This includes the eligible costs of:

   i) A Phase II ESA, Remedial Work Plan, and Risk Assessment/Risk Management Plan, Excess Soil Characterization Report, Sampling and Analysis Plan, Excess Soil Destination Report[19] not disbursed by the ESG Program;

   ii) environmental remediation, including the cost of preparing an RSC;

   iii) placing, grading, and compacting clean fill required to replace contaminated soils/fill disposed of off- site;

   iv) groundwater dewatering or removal and subsequent treatment, discharge or disposal and permit to take water or Environmental Activity and Sector Registry (EASR) applications;

   v) soil tracking and hauling, where the soil originates from the site and is found to be contaminated, including tipping fees at registered receiving sites and reuse sites and on-site imported soil expenses;

   vi) permits associated with Excess Soil Registry filings and water discharge from dewatering activities, where the soil originates from the site and is found to be contaminated;

   vii) installing, monitoring, maintaining and operating environmental and/or engineering controls/works as specified in the Remedial Work Plan and/or Risk Assessment/Management Plan; and,

[18] The tax assistance paid will be based on the lesser of the two cost estimates, or the total of actual eligible costs, whichever is less.

[19] The cost of preparing an Excess Soil Destination Report shall be an eligible cost where the soil originates from the site and is found to be contaminated.

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viii) environmental insurance premiums;

f) All applicants participating in this program will be required to enter into an agreement with the City that specifies the terms, duration and default provisions of the tax assistance;

g) All applications and agreements must be approved by Council or Council's designate;

h) Should the owner of the property default on any of the conditions in the by-law, deferred property taxes (plus interest) will become payable to the City, the Region and the Province;

i) The owner shall file in the Environmental Site Registry an RSC for the property signed by a qualified person, and the owner shall submit to the City proof that the RSC has been acknowledged by the Province.

j) Eligible interim uses can include, but are not limited to:

    i) Renewable energy generation;
    ii) Temporary paved parking;
    iii) Community gardens (excluding food production);
    iv) Semi-permanent or seasonal kiosks/stands used for the retail of foods or produce;
    v) Temporary bench seating or parkette improvements;
    vi) Bee-hotels/gardens (excluding food production); and/or
    vii) Temporary or semi-permanent art installation

    Preference will be given to the establishment of interim uses that are associated with uses that are open and accessible for public enjoyment.

k) All proposed interim uses must be permitted in the City of Welland Zoning By-law, as amended.

l) All proposed interim uses must not prevent the complete restoration of the lands to a condition suitable and appropriate for their long-term redevelopment and shall not constitute a permanent change to their intended underlying land use designation.

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6.5 Brownfields Tax Increment Grant (BTIG) Program

6.5.1. Purpose

The purpose of the Brownfields Tax Increment Grant (BTIG) Program is to encourage the remediation, renovation, adaptive re-use, expansion of existing buildings, and the redevelopment of brownfield sites by providing grants to help pay for site assessment, remediation and risk assessment/management costs not fully disbursed by the ESG and BTA Programs, and other non-environmental remediation costs typically associated with brownfield site redevelopment. This program applies only to properties requiring environmental remediation and/or risk assessment/management.

6.5.2. Description

"Eligible costs" for the BTIG Program are the costs of any action taken to reduce the concentration of contaminants on, in or under the property to permit a RSC for the proposed use to be filed in the Environmental Site Registry under Section 168.4 of the *Environmental Protection Act*, plus other costs including removal/abatement of designated substances and hazardous materials, demolition, building renovation, building construction, on-site infrastructure upgrading, and Leadership in Energy and Environmental Design (LEED) program component costs. These eligible costs are further specified in the Program Requirements in Section 6.5.3 below. In no case will the total grant provided under the BTIG exceed the total of these eligible costs.The annual grant available under the BTIG Program will be offered as a tax-increment based grant on a "pay-as-you go" basis. The applicant will initially pay for the entire eligible costs of the project. Once the project is completed and the City receives the incremental property taxes that result from the approved project, the City will reimburse the applicant in the form of an annual grant as follows:

a) If the eligible property is inside the Downtown and Connected Districts Community Improvement Project Area, the annual grant will equal 80% of the Municipal (City and Region[20]) property tax increase created by the project for up to 10 years after project completion, or up to the time when total grant payments equal total eligible costs, whichever comes first;

   - If the as-built project meets the minimum number of City Criteria as specified in **Appendix C**[21], then the 80% will be increased to 90%.

b) If the eligible property is outside the Downtown and Connected Districts Community Improvement Project Area, the annual grant will equal:

   - 60% of the Municipal (City and Region[22]) property tax increase created by the project for up to 10 years after project completion, or up to the time when total grant payments equal total eligible costs, whichever comes first, if the project remediation costs are less than $250,000; and,

[20] Authorization of Regional TIG is subject to approval of Regional Council or Regional Council's designate.
[21] Appendix C does not form an operative part of the CIP and may be changed from time to time by the City, as required, without amendment to the CIP.
[22] Authorization of Regional TIG is subject to approval of Regional Council or Regional Council's designate.

- 80% of the Municipal (City and Region) property tax increase created by the project for up to 10 years after project completion, or up to the time when total grant payments equal total eligible costs, whichever comes first, if the project remediation costs are $250,000 or greater.

Pre-project Municipal taxes will be determined before commencement of the project at the time the application is approved. For purposes of the grant calculation, the increase in the municipal portion of real property taxes ("municipal tax increment") will be calculated as the difference between pre-project municipal property taxes and post-project municipal property taxes that are levied as a result of re-valuation of the property by the Municipal Property Assessment Corporation (MPAC) following project completion. The yearly amount of the grant will not change following the initial BTIG payment. In other words, the BTIG amount will be fixed based on the first payment resulting from the tax increase in the first year of the BTIG period.

The grant available under this program is generally paid to the original property owner who remediated the brownfield property, even if the property is subsequently sold once it has been remediated. The grant may be assigned by the original property owner to a third party, subject to approval by the City, but this is limited to a one-time assignability by the original property owner with an approved BTIG Application and Agreement.

An application can be made for the BTIG Program or the BTA Program, or both programs together. If an application for both the BTIG Program and the BTA Program has been approved, the annual grant available under the BTIG Program will begin when the benefits of the BTA Program end. Development of an interim use on a property participating in the BTA Program will not preclude participation in the BTIG Program, provided that a permanent use is proposed within one (1) year of the period of tax assistance ending under the BTA Program.

The annual grant available under the BTIG Program can be paid only once final building inspection and reassessment of the property has taken place, and property taxes have been paid in full for the year in which the grant is to be provided.

As a condition of approval of an application for a BTIG, the property owner will be required to enter into an Agreement with the City. This Agreement will specify the terms, duration and default provisions of the grant. This Agreement is also subject to approval by City Council or Council's designate.

In order to avoid any confusion or duplication between the BTIG Program available under this CIP and TIG programs available under the City of Welland Downtown and Connected Districts CIP, Affordable Rental Housing CIP, and the City of Welland Niagara Gateway Economic Zone and Centre CIP, application can be made for only one of these TIG programs.

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6.5.3. Program Requirements

Only owners of property within the CIPA are eligible to apply for funding under this program, subject to meeting the general program requirements, the following program requirements, and subject to the availability of funding as approved by City Council and Regional Council:

a) A complete application must be submitted to the City prior to the start of any demolition, remediation, risk management, building renovation, expansion and construction works to which the grant will apply;

b) The application must be accompanied by a Phase I ESA, and also a Phase II ESA that shows that the property does not meet the standards under subparagraph 4i of Section 168.4(1) of the *Environmental Protection Act* to permit a Record of Site Condition (RSC) for the proposed use to be filed in the Environmental Site Registry;

c) The application must be accompanied by a Phase II ESA and a Remedial Work Plan or Risk Assessment that contains:

   i) a minimum of two (2) cost estimates[23] for the actions that will be required to reduce the concentration of contaminants on, in or under the property to permit a record of site condition (RSC) for the proposed use to be filed in the Environmental Site Registry under Section 168.4 of the *Environmental Protection Act*;

   ii) a work plan prepared by a Qualified Person and cost estimate for said environmental remediation and/or risk assessment/risk management actions, including a description of the proposed remediation, including methods and technologies to be used;

d) As a condition of the application, the City may require the applicant to submit a Business Plan and project costing for rehabilitation/renovation/adaptive reuse/development/redevelopment of the property (as applicable), with said Plan to the City's satisfaction;

e) The property shall be renovated or developed/redeveloped such that the amount of work undertaken is sufficient to, at a minimum, result in an increase in the assessed value of the property;

f) The total value of the grant provided under this program shall not exceed total eligible costs. This includes the costs of:

   i) a Phase II ESA, Designated Substances and Hazardous Materials Survey, Remedial Work Plan, and Risk Assessment not disbursed by the ESG Program or the BTA Program;

   ii) environmental remediation, including the costs of preparing an RSC, not disbursed by the BTA Program;

   iii) placing, compacting and grading of clean fill required to replace contaminated soils/fill

[23] Determination of eligible costs will be based on the lesser of the two cost estimates, or the total of actual eligible costs, whichever is the lesser.

disposed of off-site not disbursed by the BTA Program;

iv) installing, monitoring, maintaining and operating environmental and/or engineering controls/works, as specified in the Remedial Work Plan and/or Risk Assessment, not disbursed by the BTA Program;

v) groundwater dewatering or removal and subsequent treatment, discharge or disposal and permit to take water or Environmental Activity and Sector Registry (EASR) applications not disbursed by the BTA Program;

vi) soil tracking and hauling, where the soil originates from the site and is found to be contaminated, including tipping fees at registered receiving sites and reuse sites and on-site imported soil expenses not disbursed by the BTA Program;

vii) permits associated with Excess Soil Registry filings and water discharge from dewatering activities not disbursed by the BTA Program, where the soil originates from the site and is found to be contaminated;

viii) environmental insurance premiums not disbursed by the BTA Program;

ix) removal/abatement of designated substances and hazardous materials;

x) demolishing buildings;

xi) building construction;

xii) building renovation and retrofit works; and,

xiii) upgrading on-site infrastructure including water services, sanitary sewers and stormwater management facilities.

g) All applicants participating in this program will be required to enter into an agreement with the City that will specify the terms, duration and default provisions of the grant;

h) All applications and agreements must be approved by Council or Council's designate;

i) If a building(s) erected on a property participating in this program is demolished before the grant period expires, all grant payments shall cease; and,

j) The owner shall file in the Environmental Site Registry an RSC for the property signed by a qualified person, and the owner shall submit to the City proof that the RSC has been acknowledged by the Province.

k) As a condition of approval, where the applicant is to receive an enhanced incentive for incorporating at least three (3) of the six (6) specified project features (as outlined in Appendix C), the landowner may be required to enter into an agreement with the City prior to the issuance of a building permit, to the effect that should the specified features not be put into place to the City's satisfaction within the agreed-upon timeframe, the landowner is required to repay the enhanced portion of the incentive to the City, with interest payable in

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accordance with By-law 2022-163, as amended. The agreement may be registered on title with the land registry office.

l) Where a property participating in the BTA program has been redeveloped with an interim use during site remediation, the property shall be eligible for the BTIG Program for a period of up to one (1) year following expiry of the tax assistance period, provided all other eligibility requirements of the BTIG Program are met.

6.6 Brownfields Fees Grant (BFG) Program

6.6.1. Purpose

The purpose of the Brownfields Fees Grant (BFG) Program is to provide an additional incentive that complements and augments the other brownfield redevelopment incentive programs in this CIP and helps facilitate and spur adaptive re-use and new construction activity.

6.6.2. Description

An "eligible property" for the BFG Program is a property where an application has been approved for the BTA Program and/or the BTIG Program. The applicant must be the same applicant who applied for the BTA Program and/or the BTIG Program.

The BFG Program will provide a grant, up to a maximum of $60,000, equal to

a) 100% of fees for all planning applications;
b) 100% of the demolition permit fee; and,
c) 100% of the building permit fee(s).

Where development of affordable housing, as defined in the *Development Charges Act,* is proposed on an eligible property, the $60,000 in the above is increased to $80,000.

6.6.3. Program Requirements

Applicants are eligible to apply for funding under this program, subject to meeting the general program requirements, the following program requirements, and subject to the availability of funding as approved by Council:

a) The applicant shall be required to pay all applicable planning application fees and demolition and building permit fees prior to grant issuance.

b) All requirements of the BTA and/or BTIG programs shall be met prior to grant issuance, including the approved eligible works and construction of the proposed building project upon final inspection of the completed and substantially occupied project.

c) The applicant shall provide copies of receipts for all fees paid in order to receive the grant.

d) Where the City has approved a Planning and Fees Grant under the City of Welland Downtown

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and Connected Districts CIP for a property, the landowner shall not be eligible to receive the BFG.

e) Ineligible costs include professional studies, cash in lieu of parkland dedication, development charges, performance securities, or costs incurred by the applicant in relation to an appeal of any planning application(s).

f) As a condition of approval, where the project includes the development of affordable housing, as defined in the *Development Charges Act*, the applicant will be required to enter into an agreement with the City that requires repayment of the enhanced portion of the incentive in the event that the units are not maintained as affordable housing for the full duration of the agreed-upon timeframe. This timeframe will generally be no less than 25 years from the time that the units are first rented or sold as affordable housing. The agreement may be registered on title with the land registry office;

g) All applications and agreements must be approved by Council or Council's designate;

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7.0 MUNICIPAL LEADERSHIP STRATEGY

7.1 Purpose

The purpose of the Municipal Leadership Strategy (MLS) is to establish a framework for the City to:

a) provide better support and leadership on brownfield redevelopment projects;
b) communicate to the development and business community the brownfield redevelopment opportunities in Welland and the incentive programs available under the Brownfield CIP; and,
c) improve the image of Welland.

7.2 Municipal Actions

The public sector actions contained in the MLS are designed to act as catalysts to leverage private sector investment on brownfield sites.

As per Section 28 of the *Planning Act*, once a Community Improvement Project Area has been designated and a CIP is approved, a municipality may:

a) acquire, hold, clear, grade or otherwise prepare land for community improvement;
b) construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the CIP; and,
c) sell, lease, or otherwise dispose of any land and buildings acquired or held by it in conformity with the CIP.

Therefore, the City of Welland may exercise its full authority and powers under the *Planning Act*, the *Municipal Act, 2001*, and other applicable legislation to undertake any and all of the above-noted activities as part of its MLS on Brownfields.

The MLS includes a general program of municipal property acquisition, investment and involvement in pilot projects with the private sector to remediate and redevelop brownfield sites in Welland. Pilot projects can showcase the use of innovative tools such as alternative approaches to site remediation and risk management, new environmental remediation technologies, the use of environmental insurance, and/or energy efficient building technologies. The City may also issue Requests for Proposals (RFP's) on City owned brownfield sites, failed tax sale properties, and/or participate in public/private partnerships to clean up and redevelop publicly and privately owned brownfield sites.

It is recommended that the MLS be funded from part or all of the tax increment that is retained by the City as a result of properties participating in the BTIG Program, and any other funding as allocated by Council. The City can then use these funds to:

a) conduct up-to-date environmental site assessments (Phase 1 ESA and Phase 2 ESA as required) on potentially contaminated municipally-owned properties that the City wishes to sell or dispose of;

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b) conduct environmental site assessments on properties controlled or acquired through the tax arrears sales process and conduct requests for proposals (RFPs) on failed tax sale brownfield properties;

c) remediate, reuse, and improve municipally owned brownfield properties, including undertaking or participating in pilot projects to showcase innovative remediation approaches and technologies, the use of tools such as environmental insurance, and innovative energy efficiency technologies;

d) strategically acquire, remediate, reuse and redevelop privately owned brownfield sites where required for municipal buildings and facilities;

e) consider strategically acquiring and preparing brownfield sites for private sector remediation and/or redevelopment;

f) fund brownfield pilot projects (public-private partnerships) to remediate, reuse, and redevelop privately and publicly owned brownfield properties;

g) apply flexible zoning or pre-zone to strategically located brownfield sites (including City owned sites) to improve the marketability and potential value of these sites;

h) educate and inform the public about the importance of brownfield redevelopment;

i) explore options with Niagara College and Brock University to remediate and redevelop brownfield sites and/or collaborate on potential uses for these sites; and,

j) implement a Marketing Strategy to regularly market the City's incentive programs and brownfield redevelopment opportunities available in Welland to brownfield market makers such as property owners, developers, potential end users, and support professionals in the City, Region and outside the Region of Niagara.

The MLS can also provide funding to allow the City to access funding available from the Federation of Canadian Municipalities (FCM) Green Municipal Funds (GMF) for environmental site assessment, risk assessment and remediation. The City was successful in obtaining a grant from FCM for the preparation of this Brownfield CIP. An appropriately funded MLS will better allow the City the financial means to leverage FCM funding to help implement this CIP.

The City has established a single point of contact for information on the brownfield financial incentive programs contained in this CIP. The role of this contact person is to administer applications for the financial incentive programs and to provide guidance and advice to developers and their support professionals involved in brownfield redevelopment.

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7.3 Guidelines for Identifying Priority Brownfield Sites and Projects

When identifying and evaluating sites for acquisition, partnering or any of the other municipal leadership actions described above, the City should be strategic in its approach. Therefore, it is recommended that the City utilize the following criteria when evaluating and selecting sites and projects for purposes of the MLS:

a) The site has a good or excellent location with high visibility and proximity to major transportation routes and/or the Welland Recreational Waterway;

b) The site is commercially viable and marketable;

c) The site is a "stigmatized" site, the cleanup and redevelopment of which will likely act as a catalyst for community improvement of the neighbourhood or employment area in which the site is located;

d) The site is designated under the *Ontario Heritage Act* or exhibits significant heritage and architectural characteristics;

e) The site is also in the Downtown and Connected Districts Community Improvement Project Area;

f) The site is surrounded in whole or in part by residential or other sensitive land uses;

g) The site could be a "destination" site drawing large numbers of visitors/shoppers/diners and this would promote additional revitalization in the area where the site is located;

h) The proposed project will result in the leveraging of significant private sector investment resulting in a significant increase in property tax revenues, employment and/or residential opportunities;

i) The proposed project will showcase innovative remediation approaches, technologies, risk assessment approaches and/or Smart Growth design/building principles such as LEED building standards.

Note that a site or project does not need to meet all of these criteria to be considered a candidate for acquisition, partnering, or any of the other municipal leadership actions described in this MLS.

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8.0 MARKETING STRATEGY

8.1 Purpose

It is important to the successful implementation of this CIP that the City's incentive programs and the brownfield redevelopment opportunities available in Welland be effectively communicated to property owners, developers, potential end users, and support professionals both within and outside the City. The purpose of this Marketing Strategy is to proactively and regularly advertise and market the City's brownfield redevelopment incentive programs and publicly and privately owned brownfield redevelopment opportunities in order to help implement the Brownfield CIP. Therefore, the City should implement a comprehensive Marketing Strategy to:

a) market its brownfield redevelopment programs and brownfield redevelopment opportunities;
b) provide information on obtaining financial assistance and advice from the City, including how to access program guides and application forms, as well as assistance and advice from staff on making application for the incentive programs;
c) educate the public and other stakeholders on environmental site assessment and remediation processes;
d) improve the image of Welland as a place to invest, do business and develop land and buildings; and,
e) publicize the successful projects and positive long-term economic, environmental, and social benefits of projects that have taken advantage of the City's brownfield and other incentive programs.

8.2 Target Audience

The Marketing Strategy should be targeted to:

a) Brownfield market makers, i.e., the key stakeholders who cause brownfield properties to be transacted, remediated and rehabilitated, including:
    i) owners/managers of brownfield properties in Welland;
    ii) potential developers of brownfield properties; and,
    iii) potential end users;

b) Support professionals, including:
    i) lending institutions such as banks and trust companies;
    ii) real estate professionals and organizations;
    iii) environmental consultants and contractors;
    iv) legal services industry;
    v) planning consultants and architects; and,

c) The general public, in order to enhance support for the CIP and specific brownfield redevelopment projects.

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8.3 Marketing Tools

The marketing of the Brownfield CIP programs should be a comprehensive multi-media campaign containing information, education and advertising components. The following key tools are recommended to implement the Marketing Strategy:

a) **Publications**

i) Produce a visually appealing brownfield incentive programs brochure similar to the one produced for the Downtown and Connected Districts CIP incentive programs;

ii) The City's Priority Sites Assessment should be distributed to developers and investors (where the property owners agree), and the Priority Sites Assessment should be updated as required;

iii) The brownfield incentive programs and brownfield redevelopment success stories should be profiled in planning and economic development publications, newsletters and other publications published by the City of Welland to document before and after site conditions, how CIP funding supported remediation and redevelopment, and economic, environmental, and social outcomes; and,

iv) Applications for the incentive programs should be accompanied by Program Guides that provide a description of "how to apply" for the programs.

b) **Web Site Materials**

i) The web page should be enhanced via the addition of the aforementioned brochure in pdf. format; and,

ii) The Priority Sites Assessment should be added to the searchable commercial real estate listings on the web site (where the property owners agree).

c) **Presentations to Brownfield Stakeholders and Support Professionals**

i) City staff should make periodic presentations on the Brownfield CIP, available incentives programs, and brownfield success stories to industry groups such as the development community, real estate, environmental and planning consulting, finance, insurance and legal professionals. This direct face- to-face marketing tool is a very important component of the CIP.

d) **Attendance at Brownfield Conferences**

City staff and councillors should attend brownfield conferences in Canada and the United States in order to further educate themselves on brownfield redevelopment and proactively market the City's brownfield redevelopment programs and opportunities utilizing the above-noted publications and materials.

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e) **Media Releases**

Press releases and profiles of successful brownfield redevelopment projects and initiatives should be sent to local and outside media.

f) **Video**

Produce a short video that explains all three of the City's CIPs and the programs available under each one, including how to apply, program requirements, and steps in the approvals process.

8.4 Key Messages

The following are the key messages that should be integrated into the above-noted publications, web site materials, presentations and media releases:

a) Brownfields are vacant or underutilized sites that may have real or perceived contamination problems. Environmental site assessments should be completed on these sites to determine the type and extent of soil and groundwater contamination. The City of Welland offers grants to assist with the cost of these studies;

b) The impediments to brownfield redevelopment can be overcome by the use of innovative approaches to planning, remediation, and the use of enhanced financial incentive programs available from the City to promote brownfield remediation and building renovation and redevelopment;

c) The City's Brownfield CIP now offers an enhanced Tax Increment Grant Program for brownfield properties in the Downtown and Connected Districts CIPA with up to 10 years of financial assistance available;

d) The cleaning up and redevelopment of brownfields results in improvements in environmental quality, human health and economic growth;

e) Brownfields represent a significant economic and development opportunity in Welland with most brownfield redevelopment opportunities located in close proximity to the Welland Recreational Waterway and the Downtown;

f) Brownfield redevelopment is Smart Growth because it efficiently uses existing services and reduces urban sprawl into prime agricultural areas and its associated costs. Brownfield redevelopment will help the City of Welland and the Region of Niagara to achieve growth management goals;

g) Brownfield reinvestment brings economic activity to derelict and underused sites. It generates employment and increased property tax revenues for the City of Welland and the Region of Niagara;

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h) Brownfield redevelopment can revitalize blighted residential neighbourhoods and employment areas, resulting in an enhanced quality of life for the residents of Welland;

i) The City of Welland is being proactive in encouraging reinvestment in brownfield sites by implementing brownfield supportive planning policies, offering financial incentives, implementing a municipal leadership strategy and working with developers of brownfield sites to expedite the development approvals process on these sites;

j) The City wants to find new opportunities and partnerships to deal with brownfields and the City is looking for interest from all types of developers and entrepreneurs (big and small); and,

k) The City's incentive programs have been very successful, attracting large employers such as the Innio and Northern Gold Foods, as well as assisting other local employers and developers of residential, commercial and mixed use properties with their development projects.

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9.0 MONITORING PROGRAM

9.1 Purpose

The purpose of the Monitoring Program is to monitor the performance and impact of the incentive programs and the MLS and to utilize this information to make adjustments to the incentive programs and the MLS in order to help ensure that the goals of the Brownfield CIP are successfully accomplished.

9.2 Description

This CIP is not intended to be a static planning document. It is intended to be a proactive plan to promote brownfield redevelopment in Welland. Therefore, monitoring of the uptake and performance of the incentive programs should be done on a regular basis, and the results of the monitoring should be utilized to help ensure that the incentive programs be as effective as possible for both small and large brownfield projects.

Figure 3 presents a list of the variables that should be monitored by the City of Welland on an individual project and aggregate basis for the incentive programs and the MLS. As well, the qualitative feedback received from users of the financial incentive programs should also be considered. It is important that these results of the monitoring program be utilized to help ensure that the incentive programs and the MLS be as effective as possible.

The information collected through the Monitoring Program should be utilized to provide annual reports to Council on the amount of private sector investment being leveraged by the municipal incentive programs and the MLS and the economic benefits associated with private and public sector brownfield redevelopment projects. As well, information obtained through the Monitoring Program should be used by the City to periodically adjust the incentive programs to improve their effectiveness, make them even more relevant and user friendly, and help ensure that the community improvement goals contained in this CIP are ultimately being achieved.

From a Smart Growth perspective, the City should attempt to monitor the results of the programs in Figure 3 in terms of environmental, financial and social benefits. For example, it is important to highlight environmental and health threats that are removed through the remediation and risk management of contaminated sites. The increase in long-term property tax revenues from a brownfield redevelopment project can be compared to the total municipal financial incentive provided to the project to determine which projects are providing the highest return on investment. The cost savings associated with not having to extend public services into greenfield areas should be monitored. Increases in use of public transit and improvements in property values and social conditions in neighbourhoods where brownfield redevelopment projects are taking place should also be monitored.

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Figure 3 Variables to be Monitored

Program	Variable
ESG Program	- Property location - Number of applications - Type of ESA (Phase II, DS&HM Survey, Remedial Work Plan, or Risk Assessment) - Cost of study - Amount of ESG - Number of ESG applications leading to BTA and BTIG applications, and/or actual environmental remediation/redevelopment projects
BTA Program	- Property location - Number of applications - Eligible remediation cost - Increase in assessed value of participating properties - Estimated and actual amount of municipal and education tax assistance provided - Hectares/acres of land remediated and redeveloped - Industrial/commercial space (sq.ft.) rehabilitated or constructed - Residential units/sq.ft. rehabilitated or constructed - $ Value of private sector investment leveraged - Jobs created/maintained - Number and $ amount of program defaults - Time required to approve complete application
BTIG Program	- Property location - Number of applications - Eligible remediation cost - Increase in assessed value of participating properties - Estimated and actual $ amount of TIG provided - Hectares/acres of land remediated and redeveloped - Industrial/commercial space (sq.ft.) rehabilitated or constructed - Residential units/sq.ft. rehabilitated or constructed - $ Value of private sector investment leveraged - Jobs created/maintained - Number and $ amount of program defaults - Time required to approve complete application
BFG Program	- Number, type and $ value of fees grant by fee type - Industrial/commercial space (sq.ft.) rehabilitated or constructed - Residential units/sq.ft. rehabilitated or constructed - $ Value of building/planning permit fees paid - $ Value of building/planning permits issued
MLS	- Funding amount by project type and purpose - Amount of other government funding leveraged - Increase in municipal and education property taxes of participating properties - Hectares/acres of land remediated and redeveloped - Industrial/commercial space (sq.ft.) rehabilitated or constructed - Residential units/sq.ft. rehabilitated or constructed - $ Value of private sector investment leveraged - Jobs created/maintained - Number and $ amount of program defaults

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9.3 Program Adjustments

The individual incentive programs contained in this CIP can be activated, deactivated or discontinued by Council or its designate without amendment to this Plan. The City may periodically review and adjust the terms and requirements of any of the programs contained in this Plan, or discontinue/reduce any of the programs contained in this Plan, without amendment to the Plan. Such minor changes or discontinuation of programs will be provided to the Minister of Municipal Affairs and Housing and the Regional Municipality of Niagara for information purposes only. Increases in funding provided by the financial incentives contained in this CIP, the addition of any new programs to this CIP, or an expansion of the Community Improvement Project Area will require a formal amendment to the CIP in accordance with Section 28 of the *Planning Act*.

It is the City's intention that this Brownfield CIP will be formally reviewed and updated on a periodic basis, with comprehensive review occurring no less frequently than every five (5) years. The purpose of this comprehensive review will be to assess program uptake and effectiveness, market conditions, and stakeholder feedback with the goal of improving the incentive programs offered under this CIP. Regular comprehensive review will enable proactive adjustments to ensure the CIP programs remain relevant and responsive to Welland's redevelopment needs.

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10 GLOSSARY OF TERMS

The following defines terms used in this CIP.

"**Applicant**": Unless otherwise specified, is a registered owner, assessed owner, or tenant of lands and buildings within the community improvement project area, and any person to whom a registered owner, assessed owner, or tenant of lands and buildings within the community improvement project area has assigned the right to receive a grant or loan.

"**Brownfield sites**": 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.

"**City**": The City of Welland.

"**Community Improvement**": Unless otherwise specified, this term is as defined and used in accordance with its meaning under Section 28 of the *Planning Act*, and 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 therefore, as may be appropriate or necessary.

"**Community Improvement Project Area**": Unless otherwise specified, this term is as defined and used in accordance with its meaning under Section 28 of the *Planning Act* and 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.

"**Community Improvement Plan**": Unless otherwise specified, this term is as defined and used in accordance with its meaning under Section 28 of the *Planning Act* and means a plan for community improvement of a community improvement project area.

"**Eligible property**": Unless otherwise specified, for the purposes of making application for any of the incentive programs contained in this CIP (except for the Environmental Site Assessment Grant Program), an eligible property is a property (including land and buildings) that is within the Community Improvement Project Area as defined in this Plan where a Phase II ESA has been conducted in accordance with Ontario Regulation (O. Reg. 153/04), and that as of the date the Phase II ESA was completed, did not meet the required Provincial standards under subparagraph 4i of 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 for the proposed use of the property.

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For the purposes of making application for the Environmental Site Assessment Grant Program, an eligible property is a property (including land and buildings) that is within the Community Improvement Project Area as defined in this Plan where a Phase I ESA conducted in accordance with O. Reg. 153/04 demonstrates the likelihood of contamination and the need for a Phase II ESA.

"**Qualified person**": As defined by Section 168.1 of the *Environmental Protection Act* and O. Reg. 153/04.

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11 REFERENCES

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Environment Canada. 1998. “Rising Property Values on Hamilton’s West Harbourfront: Effects of Environmental Restoration on Real Estate Prices”, adapted from Zegarac, M. and T. Muir (1998). “The Effects of Rap Related Restoration and Parkland Development on Residential Property Values: A Hamilton Harbour Case Study. Burlington, Ontario, Environment Canada.

Hara Associates. 2003. “Market Failures and Optimal Use of Brownfield Redevelopment Policy Instruments”, prepared for the National Roundtable on the Environment and the Economy. Welland, Ontario.

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APPENDIX A

Regional Grant and Incentive Programs

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Affordable Housing Grant and Incentive Programs

1) Affordable and Supportive Housing Regional Development Charges Deferral
2) Niagara Renovates Homeownership for Repairs and Accessibility
3) Niagara Renovates Multi-Residential
4) Non-Profit Regional Development Charges Grant
5) Partnership Housing Program
6) Welcome Home Niagara Home Ownership Program

Brownfield Remediation Grant and Incentive Programs

1) Brownfield Tax Increment Grant
2) Brownfield Regional Development Charges Deferral
3) Large-Scale Brownfield Regional Development Charges Grant

Employment Grant and Incentive Programs

1) Gateway Community Improvement Plan Tax Increment Grant
2) Gateway Community Improvement Plan Regional Development Charges-Based Grant
3) Regional Development Charges Grant for Industrial Use

New Purpose-Built Rental Housing Incentive

1) Tax Increment Grant
2) $15,000 per door grant
3) Regional Development Charges Exemption
4) Competitive Capital Funding

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APPENDIX B

Welland Official Plan
Community Improvement Plans Policies

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7.10 COMMUNITY IMPROVEMENT PLANS

The *Planning Act* allows municipalities to identify Community Improvement Project Areas, prepare Community Improvement Plans, and provide incentive programs which stimulate redevelopment of lands as a means to maintain the vitality of the municipality.

7.10.1 Downtown Community Improvement Plan

7.10.1.1 Goals

The goal of community improvement in the Downtown is to reinforce the importance of the Downtown, aid in stimulating private sector redevelopment, and guide private sector development and redevelopment.

7.10.1.2 Programs, Eligibility and Funding

The Downtown CIP may offer a range of programs, including, but not limited to:

i. Facade Restoration and Improvement Loan Program;
ii. Development Charge Waiver/Exemption Program;
iii. Refund of Local Planning and Building Fees Program
iv. Residential Conversion and Intensification Loan Program;
v. Property Rehabilitation and Redevelopment Tax-Increment Grant Program;
vi. Parking Requirements Reduction Program.

The Downtown CIP will describe the eligibility criteria for obtaining funding through any of the CIP's programs. The program funding will be established by Council, but shall not place a burden on municipal finances.

7.10.2 Brownfield Community Improvement Plan

7.10.2.1 Goals

The goal of community improvement on brownfield lands is to promote the remediation, rehabilitation, adaptive re-use, redevelopment and overall improvement of brownfield sites.

7.10.2.2 Programs, Eligibility and Funding

The Brownfield CIP may offer a range of programs, including, but not limited to:
i. Environmental Site Assessment Grant Program;
ii. Brownfields Tax Assistance Program; and,
iii. Brownfields Rehabilitation Grant Program.

The Brownfield CIP will describe the eligibility criteria to obtain funding through any of the CIP's programs. The program funding will be established by Council, but shall not place a burden on municipal finances.

7.10.3 New Community Improvement Plan Areas

7.10.3.1 Criteria for New Areas

In considering the establishment of a new Community Improvement Plan Area, the City will consider any of the following criteria:

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i. Conditions of existing buildings;
ii. Land use issues;
iii. Aesthetic issues;
iv. Transportation or infrastructure issues;
v. Natural or human-made environmental issues;
vi. Social or community issues;
vii. Economic issues; and,
viii. Any other relevant issues which create barriers to the repair, rehabilitation or redevelopment of underutilized or dilapidated land/buildings.

7.10.3.2 Criteria for New Community Improvement Plans

New Community Improvement Plans shall contain a statement of purpose, goals, objectives, a description of the Community Improvement Project area, a description of all programs and/or projects, an implementation plan, and a technical appendix justifying the delineation of the area and the need for the programs. The preparation and adoption of new Community Improvement Plans shall meet the minimum requirements of the *Planning Act* for public consultation.

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APPENDIX C

Criteria for Bump-Up of BTIG in the Downtown and Connected Districts CIPA from 80% to 90%

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These criteria are listed below and are the same as the criteria specified in Section 21 a) of Development Charges By-law No. 2022-163. In order to achieve the bump-up in the annual grant available under the BTIG Program, in the opinion of the City, the as-built project must include at least 3 of the following 6 features:

1) "Intensification of an existing use" meaning redevelopment or building addition so as to add floor area and/or a residential unit or units;

2) "Creation of mixed uses" meaning redevelopment, addition or conversion so as to add a new compatible use or uses to a building or property. "Creation of mixed uses" also means new development that proposes a mixed use building or a mix of uses on the site;

3) "Contribution towards the creation of a walkable neighbourhood character" meaning development, redevelopment, addition or conversion within a neighbourhood context that features one or more of the following: safe and clearly demarcated pedestrian access to and within the development site, building orientation and pedestrian access oriented toward the street, site and building access directly from the street without requiring passage across driveway or parking area, street-oriented building facade that features fenestration and entranceways to create a sense of permeability and movement between the street and the building interior, contribution to the quality of the public space on the street by the provision of space for public assembly, street furniture, artworks and/or landscaping;

4) "Creation of a range of housing opportunities and choices" meaning development, redevelopment, addition or conversion that adds multiple-unit housing types to the housing stock;

5) "Reduced setbacks from roadways" meaning development, redevelopment or conversion that places the building facade at the front lot line or closer to the street than the mid-point between the street line and the existing building. Where there is an existing building line along the block-face that is set back from the street line, "reduced front setbacks from roadways" means placing the building facade closer to the street line than the mid-point between the street line and the established building line;

6) "Energy Conservation Measures and Environmental Management Efforts," meaning development and redevelopment that features one or more of the following:

   - LEED Certification;
   - Thermal or Ground Source Heating, Use of Alternative Energy, LED Lighting Technology;
   - Intensive landscaping which may assist, for example, in stormwater management;
   - Restoration of natural environment, habitats and heritage features;

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