



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: JUNE 11, 2018

FROM: Economic Development Department

DATE: May 14, 2018

SUBJECT: Public Meeting Report - Brownfield Community Improvement Plan

LOCATION:

WARD: Town wide Page 1

RECOMMENDATION:

That comments from the public regarding the Brownfield Community Improvement Plan be received.

KEY FACTS:

The following are key points for consideration with respect to this report:

- On November 2, 2015, Planning & Development Council directed staff to develop a Brownfield Redevelopment Strategy and Community Improvement Plan (CIP) for private lands.
- In November 2016, the Town of Oakville received funding from the Federation of Canadian Municipalities' Green Municipal Fund to undertake the development of the Strategy and CIP.
- In September 2017, a Brownfield Redevelopment Strategy was endorsed by Planning & Development Council and was to be used as the basis of the preparation of a Community Improvement Plan and implementation.
- A draft community improvement plan, incentive programs and draft by-laws have been prepared for the urban area of the Town of Oakville.
- This staff report satisfies the statutory public meeting requirements under the *Planning Act*.
- Staff will be bringing forward the implementing and adopting by-laws, along with a recommendation report to activate the incentive programs at a future

Planning & Development Council meeting for consideration. The intention is to launch the incentive programs in early 2019.

BACKGROUND:

Council directed staff to prepare a Brownfield Redevelopment Strategy and Community Improvement Plan for privately-owned lands in Oakville. The purpose of this report is to introduce the proposed Brownfield Community Improvement Plan, incentive programs and strategies designed to promote the assessment, remediation, development, redevelopment and adaptive reuse of privately-owned brownfields in Oakville.

This meeting provides an opportunity for Council to hear public delegations on the proposed Brownfield Community Improvement Plan, and ask questions of clarification. The report is to be received and no recommendations are being made at this time.

This meeting satisfies the statutory public meeting requirement under the *Planning Act*. Following the statutory public meeting, staff will bring forward a recommendation report for consideration by Planning and Development Council along with the required implementing and adopting by-laws.

Planning Act

The power to undertake a community improvement plan comes from Part 4 of the *Planning Act*. In order to adopt a community improvement plan, three items must be in place:

1. The official plan must contain policies relating to community improvement
2. Council must pass a by-law to designate the community improvement project area.
3. Council must pass a by-law to adopt a community improvement plan for the community improvement project area.

The Livable Oakville Plan and the Official Plan of the Oakville Planning Area (with regards to the North Oakville lands), contain policies related to community improvement and fulfill item one above. To address items two and three, draft by-laws have been prepared and attached in **Appendix A**. The intent of the draft by-laws would be to designate a community improvement project area (item two) and adopt the community improvement plan (item three).

COMMENT/OPTIONS:

While Oakville does not have the same number of contaminated properties when compared to other Ontario municipalities, there are known and suspected contaminated sites in Oakville and the potential for other unknown brownfield sites, particularly in industrial areas. The Town of Oakville is taking a proactive approach to addressing contaminated lands by preparing this proposed community improvement plan with a goal of stimulating more remediation and renovation, expansion, adaptive reuse, and development/redevelopment on brownfield sites in the urban area of the Town of Oakville.

A Community Improvement Plan is a document that provides a framework for revitalization, redevelopment or renewal and sets out incentive programs to help make improvements happen. The proposed Brownfield Community Improvement Plan (CIP), attached in **Appendix A**, sets out the following:

- Purpose and rationale for the CIP
- Methodology
- Legislative framework and policy context
- Community improvement needs and goals
- Community improvement project area
- Incentive programs
- Monitoring program
- Marketing strategy
- Program administrative guidelines

A high level overview of some of the above items will be provided in this report and full details are provided in the draft Brownfield Community Improvement Plan.

Community Improvement Project Area

A 'community improvement project area' is the geographic area or boundary where a community improvement plan applies. To adopt a community improvement plan, a project area must be designated by by-law.

The trend in municipalities that have recently prepared comprehensive Brownfield Community Improvement Plans is to designate the entire municipality as the Community Improvement Project Area. While it is expected that there will be a higher concentration of brownfields in Oakville's industrial areas, it is also likely that brownfield sites exist in other areas of the town. Therefore, it is recommended that the Community Improvement Project Area for the Brownfield Community Improvement Plan be "all land within the urban area of the Town of Oakville, (all lands south of Highway 407) as amended from time to time".

Within the Community Improvement Project Area, sub-areas have been prioritized. Employment areas, the Midtown Oakville Urban Growth Centre and the Major Transit Station Areas have been given the highest priority, followed by the Nodes and Corridors as Priority Area 2 and the rest of the urban area as Priority Area 3. These priority areas come into play for the main incentive program, the Tax Increment Grant program.

The Community Improvement Project Area can be seen in Figure 1.

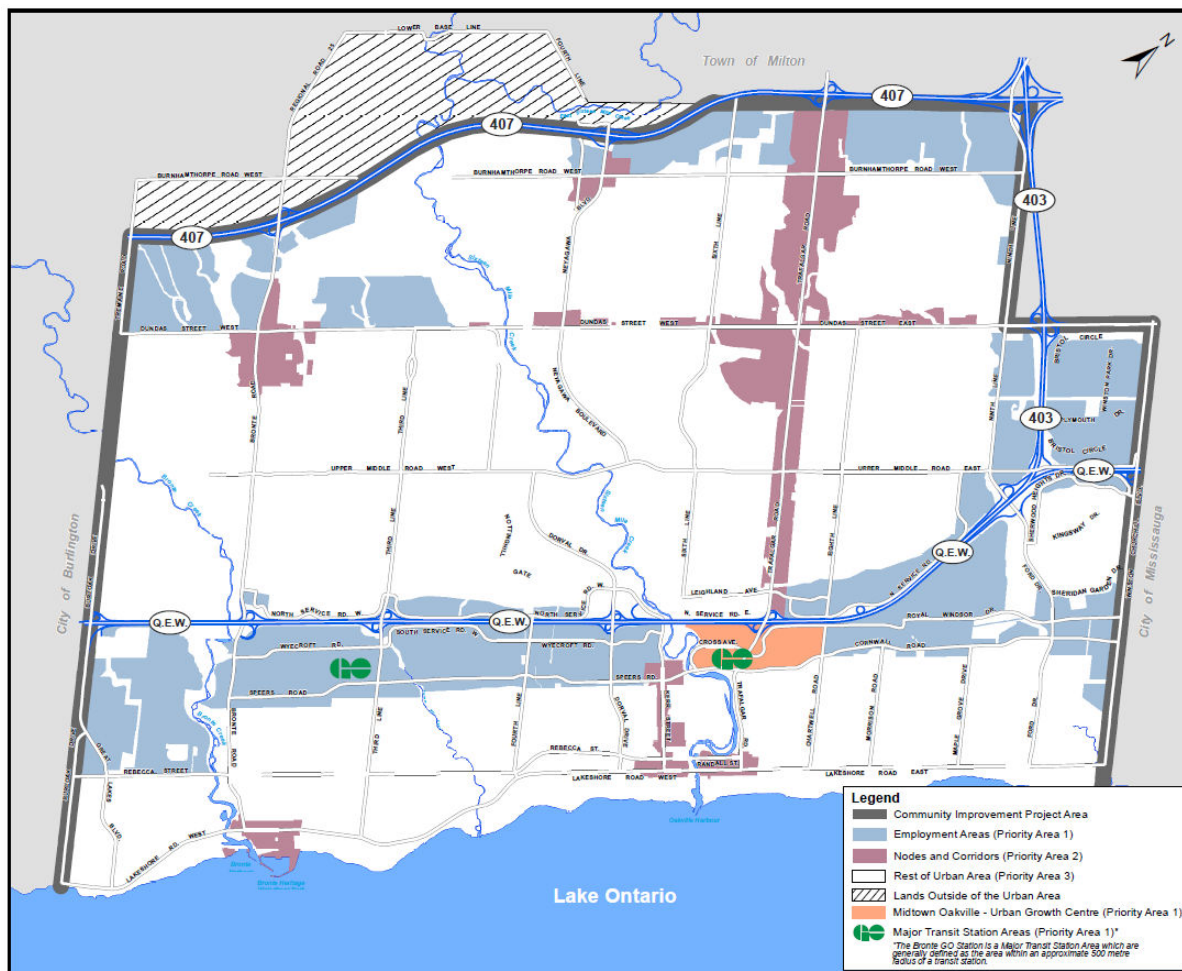


Figure 1 – Brownfield Community Improvement Project Area

Incentive Programs

In seeking to achieve the main goal of the Brownfield Community Improvement Plan – to stimulate more remediation and renovation, expansion, adaptive reuse, and

development/redevelopment on brownfield sites in the urban area of the Town of Oakville - the draft Brownfield CIP introduces three incentive programs:

1. Environmental Study Grant program
2. Tax Assistance program
3. Tax Increment Grant program

A high level overview of these programs is provided below with full details, including program requirements and eligibility, outlined in the draft Brownfield Community Improvement Plan.

Environmental Study Grant Program

This program would provide a grant equal to 50% of the cost of eligible environmental studies to a maximum:

- a) Grant of \$3000 for a Phase 1 Environmental Site Assessment;
- b) Grant of \$20,000 for any other eligible environmental study;
- c) Of two (2) studies and \$30,000 per project.

Tax Assistance Program

This program would provide for the cancellation of the property tax increase (municipal and education property taxes) on a property that is undergoing or has undergone remediation and development to assist with the cost of environmental remediation.

Cancellation of the education property tax increase is subject to approval by the Minister of Finance and is a separate process from the CIP program application process.

Tax Increment Grant Program

This program would provide for an annual grant equal to between 60% and 100% of the municipal property tax increase generated by the project for up to 12 years after project completion.

The percentage and duration of the annual grant payments would be dependent on the location of the project (Priority Area 1, 2 or 3) and whether or not the project achieves minimum employment densities, LEED certification, exemplary building/design and implementation, heritage restoration, and/or the inclusion of affordable and/or special needs housing.

Administration

Program administration guidelines have been developed and included in the Draft Brownfield Community Plan as Appendices C through E. Including the administrative guidelines in the Appendices provides staff with the flexibility to update the guidelines from time to time without the need to formally amend the CIP. This allows staff to respond to varying demands or feedback from participants and ensure the program remains successful.

In general, the application processes include the following steps with variations and specific requirements for each incentive program (as outlined in the appendices of the Brownfield CIP):

1. Application Submission
2. Application review and evaluation
3. Application approval
4. Payment

Monitoring Program

A monitoring program has been developed to monitor the performance and impact of the incentive programs and make adjustments as necessary in order to meet the goals of the Community Improvement Plan. The information collected through the monitoring program should be used to provide regular reports to Council. By monitoring the programs on a regular basis, staff will be able to periodically adjust the programs to improve their effectiveness, ensure that the programs are being administered effectively and ensure that the programs are meeting the goals of the CIP. Specific monitoring variables for each incentive program are outlined in the draft Brownfield CIP.

Implementation

The incentive programs contained in the Brownfield Community Improvement Plan can be activated by Council, one or more at a time, based on Council approval of the implementation of each program. Following this Statutory Public Meeting, staff will bring forward a recommendation report for consideration by Planning and Development (P&D) Council at the July 9, 2018 P&D Council meeting. Should the recommendation report be approved by P&D Council, staff will develop the full implementation process, including application forms and staff training, in the fall of 2018 with an anticipated launch of the programs in early 2019.

Program Adjustments

The individual incentive programs in the Brownfield Community Improvement Plan can be activated, deactivated or discontinued by Council without amendment to this Plan and the town may review and adjust the terms and requirements of the programs without amendment to the Plan. However, there are actions that would require a formal amendment to the Plan in accordance with Section 28 of the *Planning Act*. The actions are:

- Increases in funding provided by the financial incentive programs in the CIP
- The addition of any new incentive programs to the CIP
- Changes to the Community Improvement Project Area

Consultation

In 2017, two stakeholder workshops were held with key brownfield redevelopment stakeholders (developers, brownfield property owners, real estate professionals, and planning and environmental consultants). The initial workshop was held to gain insight from the key stakeholders on critical needs, expectations and goals for brownfield redevelopment. The second workshop presented the preliminary incentive programs to the key stakeholders and a facilitated discussion was held to refine the proposed incentive programs. A Public Meeting was also held in 2017 to provide information about the project.

In April 2018, the draft Brownfield Community Improvement Plan was circulated to the Ministry of Municipal Affairs, as well as Halton Region for comments. Comments from both agencies have been received and will be addressed in a recommendation report, expected to be brought forward at the July 9, 2018 P&D Council Meeting.

NEXT STEPS

The incentive programs are targeted to launch in early 2019. To achieve this target, the following steps are required:

Adoption of the Community Improvement Plan

As stated earlier in this report, to put a community improvement plan in place Council must pass a by-law to designate a community improvement project area and adopt by by-law the Brownfield Community Improvement Plan for the community improvement project area. Drafts of these by-laws have been included in this report in Appendix A.

As a first step towards adoption, this meeting satisfies the statutory public meeting requirement under the *Planning Act*. A recommendation report which addresses the comments received at this public meeting is expected to be brought forward at the July 9, 2018 P&D meeting.

Program Administration and Implementation

Staff will develop the full implementation plan, including staff administration, application forms, staff training, etc. in fall 2018 with an anticipated launch of the incentive programs in early 2019.

Marketing

The Brownfield CIP includes a basic marketing strategy in order to proactively advertise and marketing the Brownfield incentive programs. With an anticipated launch in early 2019, staff will develop the required marketing tools including brochures, website materials, media releases and an outreach plan in fall 2018.

CONSIDERATIONS:

(A) PUBLIC

Comments received from the June 11, 2018 statutory public meeting will be considered and addressed in a future recommendation report.

(B) FINANCIAL

None arising from this report.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The draft Community Improvement Plan was circulated to the Ministry of Municipal Affairs and Halton Region in April 2018. It is currently in circulation to internal departments and public agencies. Comments received will be included in a future recommendation report for Council's consideration.

(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- enhance our natural environment
- enhance our economic environment
- have environmentally sustainable programs/services
- continuously improve our programs and services
- provide outstanding service to our residents and businesses

(E) COMMUNITY SUSTAINABILITY

The proposed Brownfield Community Improvement Plan will work to enhance the social, environmental, and economic aspects of the community through the provision of financial incentive programs to stimulate more remediation and renovation, expansion, adaptive re-use and development/redevelopment on brownfield sites in the urban area of the Town of Oakville.

APPENDICES:

Appendix A – Draft By-laws to designate a community improvement project area and adopt the Brownfield Community Improvement Plan.

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