



**Public Meeting
Economic Development and
Planning Committee**

COMMITTEE MINUTES

Tuesday, May 17, 2007, 7:00 p.m.
City Hall - Council Chambers

ROLL CALL

COMMITTEE MEMBERS:

Councillor M. Kalivas, Chair
Councillor G. Beach
Mayor D. Henderson, Ex-Officio

ABSENT:

Councillor J. Baker

OTHERS:

Councillor H. Noble

STAFF:

Ms. J. Amini, Administrative Coordinator, Clerk's Office (Recording Secretary)
Mr. B. Casselman, City Manager
Ms. D. Cyr, Director of Finance
Ms. M. Pascoe Merkley, Director of Planning

OTHERS:

Jonathon Hack, IBI Group

The Chair called the meeting to order at 7:00 p.m.

1. **2007-094-05
PROPOSED AMENDMENT NO. 81 TO THE OFFICIAL
PLAN; PROPOSED ADOPTION OF A BROWNFIELDS
COMMUNITY IMPROVEMENT PLAN; AND
PROPOSED REVISIONS TO THE COMMUNITY
IMPROVEMENT PLAN FOR DOWNTOWN
BROCKVILLE
FILES: 266-81, D18-4 and D18-5**

Moved by: Councillor Beach

THAT Report 2007-094-05 be received as information, and that a further public meeting to garner public input be held on May 31, 2007, following which, a report on these matters be prepared by staff for consideration of City Council.

CARRIED

Councillor Kalivas, Chair, announced the Public Meeting.

Ms. Maureen Pascoe Merkley, Director of Planning, announced that Notice of the Public Meeting for Staff Report No. 2007-094-05 was given in the Recorder and Times Newspaper on April 26th and May 11th, 2007, and posted on the City of Brockville website.

Councillor Kalivas asked that any person wanting further notice of the passage of the proposed amendment should give their full name, address and postal code to the Secretary prior to leaving the meeting.

Councillor Kalivas reviewed the procedures for the Public Meeting.

Councillor Kalivas called on the Director of Planning to explain the purpose of the Public Meeting and the nature of the proposed amendment to the Official Plan, the adoption of a Brownfields Community Improvement Plan and the revisions to the Community Improvement Plan for Downtown Brockville.

Ms. Pascoe Merkley, Director of Planning, reviewed the proposed Amendments to the Official Plan, [proposed Brownfields Community Improvement Plan and the revisions to the Community Improvement Plan for Downtown Brockville]. She then turned the floor over to Mr. Jonathon Hack of the IBI Group to review the proposal.

Mr. Jonathon Hack, IBI Group, provided the audience with a brief overview of what a Brownfields site is, the issues that face Brownfields sites, along with a power point presentation on the proposed Brownfields Community Improvement Plan. (Copies of

the Brownfields Community Improvement Plan were available for the public).

The following persons spoke in support of the proposed amendments.

Mr. Doug Grant, 8 Orchard Street, Brockville, K6V 2K3 stated that he is in favour of the proposed Brownfields Community Improvement Plan and the proposed revisions to the Community Improvement Plan. He noted that he sat on the Committee that had developed the City's current Community Improvement Plan and was supportive of the incentives contained in that Plan. With respect to the proposed Brownfields Community Improvement Plan, he asked where the funding would be coming from for the proposed incentives as it is the Province that is mandating the environmental issues and asked if the City would be eligible for grants from the Province. Mr. Hack noted that any municipal tax cancellation and educational tax cancellation depends on the type of project being proposed. The Province has indicated that it is open to having the educational portion of the taxes go beyond the proposed three years. The tax cancellation is only applicable to the party who owns the property during the remediation process. Once a property changes hands, the tax cancellation incentive ends. As such, it is more beneficial to those developers who are developing commercial properties. He noted that there is a meeting scheduled to take place with the Province later in the month to discuss this since many municipalities have expressed that the program is not working and this is the only way that municipalities can access provincial dollars. However no firm commitment by the Province has been made. There are some federal sources of funding through the Green Municipal Fund and certain key sites may be able to access this.

Councillor Kalivas noted that funding from the municipality is in the form of waiving future tax increases and asked Mr. Hack to confirm this. Mr. Hack confirmed that the incentive is the increase in tax amount that occurs from the development and this is the increment that can be used. This is forgone revenue for the future however the applicant only receives 70% of that. He confirmed that there is no reduction in the existing tax and this is not a tax waiver. The applicant is required to pay the taxes and then the City has 60 days to verify that the work has been done and if so, the tax increment is returned to the developer.

Mr. Grant expressed his pleasure in seeing what has come to be called "Reynolds Park" identified in the Brownfields boundaries however he questioned why the former Zigman site located on Bartholomew is not included. When the Environmental Protection Act was introduced, the rules changed on this type of property and it is difficult to develop any of these sites. He stated that he is not sure what the standards of the Province are since the Reynolds property can not be used as a park due to contamination yet how does contamination fall into parkland. Mr. Hack noted that there are essentially two priority levels that the Province has identified, one being industrial and commercial properties which have the lowest standard and the

second being residential and parkland properties. All of the issues surrounding environmental issues are related to risk and liability. Residential and parkland properties are used by families and it is open use of the ground so a higher standard is attached to these properties.

Mr. Simon Fuller, 2700 Queensview Drive, Ottawa, K2B 8H6, stated that he is generally in favour of the proposal however has some reservations. With respect to the issue of parks, he is not sure how the City will be able to take a piece of land and use any of these programs for remediation as there will be no generated revenue. He suggested that the program be set up to allow a developer to do the soil remediation on parkland and be able to transfer the tax incentives within the program to an alternate property that is within the Brownfields program area. This will provide the incentive for someone to remediate a park. Mr. Hack noted that this is a program to provide incentives to private developers. Brownfields grants are a very flexible tool and this could be looked at however this plan relates to private lands only in order to generate taxes and the issue of remediation on public lands is not the focus of this plan.

Mr. Fuller asked, with respect to an Environmental Site Assessment grant, would that also include risk assessment on some properties as a risk assessment could be used on a site as opposed to soil removal and dumping, which is included in the plan. Mr. Hack noted that the maximum grant for a property allows for two studies and any site assessment of significance in phase II will cost in excess of \$50,000. Mr. Fuller noted that a pre-application process could be part of that grant and could be an eligible cost, however the time extension for the proposed Brownfields plan only has a two and a half year shelf life. The existing Community Improvement Plan was passed to go beyond the mandate of Council and if the City is trying to address the potential concerns of developers, two and a half years is not enough time for a developer. He suggested that both programs be extended to five years from the date of implementation. Mr. Hack noted that a developer only has to register with the City by December 31st, 2010. If the application is made by that time, Council has six months in which to approve the project in principal. It is at that time that the grants will start. There has to be some limit on the program but the developer must speak to staff and state his intention by December 31st, 2010. This program is designed to be flexible.

Mr. Fuller asked for clarification as a developer has until 2012 to apply for an Environmental Site Assessment yet applications must be in by 2010. Mr. Hack noted that a developer must start the Environmental Site Assessment by 2012. Developers only have to indicate be registration to the City by 2010. Developers then have until 2012 to start the Environmental Site Assessment and the grants will then go for five years.

Mr. Fuller noted that under the existing plan, developers must apply for building permits by 2010. He asked if under the proposed plan, it is not required that a developer must apply for building permits by a set time. Mr. Hack stated that the intent of the proposed downtown plan is similar to that of the existing plan and the intent is not to create the feeling that you have to rush in your applications. Mr. Fuller asked if a development had to be finished within 24 months. Mr. Hack noted that a By-law must be passed by City Council when receiving these grants and the applicant should be working as partners with the City to set a date that both parties would like to see the development complete. The date of commencement of a development is at the discretion of the City, however the developer only receives the grants when the development is complete. This program is very flexible and designed to meet the needs of the developers. If you are an active developer, you need to read the details of the plan and sit down with the City to discuss any questions or concerns.

Mr. Fuller stated that he was under the impression that the existing plan was based on the application for building permits and the existing plan covers 100% of building permits. The proposed plan now only covers 50% of those permits. He stated that no developer will go through the costs of Site Plan and Zoning amendments until the extent of soil contamination is known and noted that this plan is complicated. Mr. Hack stated that the City has blended 2 programs in order to allow developers to take advantage of both the Brownfields Community Improvement Plan as well as the Downtown Community Improvement Plan. Most municipalities only offer one or the other. Brockville is offering both to make itself more competitive. The existing plan runs for a five year maximum whereas the proposed plans have a ten year maximum. Once the Community Improvement Plan ends, the Brownfields Community Improvement Plan kicks in. It is the intention to create a timeline process between the two plans which is highly flexible.

Mr. Fuller noted that the Brownfields plan is based on 70% of the generated taxes yet developers incur up front costs and by limiting the tax incentive to 70%, the City is not being aggressive enough and suggested that the tax incentive remain at the existing level of 100% as other municipalities have done. Mr. Hack noted that most communities do not have a 100% tax grant incentive and none of them go beyond 10 years. Secondly, large scale developments incur costs to municipalities.

Mr. Fuller asked if the grant stops once the property is sold. Mr. Hack confirmed that this is true of the BFTIP program, and noted that this is why it more profitable for a commercial development as the developer would retain title to the property and lease the building.

Mr. Fuller noted that the existing Community Improvement Plan is based on a 100% tax incentive and yet the proposed plan is only at 50%. He noted that the existing plan was excellent and does not recommend reducing the tax incentive in the proposed plan. Lastly, Mr. Fuller noted that with respect to the Zone 1 boundary, it does not follow the boundary of the downtown business area, noting that there is a project in the works by the Wall Street United Church to create a Wall Street Village for seniors at the former St. Vincent de Paul Hospital site. Half of the block is in the area and half of the block is outside of the area. He suggested that the Zone 1 boundary follow the boundaries of the downtown business district.

Ms. Laura Leeder, 4 Lemon Point Lane, R.R. #1, Prescott, K0E 1T0, stated that she supports the proposal. She noted that her company owns a small area of land which is currently zoned for 18 townhouses and these were missed in the last Community Improvement Plan. The development of these townhouses would see a generation of taxes in excess of \$100,000 for the City of Brockville.

The following persons spoke in opposition to the proposed amendments.

David Golledge, 114 Water Street East, Brockville, K6V 1A5, asked how this program will affect him as a tax payer in the City of Brockville and what the positive aspects are for the rate payer. Someone will have to pay the bill for these costs over the next few years. He believes that these types of developments are an investment for the developer and the government should keep out of it. If there are risks involved in developing a property, it drives the price of the property down and he asked why the City should subsidize land owners in order for them to obtain a good market value for their property. He asked how much this will cost the City over the next few years and will tax payers be signing up for a liability. Councillor Kalivas noted that the Council of the day will not enter into agreements that they feel they cannot afford to accommodate. If all applications were to come in tomorrow, they would not all get approved. Mr. Hack noted that approval of an application depends on if the development will spur other developments. Part of the reason why the City lowered the tax incentive to 70% is that there are potential costs to the City. This program is about targeting specific sites to benefit the downtown and not about adding to the profit of the developer. It is about making an unfeasible development become feasible and he assured the public that you are not going to see a great deal of applications and there will not be a liability to the City as we have instigated a process to look at the payback for the municipality that is not too long. By implementing a 70% grant rather than a 100% grant, you get back those taxes in five years and at the same time, you are helping developers who are taking a risk on sites of particular public interest. History tells us that this will create spin offs of other developments. This is not helping developers to make a profit nor is it lining the pockets of developers. It is simply making a development cost neutral and it is not

the intent to add to the value of a piece of land that is derelict.

Mr. Golledge noted that there were two projects that had gone forward with respect to the existing Community Improvement Plan, those being the Fuller project and the Moorings. He noted that now the Moorings project has been put on hold until this plan is in place in order that the developer receives additional tax dollars and he is opposed to that. Mr. Hack noted that this plan is to target public resources for the longer term spin off. Mr. Golledge noted that this plan is creating unfairness. Mr. Hack stated that this is not the intent of the plan. The issue is not about total discretion but each property must be judged on its own merit. This is not creating different rules for different developers. The programs here are designed to be fair and equitable and pay for themselves as it is forgone revenues. This is why the Province is not paying towards the costs. He further noted that the more applications received, the more beneficial it would be to the City. Mr. Golledge noted that this will cost the City money for additional services such as street lighting, snow removal, etc. Mr. Hack noted that it is highly unlikely that you will get an application unless it is a sensible development such as a water front development or a development on the Phillips Cables property. Any development on the former Phillips Cables property would be a phased development and would pay for itself as the development progresses. Mr. Golledge noted that with respect to Mr. Fuller's suggestion of allowing a developer to do the remediation of Reynolds Park in exchange for applying the Brownfields incentives to an alternate property, he compared this to an Income Trust and noted that the Federal Government is now phasing Income Trusts out. He further noted that should this concept be supported by Council, his family would not reap the benefits of such a proposal as any additional tax revenues would not be witnessed for years to come.

Mr. Fuller noted that the purchase of the Broad Street property for the Tall Ships Landing was done prior to the Brownfields plan however it was conditional upon the City adopting a Brownfields program and this was let known to Council. Secondly, he noted that there are two types of contamination which came from changes in legislation and this lowered property values. Brownfields plans makes up for this. In reference to Reynolds Park, it is the generated taxes that are created that provides benefit to the City and the cost of doing nothing is far greater than the cost of creating a Brownfields plan.

Mr. Hack noted that this speaks to the fact that we are trying to look at this from a public interest point of view. This is back ending developers by providing them with back ended revenues after they have incurred the costs. It is a good public policy. He noted that Brockville only has a population of 23,000 people and the municipal fiscal impact plays a role which is why the proposed plan only suggests a 70% tax grant. Mr. Golledge stated that it should be made clear to all citizens that there is a cost involved with this and what the benefit to them is going to be.

Mayor Henderson commented that he is confused with Mr. Golledge's comments. He realizes due to the time frame before the City would realize the tax benefits from projects initiated from the CIP program incentive that Mr. Golledge's family may not reap the tax benefits of such projects. However, should a developer remediate Reynolds Park now and have Brownfield / CIP incentive program applied against another property at a later date, then the Golledge family would realize benefits by eliminating the City's requirement to pay for the remediation costs upfront. Mayor Henderson also noted this is the first time he had heard of Mr. Fuller's suggestion regarding remediation of Reynolds Park and feels it could be a benefit for all citizens. It is either spend the money now or spend the money later. Mr. Fuller's suggestion alludes to a "pay us later" concept.

Ms. Janice Wood, R.R. #3, Mallorytown, K0E 1R0 questioned why are we having this discussion since the government made the legislative changes in 2001. Prior to those changes, the cost of cleaning up a site was far less than the cost of cleaning the site under the new regulations, and questioned why the province is being so onerous to these property owners. She believes that we should be lobby for the provincial authorities to change the regulations. Mr. Hack noted that the Brownfields CIP approach allows the City to put a plan in place while using limited resources.

A list of those requesting further notice of the passage of the proposed amendments is attached to the minutes.

2. ADJOURNMENT

The meeting adjourned at 8:55 p.m. The next Public Meeting of the Economic Development and Planning Committee is scheduled for Thursday, May 31, 2007.

**REQUEST FOR INFORMATION
REGARDING PROPOSED AMENDMENT NO. 81 TO THE OFFICIAL PLAN
PROPOSED ADOPTION OF A BROWNFIELDS COMMUNITY IMPROVEMENT PLAN
PROPOSED REVISIONS TO THE COMMUNITY IMPROVEMENT PLAN**

Subject Property:	File No(s).:
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NAME	ADDRESS (include Postal Code)	CONTACT NUMBERS (home, work, cell)	INFORMATION REQUESTED		
			Public Meeting Minutes	Planning Report	Notice of Passing/ Adoption
Don Stewart	40 Water Street East K6V1A2	Home: 345.2797	✓	✓	✓
		Work: 341.9400			
		Cell: 213-1925			
Elizabeth Wesely	3 Apple St. #510 Brockville K6V4X5	Home: 342-0077	✓	✓	✓
		Work:			
		Cell:			
Simon Fuller	2700 Queensview Dr. Ottawa K2B 8H6	Home:			
		Work:			
		Cell:			
DOUG GRANT	8 ORCHARD ST. BROCKVILLE, K6V2U3	Home: 613-345-0891			
		Work:			
		Cell:			
		Home:			
		Work:			
		Cell:			
		Home:			
		Work:			
		Cell:			

BROWNFIELDS COMMUNITY IMPROVEMENT PLAN

Public Meeting
Thursday, May 17th

SIGN IN SHEET

Name	Mailing Address	Email Address	Telephone Number
Elizabeth Wesley	3 Apple St, #510	egwes@yahoo.ca	342-0077
Don Stewart	40 Water Street East	dstewart@shaw.net.ca	345-2797
Justin Tremblay	8 boul. plateau, Gatineau QUE.	Justin.tremblay@junic.ca	819-595-0362
Charles Tremblay	"	charlestremblay@junic.ca	"
Carol Gellrich	10 Bayview Rd. S.-ville K6V 5S1	cgellich@ripnet.com	613 448 1118
Raul Cirne	49 Fairway Cres. K6V3W	VCirne@ripnet.com	342-3181.
Simon FULLER	2700 Queensview Dr OTTAWA, ON K2B 8H6	Simon@FULLER.ca	223-7265

BROWNFIELDS COMMUNITY IMPROVEMENT PLAN

Public Meeting
Thursday, May 17th

SIGN IN SHEET

Name	Mailing Address	Email Address	Telephone Number
Paul Vengtro	PO Box 275 Brockville K6V5V5		498-0780
Harry Prestm	P.O. Box 1814 Brockville, ON		342-1866
DOUG GRANT	8 ORCHARD ST. BROCKVILLE K6V2J3		613-345-8891
BOBBIE LEEDER	4 LEMON ST LANE RR#1 PRESCOTT, K0E1G0	BOBBIELEEDER@ SYMPATICO.CA	342-9148 340-3512
Brian Porter	115 Pearl St. E. Brockville K6V1R1		342-5882
Gina Williams	43 Pineview Rd. Brockville, K6V6K3		
JANICE WOOD	SITE 6, BOX 0, RR 3 MALLORY TOWN, K0E1R0		345-6387

**Public Meeting
Thursday, May 17th**

SIGN IN SHEET

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