



Brownfield Property Tax Assistance Program

Purpose

The purpose of the Brownfield Property Tax Assistance Program (TAP) is to encourage the remediation and rehabilitation of brownfield sites by providing a cancellation of part or all of the property tax increase on a property that is undergoing or has undergone remediation and development to assist with payment of the cost of environmental remediation.

Eligible Costs

- 1** Environmental remediation costs, including any action taken to reduce the concentration of contaminants on, in or under the property to permit a Record of Site Condition (RSC) to be filed in the Environmental Site Registry under Section 168.4 of the Environmental Protection Act;
- 2** Placing clean fill and related grading; and
- 3** Environmental insurance premiums.

Program Details

- 1** Municipal Tax Assistance:
 - a. The City may pass bylaws to provide a deferral or cancellation of all or a part of the municipal taxes on a brownfield site during the assistance period, as defined in Section 365.1(1) of the Municipal Act.
 - b. The total value of the tax assistance will not exceed the total eligible costs, which are defined in the eligibility requirements above. The level and duration of the tax assistance will be considered on a case-by-case basis.
 - c. Prior to passing the by-law approving the tax assistance, the City will be required to notify the Ministry of Finance. Within 30 days of passing the by-law, the City will also be required to notify the Minister of Municipal Affairs and Housing and the Minister of Finance.
- 2** Provincial Tax Assistance:
 - a. The City may apply for the Provincial Brownfields Financial Tax Incentive Program, on behalf of the owner, to cancel or freeze all or a portion of the education component of property taxes.
 - b. The application will need to be approved by the Minister of Finance, and may be subject to a different timeline than the approved Municipal Tax Assistance Program.



- c. The City must be offering municipal tax assistance in order for the owner to be eligible for Provincial tax assistance.

Payment Details

1 Municipal Tax Assistance:

- a. The municipal portion of the property tax assistance is limited to the Rehabilitation Period and Development Period of the project.
- b. The municipal portion of the property tax assistance will be undertaken in accordance with the provisions of Section 365.1 (1) of the Municipal Act.
- c. The municipal portion of the property tax assistance may start at the beginning of the Rehabilitation Period and run for a period specified by Council in a by-law, but shall not extend beyond the time periods outlined in Section 365.1(1) of the Municipal Act, which is the earlier of a) eighteen months, b) the date a Record of Site condition is filed, or c) when the total amount of tax assistance is equal to the eligible remediation costs (as defined above).
- d. The Development Period begins when the Rehabilitation Period ends, and concludes on the earlier of a) the end date specified in the by-law or b) when the tax assistance is equal to the eligible remediation costs.
- e. The duration of tax assistance may consist of both the Rehabilitation Period and Development Period, subject to the limitations for each period as described above.
- f. The implementing by-law is to specify whether the tax assistance will occur during the Rehabilitation Period, the Development Period, or both.

2 Provincial Tax Assistance:

- a. The exemption may commence at the start of the Rehabilitation Period, and continue through the Development Period, for a maximum time period as defined in the implementing bylaw, and subject to program and termination requirements established by Section 365.1(1) of the Municipal Act.
- b. The education portion of the property tax assistance may be delivered on a different timetable from the municipal portion of the property tax assistance for the given property.
- c. The conditions imposed by the Minister of Finance for the education portion of the property tax assistance under Section 365.1 of the Municipal Act may differ from those outlined in this Plan.



Eligibility Criteria

- 1** All General Eligibility Requirements outlined in **Section** Error! Reference source not found. shall apply.
- 2** Applications shall be in accordance with the application submission requirements under **Section** Error! Reference source not found..
- 3** The Brownfield Property Tax Assistance Program may not be combined with the Tax Increment Equivalent Grant.
- 4** Successful applicants may also be eligible for other Financial Incentive Programs, provided that the total value of incentives does not exceed the total eligible cost of rehabilitating the land and buildings.
- 5** The City may require preparation of a business plan or feasibility study as a condition of approving tax assistance.
- 6** Application for Provincial tax assistance shall be at the sole discretion of the City. Initially, the City may wish to seek Provincial tax assistance on behalf of the owner on a pilot project basis only, and discontinue such applications in the future. Should the City choose not to apply for Provincial tax assistance, such a decision shall not require an amendment to this Plan.
- 7** The applicant must demonstrate that the subject property is a brownfield site, which is determined through an Environmental Site Assessment (ESA). The City has the discretion to determine whether the subject property would be considered as a brownfield site.