



A city with a world of possibilities

# BROWNFIELDS COMMUNITY IMPROVEMENT PLAN

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***CONSOLIDATED / REVISED VERSION  
TO January 2015***

***By-law #2014-195***

***By-law #2013-103***

***By-law #2012-002***

***By-Law #2011-083***

***By-Law #121-2007***

***By-Law #002-2005***

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Related to  
Modification #4

By-Law #121-2007  
5 yr review  
By-Law #2011-083

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5 yr review  
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- Appendix A Brownfields Strategy Community Improvement Policy Area Official Plan Amendment
- Appendix B List of Key Potential Brownfield Sites
- Appendix C Guideline for Delivery of Soil to Landfill Site

## **PREAMBLE**

The City of Cornwall Brownfields Community Improvement Plan described herein is based upon the Cornwall Brownfields Strategy and Action Plan Study, a multi-phased assessment of the need and opportunities for Brownfield redevelopment in the City. The Study is comprised of three phases:

- Phase I: Background Research;
- Phase II: Program Development; and
- Phase III: Application Process.

Reports and other materials developed in each phase are available for review by contacting the City of Cornwall Planning Department.

The following Community Improvement Plan summarizes the Strategy, its goals and objectives, the policy area and official plan amendment, details of the programmatic elements of the plan and their implementation.

## 1. INTRODUCTION

### 1.1 Community Improvement Project Area and Programs

The proposed Community Improvement Policy Area<sup>1</sup>, as shown in Exhibit 1.1, represents the area within which applications for municipal financial assistance will be received and evaluated by the City of Cornwall as part of the *Brownfields Strategy and Action Plan* (the Brownfields Community Improvement Plan (CIP), hereafter referred to as the CIP).

This plan establishes the details of the programs which comprise the City of Cornwall Brownfields CIP. Each program is discussed in detail in Section 3, including the specific aims of each program, a description of the assistance provided, eligibility and intended recipients, restrictions on program assistance and duration of support.

The following programs are included within the Plan:

1. City of Cornwall **Brownfield Rehabilitation** Grant Program
2. Environmental Site Assessment (ESA) Grant and Project Feasibility Study Grant
3. Municipal Tax Cancellation Assistance Program
4. Deleted :Municipal Brownfield and Urban Removal Information Services
5. Municipal Planning/Development Fee **Grant** (Rebate) Program
6. Discretionary Municipal Tipping Fee **Grant**
7. Municipal Property Acquisition Disposal and Marketing Program
8. Payment-In-Lieu of Parkland Dedication **Grant** Program

Suggested and  
Actual Minister's  
Modifications  
(April and  
June/05)

5 yr review  
By-Law #2011-083

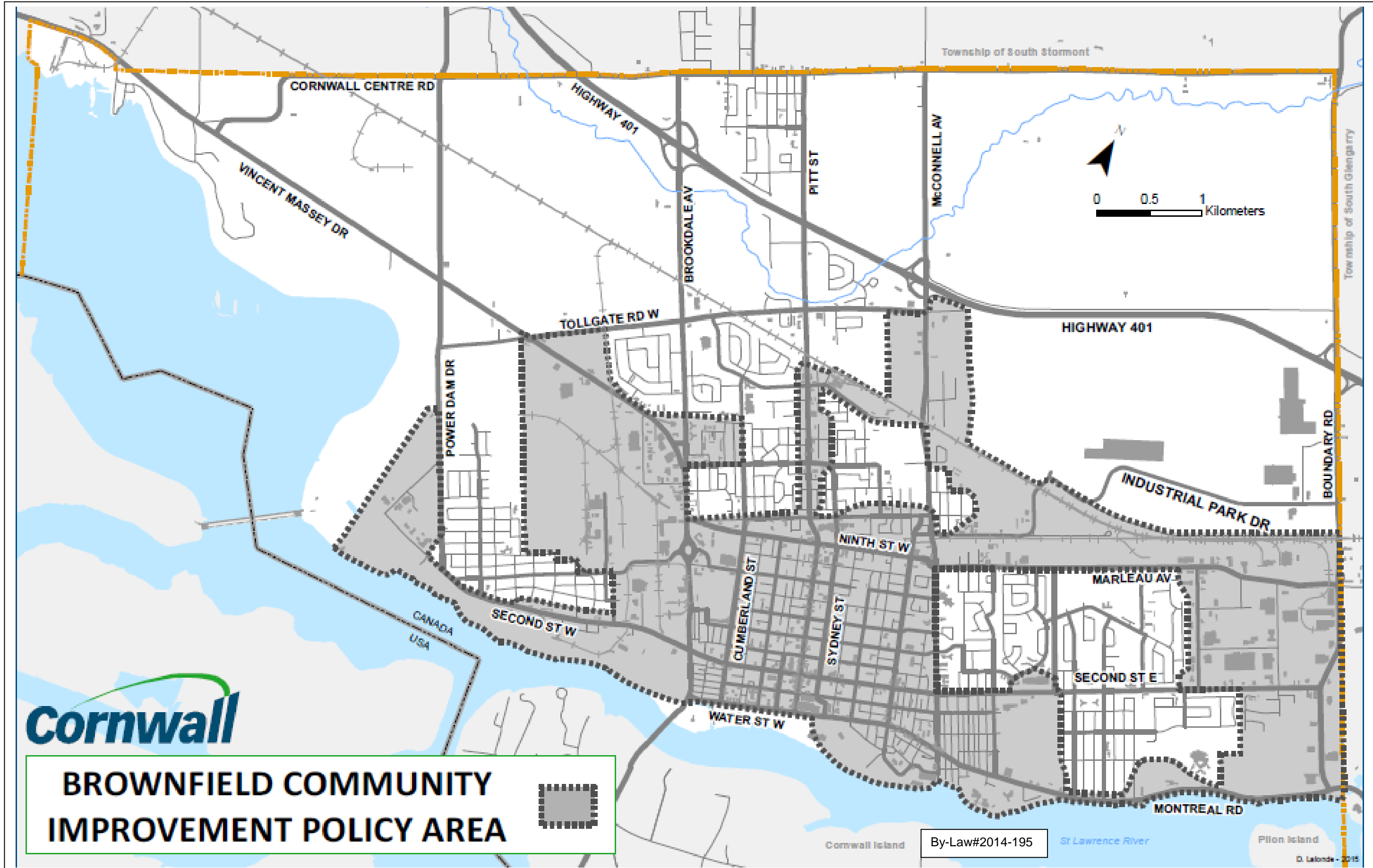
### 1.2 Evaluation by Brownfields Strategy Committee

Each program is designed to further the specific goal of redeveloping and re-using brownfield sites which are blighted by the effects of environmental contamination. Applications must be evaluated and matched against available resources (funding), the goals of the *Brownfields Strategy* and the merits of the planned redevelopment/improvement of individual sites. Objective evaluation is as important for programs which redirect future municipal revenues to support redevelopment (e.g. Tax Increment Financing (TIFs), tax cancellation, fee waivers) as for programs which provide upfront grants to land owners. **(Note: Due to Provincial Legislation and the Minister's Modifications (proposed April/05 and finalized June/05), the use of the wording 'waiver' and 'rebate' is now effectively replaced with the word 'grant' in the program descriptions to follow.)**

The purpose of the evaluation is not to create unnecessary limits on municipal assistance, but to ensure that the resources of the municipality (and any other funding partners) are used to best affect and promote redevelopment of valuable brownfield sites. In the City of Cornwall there are a number of prime real estate development opportunities and many of these sites are currently paying little in property tax and do not provide significant benefits to the City. These sites represent "idle" revenue sources. There is a long-term benefit to their re-animation and a long-term payback to public investment in stimulating their redevelopment and/or re-use.

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<sup>1</sup> The *Planning Act* defines areas of a municipality where community improvement is defined as "Project" areas, whereas the City of Cornwall defines these areas as "Policy" areas. For the purposes of this Plan, these terms are interchangeable.



## 2. COMMUNITY IMPROVEMENT PLAN OBJECTIVES

### 2.1 Long-Term Payback

Minister's  
Modification #1  
(June/05)

The overall policy goal of the *Brownfields Strategy* is to offset the costs associated with site assessment and remediation of brownfield sites. **“Important to the overall approach to municipal assistance for any given site is that the combined use of incentives does not exceed the cost of rehabilitation.”** Other programs of community improvement may be considered under a separate exercise for matters such as commercial facade improvement, housing renovation, etc.

Minister's  
Modification #1

The *Brownfields Statute Law Amendment Act* is intended to encourage brownfield redevelopment by clarifying environmental liability (regulatory and civil) and providing municipalities with more flexibility in planning. It enables municipalities to offer financial and other incentives for **rehabilitation** through Community Improvement Plans (CIPs).

The responsibilities of municipalities are defined under the *Ontario Municipal Act*. Section 106(1) prohibits municipalities from bonusing except within Community Improvement Policy Areas in conformity with an approved CIP (Section 106(3)).

The *Brownfields Statute Law Amendment Act* is permissive regarding municipal assistance to redevelopment efforts. The *Act* facilitates action. It does not impose specific actions in regard to brownfields, and municipalities are not required under the legislation to develop CIPs. The City of Cornwall has considerable scope in developing its Community Improvement Policy Area and programs, the range of assistance and program eligibility criteria, as well as the overall amount of funding it will provide. The primary objective of these programs is to maximize private sector investment in site redevelopment.

The City of Cornwall Brownfields Community Improvement Plan provides a comprehensive framework for the delivery of programs to assist in the redevelopment and re-use of brownfield properties. The programs contained in this CIP aim to facilitate the redevelopment and re-use of brownfields in conditions where redevelopment is unlikely to occur because of the derelict nature of the properties and the associated costs and risks. It is understood that not all of the goals of the *Brownfields Strategy* will be realized in the short-term. It is the intent of the Plan to realize long-term benefits to the community as well as financial payback to the City through private investment and development, new employment opportunities and increased property assessment and tax revenues. Environmental improvements help reduce liability and risk for property owners as well as the City. The *Brownfields Strategy* may also, over time, produce other intrinsic benefits to the community, such as improving the investment climate generally and enhancing the liveability of neighbourhoods.

Minister's  
Modification  
#1

The **rehabilitation** of brownfield sites and the intended stimulus to redevelopment on surrounding lands, higher property taxation and the removal of potentially significant environmental liabilities are the principal public benefits resulting from the *Brownfield Strategy*. A number of other brownfield strategies and downtown improvement plans have monitored the effectiveness of plans to generate private sector investment. In several cases, the ratio of private to public investment has been in the order of 5 to 1.

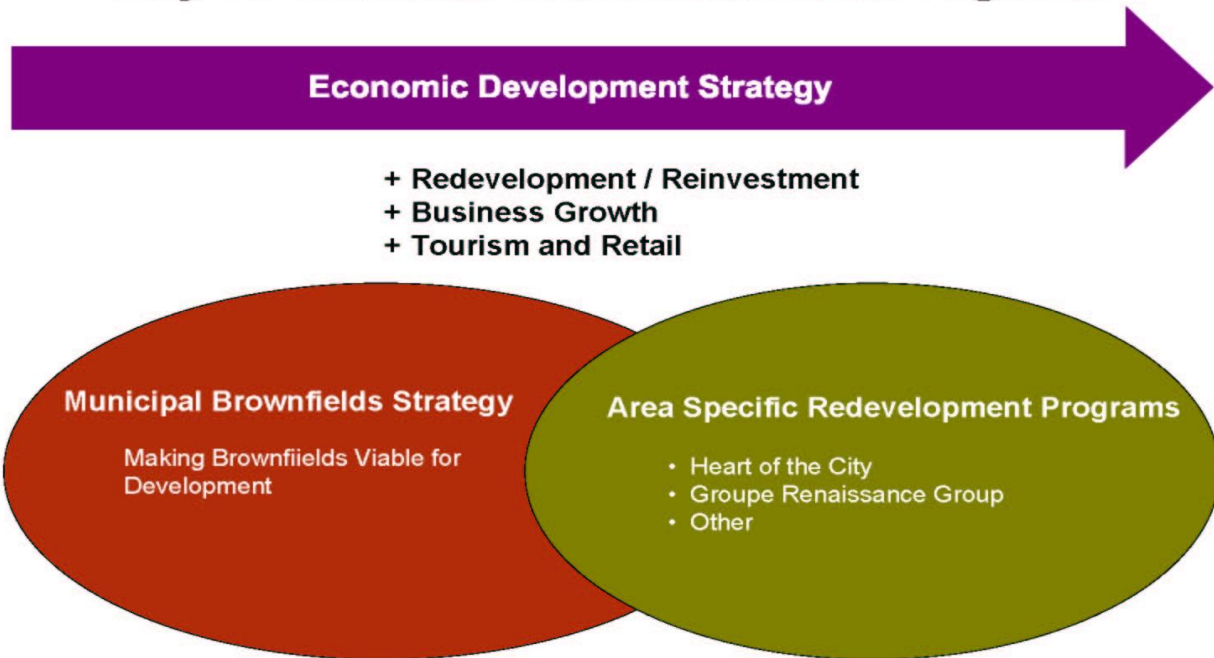
The City of Cornwall should actively monitor the scale of private sector investment leveraged. Given the locational attributes of the City, private investment could be significant over the long-term.

### 2.2 Brownfields and Municipal Economic Development

The Brownfields Community Improvement Plan *is* part of a larger context for economic development in the City. The programs developed to address the problems of contaminated brownfields are

expected to complement programs to assist commercial building improvements in the downtown core and maintain and enhance heritage features, such as those programs being developed by the Heart of the City (HOTC). Brownfield incentives can also help Groupe Renaissance Group promote affordable housing and renewal of the housing stock through its programs, some of which are in partnership with the City of Cornwall.

## Exhibit 2.1 City of Cornwall Urban Renewal Programs



### 2.3 Emerging Economic Opportunities Resulting From Brownfield Incentives

The City of Cornwall has a long history as an industrial and business centre. The City’s industrial sector flourished in the early to mid 1900s. However, the building of the St. Lawrence Seaway coupled with a structural shift in the economy from manufacturing to greater reliance on service industries has resulted in industrial decline. As a result, there are a number of vacant, abandoned and underused commercial and industrial properties in the City. Key potential brownfield sites are identified in Appendix B.

According to the National Round Table on the Environment and the Economy (NRTEE), it is estimated that in more than half of brownfield cases (60% to 80%), the cost of clean-up is such that it is unlikely that private redevelopment will occur without some sort of incentive or financial assistance.<sup>2</sup> There are numerous “public benefits” associated with brownfield redevelopment such as re-use and upgrading of underutilized sites and neglected lands, economic development,

<sup>2</sup> National Round Table on the Environment and the Economy (NRTEE) (2003) “*Cleaning up the Past, Building the Future: A National Brownfield Redevelopment Strategy for Canada*”.

employment and long-term stability in the tax base, environmental restoration, aesthetic improvements, neighbourhood revitalization, the conservation of heritage buildings and more effective use of existing municipal infrastructure within urban areas. Teamed with the programs and financial tools proposed as part of the new Brownfields CIP, a number of market conditions in the City of Cornwall may also help facilitate brownfield redevelopment and re-use. Examples include:

- **Diversification of the City's economic base** - smaller, lighter industries continue to locate to Cornwall;
- **Locational advantage** – the City's position to major urban centres including Toronto, Montreal, Ottawa and the proximity to the U.S. border, major highways and the St. Lawrence River;
- **Aging population and niche urban markets** – the City has an identifiable market niche that may generate potential demand for well-located higher density housing in Cornwall's urban and waterfront areas;
- **Recent revitalization initiatives** – such as the redevelopment of the former cotton mills complex and Kirkman Court, a recent redevelopment of Courtauld's Fibres parking lot into a single-family residential subdivision; and
- **Varying size and location of brownfield sites:**
  - Opportunities for small-scale redevelopment, particularly commercial, on principal commercial corridors within the City (e.g. Pitt Street, Second Street, Ninth Street, Montreal Road, Brookdale Avenue and Vincent Massey Parkway);
  - Opportunities for large-scale redevelopment which could include a mix of residential and commercial uses as well potentially recreational and other community uses; and
  - Opportunities for re-use of existing buildings for new commercial, residential and potentially, industrial development.

## 2.4 Goals of the City of Cornwall Brownfields Strategy and Action Plan

As outlined below, there are a number of land use, economic, social and environmental goals associated with the *Brownfields Strategy*. Some of these goals may be met in the short-term, in the initial stages following the implementation of the *Brownfields Strategy* and CIP. However, most of the goals have been set with the understanding that they will be achieved over the long-term, as the tools and programs implemented through the Plan stimulate larger-scale reinvestment and payback to the City of Cornwall.

The goals of the Brownfields Community Improvement Plan complement and build upon planning, economic and environmental goals of the Province, the City of Cornwall and various community partners. Goals include, but are not necessarily limited to:

### 1. Regulatory Policy – Land Use

- Support the provision of opportunities for redevelopment, intensification and revitalization in areas that have sufficient existing or planned infrastructure (*Provincial Policy Statement* (1996) 1.2.1 d);

- Promote Smart Growth with attention to redevelopment of Brownfield sites (*City of Cornwall Official Plan (2004) 2.3.1.7a*);
- Recognize the importance of planning for the improvement of older districts as well as planning for new areas of the City (*City of Cornwall Official Plan (2004) 2.3.1.15*);
- Encourage the efficient utilization of existing industrial areas and promote the appropriate redevelopment of pockets of underutilized land or obsolete industrial areas (*City of Cornwall Official Plan (2004) 2.4.2.27*);
- Encourage the infilling and consolidation of existing urban development areas and promote the efficient utilization of existing municipal services (*City of Cornwall Official Plan (2004) 2.4.1.2.2*);
- Improve the quality of life in all communities by promoting strong, effective and accountable municipal government (*Federation of Canadian Municipalities, Mission Statement*);
- Revitalization through social, cultural, economic and architectural projects and events in the City of Cornwall, Ontario and surrounding area (*Groupe Renaissance Group, Mission Statement*); and
- To create the vision, and to promote the revitalization of the Heart of the City to that vision, as a place where people can work, live and play (*The Heart of the City Mission Statement*).

## **2. Economic Development**

- Promote economic revitalization through:
  - Strategy 1 – People First (developing human capital)
  - Strategy 2 – Fostering Business Growth
  - Strategy 3 – Developing Cornwall’s Tourism and Retail Potential
  - Strategy 4 – Establishing New Enabling Tools to Support Economic Development (*City of Cornwall Economic Development Strategic Plan, 2002*);
- Bring potentially blighted, potentially contaminated urban sites back into productive use;
- Retention, expansion and diversification of existing industrial and commercial uses;
- Private investment and development activity - attract new industrial and commercial uses;
- Retention of employment and increased employment opportunities;
- Increased tax assessment and revenues for the City of Cornwall;
- Improved housing choice and affordability; and
- More efficient use of infrastructure.

## **3. Fiscal**

- Establish capital spending priorities to ensure achievement of the goals of the *Brownfield Strategy* recognizing long-term payback;
- Target sites most in need of public assistance and with greatest potential for leveraging private investment;
- Leverage funding and assistance from other levels of government and various non-government organizations (NGOs);
- Provide maximum return over long-term (7-10 years); and
- Respond to, and support, the diverse needs and interests of Cornwall residents and businesses to ensure equity and opportunity.

## **4. Environment**

- Clean-up contaminated lands to improve air, land and water quality;
- Preserve agricultural land and reduce urban sprawl through urban renewal;

- Reduce/eliminate environmental liabilities for property owners, the City and the government and institutional property owners, thereby “freeing up” development potential and investment opportunities; and
- Consider opportunities to redevelop brownfields as green space.

#### **5. Quality of Life**

- Revitalize and undertake appropriate redevelopment of core-established Business Districts (*City of Cornwall Official Plan (2004) 2.4.2.4*);
- Redevelop and re-use brownfield lands to create vibrant, attractive neighbourhoods with integrated land use and transit facilities;
- Protect property values by upgrading vacant, abandoned or under-utilized commercial and industrial properties and minimize the negative impacts that brownfield properties can potentially have on neighbouring lands;
- Promote the conservation and enhancement of the positive characteristics of the City (*City of Cornwall Official Plan (2004) 2.4.2.12*);
- Respect the importance of the City’s industrial and architectural heritage;
- Promote community pride through recreational and beautification projects - “People First” (*City of Cornwall Economic Development Strategic Plan (2002)*); and
- Increase the supply of housing in Cornwall, particularly affordable housing and infill housing in the downtown and waterfront area (*City of Cornwall, Heart of the City, Groupe Renaissance Group*).

#### **6. Public Awareness, Involvement and Information**

- Encourage civic participation through an open and transparent planning process, with opportunities for public input at every step;
- Partner with other levels of government and public agencies;
- Create a database tool with details on brownfield sites (e.g. historic property data, site statistics and characteristics, Official Plan designation and zoning, environmental studies, etc.); and
- Develop a standardized framework for decision-making (e.g. evaluation and selection of brownfield program applications).

#### **7. Monitoring and Evaluation**

- Establish a monitoring system to regularly (yearly) assess the progress and success of the Brownfields Community Improvement Plan;
- Ensure responsiveness to changing market or planning conditions, priorities and funding availability – with minor adjustments to the *Strategy* and the CIP to reflect changing necessities; and
- Undertake a full review, including a cost-benefit assessment, of the *Brownfields Strategy* and related programming every five years.

## **2.5 How Tax Increment Grants Work**

Tax increment incentives to site development are central to the Community Improvement Plan. Tax increment grants (TIGs) will be used to provide grants to landowners/developers equal to a defined portion of the municipal component of the incremental tax increase as a direct result of redevelopment of the site. TIGs provide a developer with additional funds, reducing the total costs<sup>3</sup> of a development project, thereby enhancing the viability of the project.

The TIG is limited to the identified cost of environmental remediation of the subject site. It should be

<sup>3</sup> Details of the TIG program (Cornwall Redevelopment Grant) are provided in Section 3 of the Plan. The grant is generally limited to the costs of remediation. Eligible costs are defined in Section 3.2.

Minister's  
Modification  
#2 (June/05)

noted that under the *Brownfield Statute Law Amendment Act* as it relates to Section 28 of the *Planning Act*, tax increment financing is limited to the cost of rehabilitation.<sup>4</sup> ***"It should be noted that under Section 28 of the Planning Act, grants are limited to the cost of rehabilitation."***

Minister's  
Modification  
#2

***"Tax increment financing for non-residential development shall be limited (in years 1 and 2) to 80% of the incremental increase in municipal taxation over the base (pre-redevelopment) tax."*** In years 3 – 10, the proportion of the municipal tax increment available as a grant declines according to the scale shown in Exhibit 2.2. By year 10, 40% of the municipal tax increase would be available as a grant.

The annual grant is limited to the sliding scale increments or the actual costs of remediation incurred in each year, whichever is less. A grant would extend beyond the period of remediation where the costs of remediation exceed the incremental grant paid during the same period, and is terminated after 10 years or when the cumulative assistance is equal to the defined eligible costs. Section 3.2 provides further details on the operation of the tax increment grant program (City of Cornwall Redevelopment Grant).

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<sup>4</sup> The *Planning Act* does not define rehabilitation. The *Ontario Municipal Act* defines rehabilitation as distinct from development – the former equating to site remediation sufficient to meet required environmental standards for the proposed use.

### 3. RECOMMENDED PROGRAM DEVELOPMENT SCHEDULES

#### 3.1 Introduction

Minister's Modification #3 (June/05) (deleted word 'recommended' in 1st paragraph

The following schedules provide the framework for each of the programs of municipal financial and other assistance. Each program schedule outlines the program rationale, program specifics, eligibility, duration, municipal financial and other resource requirements.

The program schedules are the basis for operationalizing the Plan. For each program an application form, final budget allocation (years 1-5) and statement of Committee responsibilities (including staff time) will be provided by the City of Cornwall.

The following programs are proposed:

Related to Minister's Modification #4  
By-Law #121-2007  
5 yr review  
By-Law #2011-083

- City of Cornwall Redevelopment Grant Program (***now known as Brownfield Rehabilitation Grant***);
- Environmental Site Assessment (ESA) Grant and Project Feasibility Study Grant Assistance;
- Brownfield Property Tax Cancellation Assistance Program;
- ~~Municipal Brownfield and Urban Renewal Information Service~~;
- Municipal Planning/Development Fee Rebate Program;
- Discretionary Municipal Tipping Fee Waiver;
- Municipal Property Acquisition, Disposal and Marketing Program;
- Payment-In-Lieu of Parkland Dedication Waiver Program; and
- ~~Municipal Tax Arrears Cancellation Program~~.

The Cornwall Planning Programs Evaluation Committee will give preference to applications for funding which demonstrate additional funding from other levels of government. Notwithstanding, all projects should be able to demonstrate significant leverage of private investment as a result of public sector assistance.

Minister's Modification #3

It is not ***intended*** as part of this first phase of the *Brownfields Strategy* (Years 1-5) to establish a program for loan guarantees for brownfield redevelopment projects. However, it should be noted that a number of municipalities are seeking the development and provision of facilities and services through public-private partnerships (subject to the limitations as specified in the *Municipal Act*). The City may, as part of its infrastructure and facilities planning, engage in partnerships wherein the use of loan guarantees by the City is deemed appropriate.

#### 3.2 Brownfields Strategy Programs

The following series of programs and policies are for a five-year period (2005-2009). It is assumed, therefore, that Provincial legislation remains in effect permitting the operation of these programs for the duration of the period.

Only properties located in the Community Improvement Policy Area are eligible for program support. If a property which receives program assistance under the CIP is subsequently excluded from the Community Improvement Policy Area, program support will be terminated.

Minister's  
Modification #4  
(June/05)

**Program 1. City of Cornwall *Brownfield Rehabilitation Grant***

<b>PROGRAM</b>	<b>Cornwall Brownfield Rehabilitation Grant</b>
<b>RATIONALE</b>	Leveraging the increased assessment and property taxation generated by site redevelopment to reduce/remove financial costs of site remediation by:
<b>BENEFITS</b>	<ul style="list-style-type: none"> <li>(i) Providing a grant equivalent to the Municipal portion of the property tax for a given property; and</li> <li>(ii) Limiting such grants to annual payments for a maximum period of 10 years or equivalent to the maximum cost of site remediation defined as the costs of: (i) complying with environmental site standards of the Ministry of the Environment (MOE), (ii) achieving a Record of Site Condition (RSC) and certificate of property use as necessary. This can, at the discretion of Council, include the cost of building demolition and improvement to existing off-site infrastructure.</li> </ul> <p>The City of Cornwall benefits by the resulting revaluation and increase in tax on the property which is retained by the City over the long-term (at expiry of the term of the agreement).</p>
<b>INTENDED RECIPIENTS</b>	Private sector landowners/developers who are actively seeking renovation/redevelopment or re-use of the property and provide: <ul style="list-style-type: none"> <li>(i) Site plan/floor plans for renovation/redevelopment; and</li> <li>(ii) Provide certified estimate of site conditions and costs of remediation (by a qualified environmental consultant).</li> </ul>
<b>LEGISLATIVE PROVISION</b>	<i>Planning Act. "Grants based on Section 28(7) of the <u>Planning Act.</u>"</i>
<b>SPECIFICS AND LIMITATIONS</b>	<ul style="list-style-type: none"> <li>• Grant based on the "<b>Reimbursing Developer</b>" approach – the landowner/developer pays for the full cost of redevelopment as well as the annual increase in property tax as a result of redevelopment. The City reimburses the developer by way of an annual grant equivalent to part or all of the municipal portion of the incremental property tax increase over an established "base" assessment and tax liability.</li> </ul> <p><b><u>NON-RESIDENTIAL</u></b></p> <ul style="list-style-type: none"> <li>• The grant is limited to a portion of the municipal tax increment as per Exhibit 3.1 (the increase in the municipal portion of the annual property tax over the base assessment/taxation agreed upon by the City. Typically, this is existing assessment/taxation before site improvement).</li> <li>• The maximum amount of the grant in any year is limited to: <ul style="list-style-type: none"> <li>- The value of the work undertaken under eligible remediation costs or the increase in municipal property tax on the property compared to the base (before redevelopment) property tax (subject to sliding scale), whichever is less; and</li> <li>- The amount of grant is subject to a sliding scale.</li> </ul> </li> <li>• The maximum program duration is 10 years or the total amount of the grant is limited to the defined costs of remediation, whichever occurs first;</li> <li>• The amount of the annual grant is reduced by the amount of any outstanding property tax payable on the property;</li> <li>• In the event of a transfer of ownership of the subject property or portion thereof, during the specified City-approved Grant period, the original grant recipient may, at the full discretion of the City, continue to receive the agreed upon grant amount until its full completion through an Assignable-based Agreement between the two (former and new) property owners, for example, as per the city Solicitor's recommendations and as identified/articulated in any applicable Funding Agreement; and</li> <li>• The portion of the grant retained by the municipality is used to fund other brownfield initiatives and meet staffing needs.</li> </ul>

Minister's  
Modification #4

By-Law #121-2007

<b>PROGRAM</b>	<b>Cornwall Brownfield Rehabilitation Grant</b>
	<p><b><u>RESIDENTIAL</u></b></p> <ul style="list-style-type: none"> <li>The limitations applicable to non-residential development/renovations also apply to residential development subject to the following distinctions:             <ul style="list-style-type: none"> <li>For residential development, 100% of the annual municipal tax increment is available to be provided as a grant.</li> </ul> </li> </ul>
<b>ELIGIBILITY</b>	<p><b>Eligible Costs:</b></p> <ul style="list-style-type: none"> <li>Environmental Site Assessments (Phase II and Phase III ESA);</li> <li>Environmental remediation and costs of achieving a Record of Site Condition and Certificate of Property Use as may be required;</li> <li>At the discretion of Council, site development and infrastructure work including improvement or reconstruction of existing off-site public infrastructure (water services, sanitary and storm sewers);</li> <li>At the discretion of Council, demolition of existing buildings;</li> <li>Financing costs are not an eligible cost; and</li> <li>Eligibility will be determined through the application of criteria which seek to relate each application to the goals and objectives of the <i>Brownfields Strategy</i> and which generate the maximum leverage from the use of public investment.</li> </ul> <p><b>Eligible Sites</b></p> <ul style="list-style-type: none"> <li>A focus on those key potential brownfield sites identified by the City; and</li> <li>Site must require environmental remediation.</li> </ul>
<b>APPROVAL PROCESS</b>	<ul style="list-style-type: none"> <li>(i) Application Form;</li> <li>(ii) Screening of applications to ensure compliance with minimum requirements of the program;</li> <li>(iii) Evaluation of accepted applications by Cornwall Brownfields Strategy Evaluation Committee (see composition of committee below);</li> <li>(iv) Prior to signing Terms of Redevelopment Agreement, applicant must confirm details of the application and submit:             <ul style="list-style-type: none"> <li>▪ Environmental site assessment (Phase III) identifying costs of environmental clean-up;</li> <li>▪ A business plan for the proposed development;</li> <li>▪ Have required planning approvals, or be engaged in the required process with initial indication of support in principle from municipality; and</li> <li>▪ Have a detailed redevelopment plan budget and work plan.</li> <li>▪ To provide a signed copy of the Guidelines for Delivery of Soils to Landfill Site</li> </ul> </li> <li>(v) Signing of Terms of Redevelopment Agreement which outlines all terms and conditions of assistance, its limitations and unilateral right of termination by the City;</li> <li>(vi) City of Cornwall will determine the existing “base” assessment for the property – this will be at the time of approval of the application and is based on the assessment and tax class at that time with appropriate adjustments for a special tax class or previous exemptions;</li> <li>(vii) Based on the submitted plans for redevelopment and costs, the City of Cornwall may request that MPAC provide an estimate of re-valuation of the project on completion to aid in estimating the annual amount and potential duration of the grant. Where a project is phased over several years the grant will be based on the property re-assessment and taxable status of the project in each of the interim years before project completion. At project completion, the grant (as applicable) will be based on the assessed property value provided by MPAC; and</li> <li>(viii) Final approval of grant funding occurs after:             <ul style="list-style-type: none"> <li>▪ Completion of project and submission of actual costs of work completed (the eligible cost);</li> <li>▪ Receipt of revaluation of the property by MPAC; and</li> <li>▪ Final approval of amount of grant by City Council.</li> </ul> </li> </ul> <p>For multi-phase/multi-year projects, approval is based on completion and final costing</p>

Minister's  
Modification #4

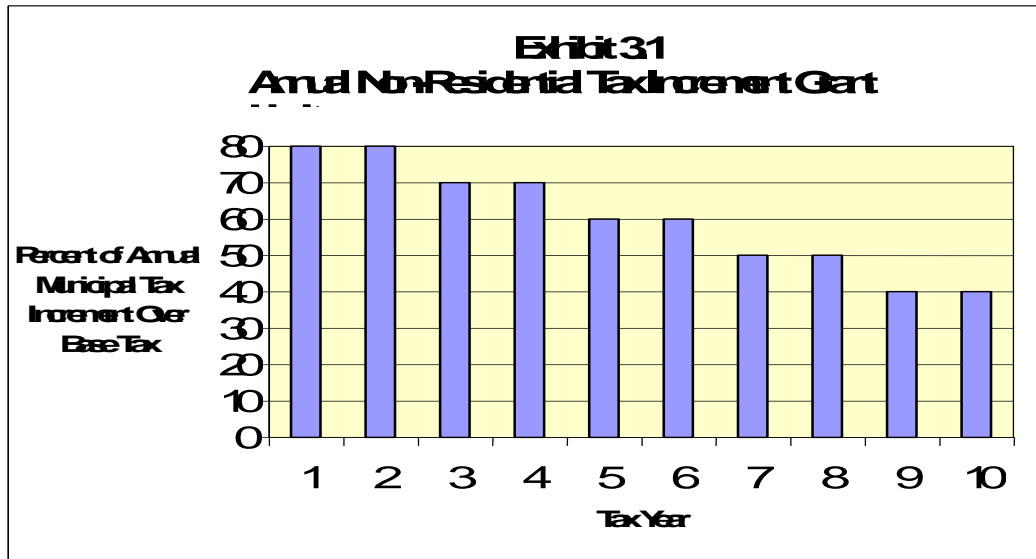
5 yr review  
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5 yr review  
By-Law #2011-083

By-Law#2013-103

By-Law#2013-103

	<b>PROGRAM</b>	<b>Cornwall Brownfield Rehabilitation Grant</b>
Minister's Modification #4		of each phase, and revaluation in each year by MPAC, within the maximum period of 10 years
By-Law #121-2007  Minister's Modification #4	<b>OTHER RESTRICTIONS</b>	<ul style="list-style-type: none"> <li>• City has the right to review and amend any and all aspects of the program, including the purpose, form, method of application, evaluation and amount of funding of the program, from time to time, or at any time, for any reason, and at the sole and absolute discretion of the City.</li> <li>• As necessary, the City may add to or adjust the application and approval protocols associated with this program.</li> <li>• <b><i>“The total amount of financial assistance shall be limited to only the cost of rehabilitation.”</i></b></li> </ul>
	<b>FISCAL IMPLICATIONS</b>	<ul style="list-style-type: none"> <li>• Grant represents foregone income. Site redevelopment creates deferred tax income to be retained by the City at expiry of the agreement;</li> <li>• Foregone income is limited to maximum of 10 years following which the municipality has long-term gain; and</li> <li>• City should be cognizant of potential increase in growth-related costs to the City as a result of redevelopment of vacant or unused sites.</li> </ul>
5 yr review By-Law #2011-083	<b>OTHER RESOURCE NEEDS Incl. CITY DEPARTMENTS</b>	<p>Cornwall Planning Programs Evaluation Committee to be comprised of:</p> <ol style="list-style-type: none"> <li>1. General Manager Department of Planning, Parks &amp; Recreation;</li> <li>2. General Manager Department of Financial Services;</li> <li>3. General Manager Department of Infrastructure and Municipal Works;</li> <li>4. Manager Department of Economic Development;</li> <li>5. Supervisor, Planning Division;</li> <li>6. Municipal Assessor;</li> <li>7. Chair of Planning Advisory Committee (PAC);</li> <li>8. Member of City Council;</li> <li>9. Two Community Group Representatives; appointed members of Le Village BIA/ Renaissance Group and Downtown BIA/Heart of the City;</li> <li>10. One at large member from the Community; appointed from the Lay Appointments Committee; and</li> <li>11. Recording Secretary from Planning Staff and the Planning Programs Administrator as Planning Staff Resource (non-voting members)</li> </ol> <p>The Committee is mandated to evaluate and recommend applications for approval or otherwise to the City of Cornwall Planning Advisory Committee (PAC). Final approval of applications, or other significant matters requiring Council approval, will then be recommended to Council by PAC.</p>
5 yr review By-Law #2011-083	<b>DURATION</b>	<ul style="list-style-type: none"> <li>• Each (TIG) has a maximum duration of 10 years; and</li> <li>• The program will be monitored for effectiveness on an annual basis with a detailed review in 5 year increments of the program to determine whether the program continues to meet the goals of the <i>Brownfields Strategy</i>.</li> </ul>
Minister's Modification #4	<b>OTHER GOVERNMENT/ NON-PROFIT ORGANIZATION INVESTMENT</b>	<ul style="list-style-type: none"> <li>• Under <b><i>the Planning Act</i></b>, municipalities are restricted to Tax Increment Grants based on the municipal portion of the property tax. The Province of Ontario is not required to forego the education portion of the tax as part of this program.</li> </ul>



Source: IB Group

**Program 2. Environmental Site Assessment (ESA) Grant and Project Design Study Grant Assistance**

5 yr review  
By-Law #2011-083

<b>PROGRAM</b>	<b>Cornwall Environmental Site Assessment (ESA) Grant and Project Design Study Grant</b>
<b>RATIONALE</b>	<ul style="list-style-type: none"> <li>(i) For sites with a Phase I ESA, assistance to further specify extent and nature of environmental contamination through part-funding of Phase II ESA and Phase III ESA (Remedial Work Plan);</li> <li>(ii) Part-funding of redevelopment feasibility study to determine viability of proposed use given environmental conditions of site; and</li> <li>(iii) Grant program designed to increase site-specific development potential.</li> </ul>
<b>INTENDED RECIPIENTS</b>	<p>Private sector landowners/developers who are actively seeking renovation/ redevelopment or re-use of the property and provide:</p> <ul style="list-style-type: none"> <li>(i) Phase I ESA conducted by a certified environmental consultant indicating a requirement for a phase II ESA.</li> </ul>
<b>LEGISLATIVE PROVISION</b>	<i>Planning Act</i> , providing for grant assistance under Section 28(7) of the <i>Planning Act</i> .
<b>SPECIFICS AND LIMITATIONS</b>	<p><b><i>Environmental Site Assessment (ESA) Grant</i></b></p> <ul style="list-style-type: none"> <li>• City of Cornwall will reimburse owner or bonafide purchaser of site for costs associated with eligible studies; and</li> <li>• Maximum individual grant is \$15,000 or 50% of the cost of the ESA, whichever is less.</li> </ul> <p><b><i>Project Design Study Grant</i></b></p> <ul style="list-style-type: none"> <li>• Available to recipients of environmental study grant who demonstrate further potential for site redevelopment;</li> <li>• Maximum individual grant of \$ 7,500 or 50% of Feasibility Study, whichever is less;</li> <li>• The grant is not available to property owners in tax arrears or who contravene City property standards by-laws;</li> <li>• Allowable grant is fixed (not subject to annual escalation);</li> <li>• A detailed work plan and budget for study completion is required; and</li> <li>• Sites may be eligible for both grants.</li> </ul>

5 yr review  
By-Law #2011-083

<b>PROGRAM</b>	<b>Cornwall Environmental Site Assessment (ESA) Grant and Project Design Study Grant</b>
<b>ELIGIBILITY</b>	<p><b>Eligible costs:</b></p> <ul style="list-style-type: none"> <li>• Phase II and Phase III ESA;</li> <li>• Development feasibility study and design work</li> <li>• Eligibility will be determined through the application of criteria which seek to relate each application to the goals and objectives of the <i>Brownfields Strategy</i> and which generate the maximum leverage from the use of public investment; and</li> <li>• The City of Cornwall has compiled a list of key potential brownfield sites which may be given preference in the allocation of environmental and design study grants. Each of the key sites will be reviewed in terms of: <ul style="list-style-type: none"> <li>– Strategic development potential; and</li> <li>– Existing documentation on feasibility of development and environmental conditions for each site.</li> </ul> </li> <li>• Council will establish guidelines on the maximum number of grants permitted to any one property owner/developer. It is recommended that individual applicants be limited to a maximum grant assistance (all sites) of: <ul style="list-style-type: none"> <li>(ii) \$45,000 (ESA); and</li> <li>(iii) \$22,500 (project feasibility).</li> </ul> </li> </ul>
<b>APPROVAL PROCESS</b>	<ul style="list-style-type: none"> <li>(i) Application Form;</li> <li>(ii) Screening of applications to ensure compliance with minimum requirements of the program;</li> <li>(iii) Evaluation of accepted applications by Cornwall Planning Programs Evaluation Committee. Applications which demonstrate clear intent to redevelop site will be favoured; and</li> <li>(iv) Prior to completion of studies, provide copies to City and letter from the retained consultants confirming contents and actual cost of conducting the study (the final cost of the study at completion).</li> </ul>
<b>OTHER RESTRICTIONS</b>	<ul style="list-style-type: none"> <li>• City has the right to review any and all aspects of the program, including the purpose, form, method of application, evaluation and amount of funding of the program, from time to time, or at any time, for any reason, and at the sole and absolute discretion of the City;</li> <li>• As necessary, the City may add or adjust the application and approval protocols associated with this program;</li> <li>• Any amount of grant may be reduced from any amount provided under the redevelopment grant program; and</li> <li>• The City may refuse an application if it deems project feasibility to be limited or for any other reason, at the discretion of the City.</li> <li>• <b><i>“The total amount of financial assistance shall be limited to only the cost of rehabilitation.”</i></b></li> </ul>
<b>FISCAL IMPLICATIONS</b>	Subject to Annual Council Budget Approval

Minister's  
Modification #5  
(June/05)

5 yr review  
By-Law #2011-083

<b>PROGRAM</b>	<b>Cornwall Environmental Site Assessment (ESA) Grant and Project Design Study Grant</b>
<b>OTHER RESOURCE NEEDS Incl. CITY DEPARTMENTS</b>	<p>Cornwall Planning Programs Evaluation Committee to be comprised of:</p> <ol style="list-style-type: none"> <li>1. General Manager Planning, Parks &amp; Recreation;</li> <li>2. General Manager Financial Services;</li> <li>3. General Manager Infrastructure and Municipal Works;</li> <li>4. Manager Economic Development;</li> <li>5. Supervisor, Planning Division;</li> <li>6. Municipal Assessor;</li> <li>7. Chair of Planning Advisory Committee (PAC);</li> <li>8. Member of City Council</li> <li>9. Two community Group Representatives, appointed members of Le Village BIA/ Renaissance Group and Downtown BIA/Heart of the City;</li> <li>10. One at large member from the Community, appointed form the Lay Appointments Committee; and</li> <li>11. Recording Secretary from Planning Staff and the Planning Programs Administrator as Planning Staff Resource (non-voting members)</li> </ol> <p>The Committee is mandated to evaluate and recommend applications for approval or otherwise to the City of Cornwall Planning Advisory Committee (PAC). Final approval of applications, or other significant matters requiring Council approval, will then be recommended to Council by PAC.</p>
<b>DURATION</b>	<ul style="list-style-type: none"> <li>• The program will be monitored for effectiveness on an annual basis with a detailed review in 5 year increments of the program to determine whether the program continues to meet the goals of the <i>Brownfields Strategy</i>.</li> </ul>
<b>OTHER GOVERNMENT/ NON-PROFIT ORGANIZATION INVESTMENT</b>	<ul style="list-style-type: none"> <li>• Applicants who identify other sources of financial assistance for environmental and feasibility studies, will be given preference in the allocation of funds.</li> </ul>

**Program 3. Brownfield Property Tax Cancellation Assistance**

The following program is restricted to eligible development projects within the CIPA that undertake remediation of contaminated soil and/or risk management of contaminants. This program is provided for under Section 365.1 of the *Ontario Municipal Act*.

By-Law #121-2007

PROGRAM	BROWNFIELD PROPERTY TAX CANCELLATION ASSISTANCE PROGRAM
<b>RATIONALE</b>	<ul style="list-style-type: none"> <li>(i) Property tax increase cancellation for eligible properties as an incentive to environmental rehabilitation.</li> <li>(ii) Tax cancellation includes both the municipal and education portions of any tax increase.</li> <li>(iii) Matching duration of municipal and education property tax cancellation.</li> </ul>
<b>INTENDED RECIPIENTS</b>	<p>Private sector landowners who are actively seeking redevelopment or re-use of the property which, as of the date of site assessment, does not meet the standards of the Ontario Environmental Protection Act to permit a Record of Site Condition to be filed in the Ontario Ministry of the Environment’s Environmental Site Registry (i.e. a contaminated site in need of remediation or risk management to enable an RSC to be acknowledged by the Ontario Ministry of the Environment to permit the intended use of the property).</p>
<b>Legislative Provisions</b>	<p>Section 365.1 of the Municipal Act, 2001 and Ontario Regulation 274/04 (under subsection 365.1 (11) of the Municipal Act, 2001) that is the enabling Legislation for municipalities to apply for the Brownfields Financial Tax Incentive Program (BFTIP)</p>
<b>SPECIFICS AND LIMITATIONS</b>	<ul style="list-style-type: none"> <li>• This program only applies where matching provincial education property tax cancellation is provided. Without such, the application for tax assistance is provided under Program 1.</li> <li>• Program includes cancellation of tax increase resulting from the environmental remediation and redevelopment of eligible properties.</li> <li>• Specifics of any tax assistance will be identified in a municipal by-law which establishes the date that such tax assistance commences and the date of expiry of tax cancellation assistance.</li> <li>• Assistance is limited to the increase in property tax over an established “base” tax.</li> <li>• Matching education portion tax assistance is subject to application by the City to, and approval of, the Ontario Minister of Finance.</li> <li>• The duration and any conditions of the provincial education portion of tax increase cancellation is determined by the Minister of Finance. For purposes of this Plan, it is assumed that matching assistance will equal 36 consecutive months or the date that tax assistance equals the total of eligible costs, whichever occurs first.</li> <li>• City may extend municipal property tax assistance for a further 2 years (5 years in total), as defined in a municipal by-law. This extension is conditional on obtaining approval from the Minister of Finance to extend matching education property tax assistance for the same period.</li> <li>• At all times, total tax assistance is limited to the eligible costs defined in this Plan. With respect to assistance involving matching education portion tax cancellation, eligible costs are limited to (i) the costs of remediation necessary to permit filing of an RSC in the Ontario Environmental Registry under Section 168.4 of the Environmental Protection Act; and (ii) costs of compliance with any Certificate of Property Use issued for the property, under Section 168.6 of the Environmental Protection Act.</li> <li>• Municipal and Provincial tax assistance can be commenced at any time as specified in the by-law but cannot be applied retroactively to remediation undertaken prior to when the request for by-law approval under this program was made to the Minister of Finance.</li> </ul>

By-Law #121-2007

<b>PROGRAM</b>	<b>BROWNFIELD PROPERTY TAX CANCELLATION ASSISTANCE PROGRAM</b>
	<ul style="list-style-type: none"> <li>• The amount of tax assistance in any one year is limited to the lesser of:             <ul style="list-style-type: none"> <li>(i) The amount of eligible work carried out in that year; or</li> <li>(ii) The amount of property tax which is cancelled by the City/Province.</li> </ul> </li> <li>• Eligible costs not reimbursed in the year in which they are incurred, can be rolled-over to subsequent years.</li> <li>• Tax cancellation ends the earlier of:             <ul style="list-style-type: none"> <li>(i) The date specified in the by-law; or</li> <li>(ii) The date when assistance equals total eligible costs as specifically described for this program and as stated in Section 365.1 of the Ontario Municipal Act.</li> </ul> </li> <li>• The amount of annual cancellation of taxes is reduced by the amount of any outstanding property tax payable on the property.</li> <li>• <b>Financial assistance under Section 365.1 of the Ontario Municipal Act is cumulative with any other financial assistance for site remediation necessary to permit an RSC to be filed and complying with any certificate of Property Use.</b></li> </ul>
<b>ELIGIBILITY</b>	<p><b>Eligible Sites:</b></p> <ul style="list-style-type: none"> <li>• Environmentally contaminated property located in the Brownfield CIPA, as confirmed by a Phase II ESA, Remedial Action Plan or Risk Assessment.</li> </ul> <p><b>Eligible Costs:</b></p> <ul style="list-style-type: none"> <li>• Environmental Site Assessments (Phase II and Phase III ESAs and Risk Assessments).</li> <li>• Environmental remediation and costs of obtaining acknowledgement by MOE of a Record of Site Condition, and a Certificate of Property Use if required. This includes remedial action plans, other risk management strategies, and costs to implement these.</li> <li>• Waste transfer to landfill and tipping fees for contaminated soils land fill.</li> <li>• Fill and grading to replace contaminated soils.</li> <li>• At the discretion of Council, demolition of existing improvements to property.</li> <li>• At the discretion of Council, site development and infrastructure work including improvement or reconstruction of existing on-site infrastructure, triggered by the existence contamination and the requirement for remediation.</li> <li>• Legal fees directly related to site investigation, remediation, filing of RSC and compliance with Certificate of Property Use if required.</li> <li>• Insurance premiums for Cost Cap Insurance and Pollution Legal Liability (PLL) Insurance.</li> <li>• Ongoing site environmental monitoring and management..</li> <li>• Interim financing costs (interest and financing fees) related to eligible costs. Long-term debt financing costs are not eligible.</li> </ul>

<b>PROGRAM</b>	<b>BROWNFIELD PROPERTY TAX CANCELLATION ASSISTANCE PROGRAM</b>
<b>APPROVAL PROCESS</b>	<ul style="list-style-type: none"> <li>(i) Registration of Intent.</li> <li>(ii) Evaluation by CPPEC.</li> <li>(iii) Prior to signing Terms of Agreement, applicant must confirm details of the proposed development and submit environmental site assessment (Phase II or higher) identifying likely costs of environmental clean-up.</li> <li>(iv) Signing a Redevelopment Funding Agreement which outlines all terms and conditions of assistance from the date of execution of the agreement to the expiry of the programs of support.</li> <li>(v) Development must conform to approved Official Plan, Zoning By-law, site plan approval/agreements, and all other municipal by-laws.</li> <li>(vi) Applications approved by the Evaluation Committee will be recommended to Council for its approval. Council will provide the opportunity for public input prior to its approval or otherwise of applications.</li> </ul> <p><b><u>BFTIP Application Process</u></b></p> <ul style="list-style-type: none"> <li>(i) City will approve (in principle) eligible or prioritized contaminated properties for tax cancellation assistance under this Program.</li> <li>(ii) City will submit application for matching education property tax assistance which will include both a draft Site-Specific Redevelopment Funding Agreement and the draft City By-law which will implement this program of assistance.</li> <li>(iii) Site-Specific Redevelopment Funding Agreement signed by the applicant and City (which may also involve other municipal programs of support).</li> <li>(iv) City will draft a BFTIP By-Law establishing the specifics of assistance under this program. The by-law must be approved in writing by the Ministry of Finance prior to final approval of the By-Law by Council.</li> </ul>
<b>OTHER RESTRICTIONS</b>	<ul style="list-style-type: none"> <li>• City has the right to review and amend any and all aspects of the program, including the purpose, form, and method of selection from time to time, or at any time, for any reason, and at the sole and absolute discretion of the City.</li> <li>• As necessary, the City may amplify or adjust the application and approval protocols associated with this program.</li> </ul>
<b>FISCAL IMPLICATIONS</b>	<ul style="list-style-type: none"> <li>• Cancellation of increase in tax represents potential income foregone by the City.</li> </ul>
<b>DURATION</b>	<ul style="list-style-type: none"> <li>• The program will be monitored for effectiveness on an annual basis with a detailed review in 5 year increments of the program to determine whether the program continues to meet the goals of the Brownfields Strategy.</li> </ul>

5 yr review  
By-Law #2011-083

**Program 4. Municipal Planning/Development Fee GRANT**

Original  
Minister's  
Modification  
Comments  
(April/05)

5 yr review  
By-Law #2011-083

PROGRAM	Municipal Planning/Development Fees Grant (Rebate) Program
<b>RATIONALE</b>	<p>Assistance to redevelopment of brownfield sites by further reducing cost of development related to municipal planning and development fees.</p> <p>The City of Cornwall benefits through development which raises assessment, potentially creates net new jobs and may create environmental improvements.</p> <p>Program has the benefit of supporting landowners committed to redevelopment through securing approvals and issuing building permits.</p>
<b>INTENDED RECIPIENTS</b>	<p>Private sector land owners/developers who are actively seeking renovation/redevelopment or re-use of the property and provide:</p> <ul style="list-style-type: none"> <li>(i) Site plan/floor plans for renovation/redevelopment;</li> <li>(ii) Provide certified estimate of site conditions and costs of remediation (Phase I ESA or higher); and</li> <li>(iii) Are submitting applications for redevelopment/re-use.</li> </ul>
<b>LEGISLATIVE PROVISION</b>	<p>City by-law as provided for under Ontario Municipal Act.</p>
<b>SPECIFICS AND LIMITATIONS</b>	<p>The landowner or developer pays for all planning and development permit costs. These costs, in their entirety, are reimbursed to the landowner, in the form of a grant, based on the following schedule:</p> <ul style="list-style-type: none"> <li>1) Official Plan Amendments at building permit;</li> <li>2) Zoning By-Law Amendment at building permit;</li> <li>3) Combined OPA/Rezoning at building permit;</li> <li>4) Site Plan Control at issue of building permit;</li> <li>5) Minor Variance Application/Consent to Sever at building permit;</li> <li>6) Plan of Subdivision at draft approval;</li> <li>7) Plan of Condominium at draft approval; and</li> <li>8) Building Permit Fees at occupancy permit.</li> </ul> <p>As per current fee schedules at the time of application</p>
<b>ELIGIBILITY</b>	<ul style="list-style-type: none"> <li>1) All properties in the Community Improvement Policy Area demonstrating actual or potential environmental contamination of the site as demonstrated by a Phase I ESA.</li> <li>2) With specific regard to relating the cost of building permit fees, eligibility will be limited to properties which, via a Phase II ESA, are known to have environmental contamination. For these sites, the rebate of fees will require that the applicant meet all requirements of the Guidelines for Use at Contaminated Sites in Ontario (1997) and have secured the appropriate Certificate of Property Use following submission of a Record of Site Condition (RSC). Preference will be given to those projects most affected by contaminant as measured by the estimated cost of site clean-up.</li> <li>3) Eligibility will be determined through the application of criteria which seek to relate each application to the goals and objectives of the <i>Brownfields Strategy</i> and which generate the maximum leverage from the use of public investment.</li> <li>4) Rebates are for application fees only and do not absolve an applicant of the responsibility for funding studies and site technical reviews, or other conditions of approval as may be required by the City.</li> </ul>

Original  
Minister's  
Modification  
Comments  
(April/05)

5 yr review  
By-Law #2011-083

<b>PROGRAM</b>	<b>Municipal Planning/Development Fees <i>Grant (Rebate)</i> Program</b>
<b>APPROVAL PROCESS</b>	<ul style="list-style-type: none"> <li>(iv) Application Form;</li> <li>(v) Screening of applications to ensure compliance with minimum requirements of the program; and</li> <li>(vi) Evaluation of accepted applications by Cornwall Planning Programs Evaluation Committee.</li> </ul>
<b>OTHER RESTRICTIONS</b>	<ul style="list-style-type: none"> <li>• City has the right to review any and all aspects of the program, including the purpose, form, method of application, evaluation and amount of funding of the program, from time to time, or at any time, for any reason, and at the sole and absolute discretion of the City;</li> <li>• As necessary, the City may amplify or adjust the application and approval protocols associated with this program;</li> <li>• The amount of the <b>grant</b> in any one year is limited to the amount of eligible work carried out in that year or the increment of the municipal tax increase, whichever is less; and</li> <li>• The City may choose to grant exemptions for a part or all of the fees cited within the policy.</li> </ul>
<b>FISCAL IMPLICATIONS</b>	<ul style="list-style-type: none"> <li>• Foregone income to municipality; and</li> <li>• Municipal costs associated with approvals and fees largely fixed.</li> </ul>
<b>OTHER RESOURCE NEEDS Incl. CITY DEPARTMENTS</b>	<p>Cornwall Planning Programs Evaluation Committee to be comprised of:</p> <ol style="list-style-type: none"> <li>1. General Manager Department of Planning Parks &amp; Recreation;</li> <li>2. General Manager Department of Financial Services;</li> <li>3. General Manager Department of Infrastructure and Municipal Works;</li> <li>4. Manager Department of Economic Development;</li> <li>5. Supervisor, Planning Division;</li> <li>6. Municipal Assessor;</li> <li>7. Chair of Planning Advisory Committee (PAC);</li> <li>8. Member of City Council;</li> <li>9. Two Community Group Representatives; appointed members of Le Village BIA/Renaissance Group and Downtown BIA/Heart of the City;</li> <li>10. One at large member from the Community; appointed from the Lay Appointments Committee; and</li> <li>11. Recording Secretary from Planning Staff and the Planning Programs Administrator as Planning Staff Resource (non-voting members)</li> </ol> <p>The Cornwall Planning Programs Evaluation Committee is mandated to recommend applications for approval to PAC. Subsequently PAC will report to full Council with recommendations for action (approval or refusal).</p> <p>Recommendations for building permit fee <b>grants</b> is, owing to the potential scale of the <b>grant</b>, subject to full Council approval.</p>
<b>DURATION</b>	<ul style="list-style-type: none"> <li>• Each recipient has a maximum period of 2 years from the date of application to obtain required approvals and building permits (subject to extension at discretion of the City of Cornwall); and</li> <li>• The program will be monitored for effectiveness on an annual basis with a detailed review in 5 year increments of the program to determine whether the program continues to meet the goals of the <i>Brownfields Strategy</i>.</li> </ul>

**Program 5. Discretionary Municipal Tipping Fee GRANT**

Original Proposed  
Minister's  
Modification  
Comments  
(April/05)

Original Minister's  
Modification  
Comments  
(April/05)

5 yr review  
By-Law #2011-083

<b>PROGRAM</b>	<b>Discretionary Municipal Tipping Fee Grant Program</b>
<b>RATIONALE</b>	Assistance to redevelopment by further reducing development costs related to removal of non-hazardous material from redevelopment site to municipal landfill.
<b>INTENDED RECIPIENT</b>	Private sector landowners/developers who are actively undertaking redevelopment of the property and/or are undertaking remediation of the environmental contamination of the site.
<b>LEGISLATIVE PROVISION</b>	<i>Municipal Act</i> and Appropriate City By-Law.
<b>SPECIFICS AND LIMITATIONS</b>	<ul style="list-style-type: none"> <li>• A discretionary program whereby the City of Cornwall can <b>grant</b> part of the tipping fee for disposal of non-hazardous material at the municipal landfill;</li> <li>• Other non-hazardous soil treatment facilities or non-hazardous landfill sites may be considered provided environmental benefits can be demonstrated by the proponent;</li> <li>• <b>To provide all the necessary documentation as per the Guidelines for Delivery of Soil to Landfill Site (copy of ESA Phase II, delivery of TCLP, etc)</b></li> <li>• <b>The City of Cornwall Landfill Site requires a minimum of 48 hrs notice prior to material being delivered</b></li> <li>• <b>Grant</b> restricted to tipping of materials from approved sites for an approved remediation/redevelopment project; and             <ul style="list-style-type: none"> <li>(i) It is recommended the maximum amount of grant be limited to 50% of the fee and, at all times the <b>grant</b> is at the sole discretion of the City of Cornwall.</li> </ul> </li> </ul>
<b>ELIGIBILITY</b>	<ol style="list-style-type: none"> <li>1) All property owners in the Community Improvement Policy Area or sites <u>MUST</u> have a Record of Site Condition (RSC) and full remediation plan approved by the Ministry of the Environment (MOE) and prepared by approved environmental consultant.</li> <li>2) Eligibility will be determined on merit and is at the discretion of the City of Cornwall.</li> </ol>
<b>APPROVAL PROCESS</b>	<ol style="list-style-type: none"> <li>1) Application in writing to the City of Cornwall at time of RSC/remediation plan approved.</li> <li>2) Screening of applications to ensure compliance with minimum requirements of the program.</li> <li>3) Evaluation of applications by Cornwall Planning Programs Evaluation Committee.</li> </ol>
<b>OTHER RESTRICTIONS</b>	<ol style="list-style-type: none"> <li>1) City has the right to review any and all aspects of the program, including the purpose, form, method of application, evaluation and amount of funding of the program, from time to time, or at any time, for any reason, and at the sole and absolute discretion of the City.</li> <li>2) As necessary, the City may amplify or adjust the application and approval protocols associated with this program.</li> </ol>

Original Minister's  
Modification  
Comments  
(April/05)

5 yr review  
By-Law #2011-083

<b>PROGRAM</b>	<b>Discretionary Municipal Tipping Fee <i>Grant</i> Program</b>
<b>FISCAL IMPLICATIONS</b>	<ul style="list-style-type: none"> <li>• Foregone Income;</li> <li>• Shortening life of landfill may be accelerated by volume of projects;</li> <li>• City should monitor if receipt of fee <i>grants</i> will significantly increase direct costs.</li> </ul>
<b>OTHER RESOURCE NEEDS Incl. CITY DEPARTMENTS</b>	<p>Cornwall Planning Programs Evaluation Committee to be comprised of:</p> <ol style="list-style-type: none"> <li>1. General Manager Department Planning Parks &amp; Recreation;</li> <li>2. General Manager Department of Financial Services;</li> <li>3. General Manager Department of Infrastructure and Municipal Works;</li> <li>4. Manager Department of Economic Development;</li> <li>5. Supervisor, Planning Division;</li> <li>6. Municipal Assessor;</li> <li>7. Chair of Planning Advisory Committee (PAC);</li> <li>8. Member of City Council;</li> <li>9. Two Community Group representatives; appointed members of Le Village BIA/Renaissance Group and Downtown BIA/Heart of the City;</li> <li>10. One at large member from the Community; appointed from the Lay Appointments Committee; and</li> <li>11. Recording Secretary from Planning Staff and the Planning Programs Administrator as Planning Staff Resource (non-voting members)</li> </ol> <p>The Committee is mandated to evaluate and recommend selected requests for fee grants to PAC and then to Council for final approval.</p>
<b>DURATION</b>	<ul style="list-style-type: none"> <li>• The program will be monitored for effectiveness on an annual basis with a detailed review in 5 year increments of the program to determine whether the program continues to meet the goals of the <i>Brownfields Strategy</i>.</li> </ul>

**Program 6. Municipal Property Acquisition, Disposal and Marketing Program**

<b>PROGRAM</b>	<b>Municipal Property Acquisition, Disposal and Marketing Program</b>
<b>RATIONALE</b>	<ul style="list-style-type: none"> <li>To establish City policies for property acquisition, disposal, assembly and leasing to assist, where reasonable, private and public sector redevelopment efforts for brownfield sites. This is a confirmation of existing policies of the City of Cornwall and is supplied as opportunities and needs arise, and as funding priorities allow.</li> </ul>
<b>LEGISLATIVE PROVISION</b>	<ul style="list-style-type: none"> <li><i>Planning Act</i>, Section 28 allows municipalities to acquire, rehabilitate and redevelop directly or in partnership within the private sector.</li> </ul>
<b>SPECIFICATIONS AND LIMITATIONS</b>	<ul style="list-style-type: none"> <li>Remains an ad-hoc, opportunity-led program. City of Cornwall investment in the purchase of property, sale or leasing of municipal property is dependent on opportunities for municipal involvement in small, medium and large scale redevelopment efforts involving brownfields. This policy extends to key redevelopment opportunities which may be assisted by public sector involvement to:             <ul style="list-style-type: none"> <li>Assemble land;</li> <li>Sale of municipal land or property which promotes redevelopment; and</li> <li>Ensure public interest and civic amenity goals are met.</li> </ul> </li> <li>Changes to <i>Environmental Protection Act</i> provide opportunities for municipalities to take ownership of sites in tax arrears under the municipal sales provisions of the <i>Municipal Act</i>. The City can also enter premises for the purpose of investigation of environmental conditions without increased liability to the City against environmental orders;</li> <li>As required, the City should use this limited legislative provision to reduce environmental liability to provide a pro-active policy of managing abandoned and vacant sites leading to their potential sale and redevelopment; and</li> <li>The City can be a significant resource to private sector developers by providing property information to assist development by the private sector.</li> </ul>
<b>FISCAL IMPLICATIONS</b>	<ul style="list-style-type: none"> <li>Potentially significant involvement requires budgeted capital allocations; and</li> <li>Sale of municipally-owned properties will likely provide revenues at less than market value.</li> </ul>
<b>OTHER RESOURCE NEEDS Incl. CITY DEPARTMENTS</b>	<ul style="list-style-type: none"> <li>Broad corporate involvement across relevant departments required:             <ul style="list-style-type: none"> <li>Planning and Building Permits and Housing;</li> <li>Engineering, Environmental and Construction services;</li> <li>Finance; and</li> <li>Others as needed (e.g. Parks and Recreation, Economic Development, Public Works, etc.)</li> </ul> </li> </ul>
<b>OTHER GOVERNMENT/ NON-PROFIT ORGANIZATION INVESTMENT</b>	<ul style="list-style-type: none"> <li>Potential exists for assistance from senior levels of government through infrastructure programs.</li> </ul>

**Program 7. Payment-In-Lieu of Parkland Dedication GRANT**

<b>PROGRAM</b>	<b>Payment-In-Lieu of Parkland Dedication Grant Program</b>
<b>RATIONALE</b>	<ul style="list-style-type: none"> <li>Reduction of development costs for residential and non-residential development through existing legislative discretion for exempting a landowner from providing a cash-in-lieu payment for parkland dedication purposes. Applies only to those sites where land dedication is not feasible.</li> <li>The aim is to dovetail this existing legislative provision to the specific application of landfill sites within the Community Improvement Policy Area.</li> </ul>
<b>INTENDED RECIPIENTS</b>	<ul style="list-style-type: none"> <li>Private sector landowners.</li> </ul>
<b>LEGISLATIVE PROVISION</b>	<ul style="list-style-type: none"> <li>Section 51.1 of the <i>Planning Act</i> provides for payment in lieu of parkland dedication. <i>Planning Act</i> already provides municipalities with discretion as to whether to include parkland dedication as a condition of subdivision approval.</li> </ul>
<b>SPECIFICATIONS AND LIMITATIONS</b>	<ul style="list-style-type: none"> <li>Grant of fees at subdivision approval.</li> </ul>
<b>ELIGIBILITY</b>	(i) Preference for key potential brownfield sites identified by the City.
<b>APPROVAL PROCESS</b>	<ul style="list-style-type: none"> <li>Discretionary policy of the City. As part of the comprehensive <i>Brownfields Strategy and Action Plan</i>, the municipality would give consideration to exempting the development from the requirement for parkland dedication fees.</li> </ul>
<b>FISCAL IMPLICATIONS</b>	<ul style="list-style-type: none"> <li>Foregone income up to 2% of land value for commercial and industrial development, up to 5% for residential and other.</li> </ul>
<b>DURATION</b>	<ul style="list-style-type: none"> <li>The program will be monitored for effectiveness on an annual basis with a detailed review in 5 year increments of the program to determine whether the program continues to meet the goals of the Brownfields Strategy.</li> </ul>

## **4. EVALUATION/SCREENING CRITERIA FOR BROWNFIELD PROGRAM APPLICATIONS**

The goal of the *Brownfields Community Improvement Plan* is to develop a standardized framework for decision-making, evaluation and selection of brownfield program applications.

The following general and program-specific criteria have been established to help the City assess program applications. Mandatory (screening) criteria determine if site is eligible to apply for program assistance. Applicants must meet the mandatory requirements in order to have their application considered by the Brownfields Strategy Evaluation Committee.

Program-specific evaluation criteria will help the City determine the nature and scale of development assistance.

### **4.1 Screening Criteria**

Applications will be received and screened based on with the following requirements. Once screened an application can then be considered for funding.

<b>GENERAL SCREENING CRITERIA - MANDATORY (PASS/FAIL)</b>	<b>PASS</b>	<b>FAIL</b>
Is the site located in the Brownfields Strategy Community Improvement Policy Area?	✓ <input type="checkbox"/>	
Does the site redevelopment proposal involve vacant, abandoned or underutilized industrial or commercial land?	✓ <input type="checkbox"/>	
Does the site have real or perceived environmental contamination based on history of use, adjacency to known contaminated lands, etc?	✓ <input type="checkbox"/>	
Is there a history of unfulfilled environmental orders against the property?		✓ <input type="checkbox"/>
Has the current owner/tenant previously sought and received municipal funding for site improvement that did not result in redevelopment or improvement of the site?		✓ <input type="checkbox"/>
Has the municipality sought conviction against the current owner/tenant for violation of law and/or City Property Standards By-law?		✓ <input type="checkbox"/>

### **4.2 Program-Specific Evaluation Criteria**

Details of the program-specific evaluation criteria to be considered by the City when reviewing applications for CIP funding are detailed in the background studies to this CIP.






## **5. IMPLEMENTATION**

### **5.1 Program Schedule and Funding Plan in Years 1-5**

Funding requirements for the implementation of the Cornwall *Brownfields Community Implementation Plan* are set out below based on an assumed commencement in 2005. The initial length of the program is five years, ending in 2009. During this period, the programs should be monitored on an annual basis with the expectation that the Strategy will be revised and adjusted on an as-needed basis, and rolled-forward for a subsequent period from 2010 onwards. Funding in the amount of an allocation of \$250,000 per annum should be reviewed annually, and increased as necessary. It is recommended that the funding be provided from a working reserve established by the City of Cornwall. This reserve will be topped up annually to a balance of \$250,000 by re-directing available surpluses. The funds will be drawn from the reserve throughout the fiscal year. The portion of any municipal tax increment retained by the City will also be used to offset the costs of the overall program.

Those elements of the budget which cannot be readily identified at this time – the potential for municipal property acquisitions/disposals and other redevelopment works complimentary to the brownfields initiative - remain important funding priorities and may contribute significantly to urban renewal. It is anticipated that budget requirements for such initiatives will be reviewed annually.

**Exhibit 5.1: Cornwall Brownfields Strategy Annual Funding Requirements**

Program	Year 1 2005	Year 2 2006	Year 3 2007	Year 4 2008	Year 2009	Years 6-10 2010 – 2014
City of Cornwall Redevelopment Grant*						
Environmental Site Assessment (ESA) Grant and Project Feasibility Grant - <b>CAPITAL \$</b>	\$200,000	\$210,000	\$220,000	\$220,000	\$220,000	
Brownfield Property Tax Cancellation Assistance Program						
Municipal Planning/Development Fees Rebate Program**						
Discretionary Municipal Tipping Fee Grant Program**						
Municipal Brownfield and Urban Renewal Information Service ***	\$50,000	\$40,000	\$30,000	\$30,000	\$30,000	
Municipal Property Acquisition, Disposal and Marketing Program	Capital Allocations dependent on Planned Property Acquisitions and City Property Disposition/Redevelopment					
Payment-In-Lieu of Parkland** Dedication Rebate Program						
Total Annual Allocation of Funds *excluding Foregone Revenue)	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000

\* Maximum duration of grant assistance is 10 years

\*\* To qualify for assistance applicants must complete project within two years

\*\*\* Budget includes marketing allowance.

## 5.2 Monitoring CIP Implementation

Annual monitoring of the implementation of the CIP should seek to:

- Document the nature and extent of projects for which applications are made under each program;
- Identify the contribution of assistance under each program to the success of the **rehabilitation** projects;
- Identify the pros and cons of the process followed for the selection of approved projects under each program and establish to what extent improvements can be made to increase the effectiveness of programs. Part of this process is an understanding of how individual development projects make use of the range of programs in combination with one another;

Minister's  
Modification #7  
(June/05)

- Monitor the overall level of private sector investment related to the *Strategy* and identify the level of municipal funding required to achieve this. Monitoring should also identify those situations where funding from other levels of government was also used to assist redevelopment. Experience elsewhere suggests that a significant is achievable.
- Anticipate the creation of several additional programs to assist downtown building renovation, heritage preservation and streetscape improvements under the Heart of the City and Groupe Renaissance Group initiatives. City staff should monitor the combined effectiveness - financial, economic, community and environmental impacts of all City-funded programs; and
- Ensure City staff continue to monitor changes to applicable Provincial and Federal legislation, as well as environmental clean-up guidelines and funding programs to ensure that the CIP and its constituent programs remain applicable and utilize all available legislative and funding resources, consistent with the overall priorities of the City.

It is important to monitor potential financial impacts on the City arising from those programs based on foregone revenue. The potential future revenue impacts on the City as a result of tax increment financing should be projected as part of the initial decision-making process for each application. While incremental tax increases represent “new found” revenue as a result of redevelopment that might otherwise not have occurred, the revenue to the City foregone through the grant program should be weighed against the potential increase in direct costs to City services as a result of the re-use of these sites. It is not anticipated that such costs will be significant or that these costs cannot be justified by the longer term revenue benefits to the City at the expiry of the grants, however the City should remain aware of any and all potential fiscal impacts from growth-related development.

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Modification #7

***“The City of Cornwall may periodically review and adjust the terms and requirements of the programs or discontinue any of the programs described in this Plan without amendment to the Plan. The City may also make minor boundary adjustments to the community improvement project area without amendment to the Plan. Program additions to the Plan and substantive boundary expansion of the designated community improvement project area will require a formal amendment in accordance with Section 28(4) of the Planning Act, requiring notice of public meeting, adoption by Council, oval by the Ministry of Municipal Affairs and Housing.”***

## 5.3 Creating a Consistent Municipal Policy Framework

The success of the *Brownfields Strategy*, as with other policy initiatives, depends in part on the creation of a consistent policy setting which provides momentum to redevelopment for which there is a market.

### 5.3.1 COMMUNITY INFRASTRUCTURE DEVELOPMENT

The creation of new municipal infrastructure including community facilities (municipal buildings for services, recreation and culture, as well as open space), should be planned, where feasible, with the policy goal of seeking redevelopment of viable brownfield sites as a means for the public sector to facilitate or broaden the range of development options for underused urban land. This policy can also apply to instances where the municipality is working in partnership with either the private sector or other public institutions for new facilities and infrastructure.

The City should be cognizant of and seek, where feasible, a “triple-bottom line” approach to its development activities and those in partnership with others. A triple-bottom line philosophy

promotes the recognition of not only economic and financial benefits, but also the goals of environmental improvement and socially healthy and sustainable development, an existing goal of the City Official Plan (i.e. policies 2.4.2 and 2.3.1.7a).

### **5.3.2 COMPLIMENTARY POLICY ENVIRONMENT**

A number of municipal policies can impact the viability of development projects, such as zoning requirements (e.g. permitted uses, parking and setback requirements and permitted building heights), municipal servicing and parks and recreation policies, property standards, taxation, etc. To enhance the development potential of brownfield sites in the short and longer terms, the City should continue its endeavours to focus overall corporate policies the need for brownfield redevelopment and re-use. Where reasonable to do so, the City should give consideration to providing flexible land use and zoning for brownfield sites.

The City should continue to deal with planning and development applications expeditiously and seek resources to ensure dedicated staff time staff to assist with the implementation of the Brownfields CIP programs. The emerging Development Permit System (DPS) currently being piloted in several jurisdictions may provide an opportunity for ensuring a more streamlined and certain approach to securing land use approvals.

### **5.3.3 TRANSPORTATION, ECONOMIC DEVELOPMENT AND WATERFRONT PLANNING**

A revitalized Waterfront is the backbone of increased tourism potential for the City. In response to a citizen's group proposal to open the Canal, the Waterfront Development Committee has been researching the potential, and associated issues, of opening the Canal. The potential opening of the Canal may help add incentives for greater recreational boating activity and use of the Waterfront. Increased visitation to the Waterfront and Downtown will potentially create new market opportunities, and bolster existing opportunities for business. While undertaking a review of the Waterfront Plan, the City should seek to ensure consistency with the aims of the Waterfront Committee and ensure general compatibility between waterfront and brownfield initiatives.

The management of the road network in the Downtown core, and potential changes to the system including the conversion of one-way streets to two-way streets are potentially important catalysts for improved commercial activity. Future road network strategies and other planning initiatives such as the Heart of the City (HOTC) Master Plan and CIP should support the Brownfields CIP.

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## APPENDIX A

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### **BROWNFIELDS STRATEGY COMMUNITY IMPROVEMENT POLICY AREA OFFICIAL PLAN AMENDMENT**

## **Appendix A. Brownfields Strategy Community Improvement Policy Area Official Plan Amendment**

### **BROWNFIELD STRATEGY COMMUNITY IMPROVEMENT POLICY AREA**

#### **A) DETAILS OF THE AMENDMENT:**

The new (2002) Official Plan for the City of Cornwall is amended by designating the subject lands, as depicted in Schedule “A” attached hereto and forming a part of this Amendment, as a Brownfields Community Improvement Policy Area.

#### **B) OFFICIAL PLAN TEXT:**

The City of Cornwall adopts the following definition of brownfield land:

“Brownfields are abandoned, vacant, derelict or underutilized commercial and industrial properties, usually provided with urban services, where past actions have resulted in actual or perceived contamination.”

The Brownfields Statute Law Amendment Act is a consolidating statute which assembles a series of amendments under seven existing statutes with the specific aim of reducing liability associated with existing contaminated sites, providing certainty to the process of documenting contamination, identifying conditions of use, and improving the potential for the remediation of contaminated sites.

##### a. Definition:

The Brownfield Strategy Community Improvement Policy Area encompasses most of the City’s “urban” land, with the exception of a number of stable residential neighbourhoods and future development areas within the City’s new Industrial Park (north of Tenth Street). It also captures portions of the industrial and commercial lands located at the eastern and western ends of the City, as well as other pockets of industrial and commercial uses interspersed throughout the City. The Brownfields Strategy Community Improvement Policy Area is shown on Schedule 6 (Attached).

##### b. Criteria For Establishing Brownfields Strategy Community Improvement Policy Area:

The following criteria have been used to define the Brownfields Community Improvement Policy Area:

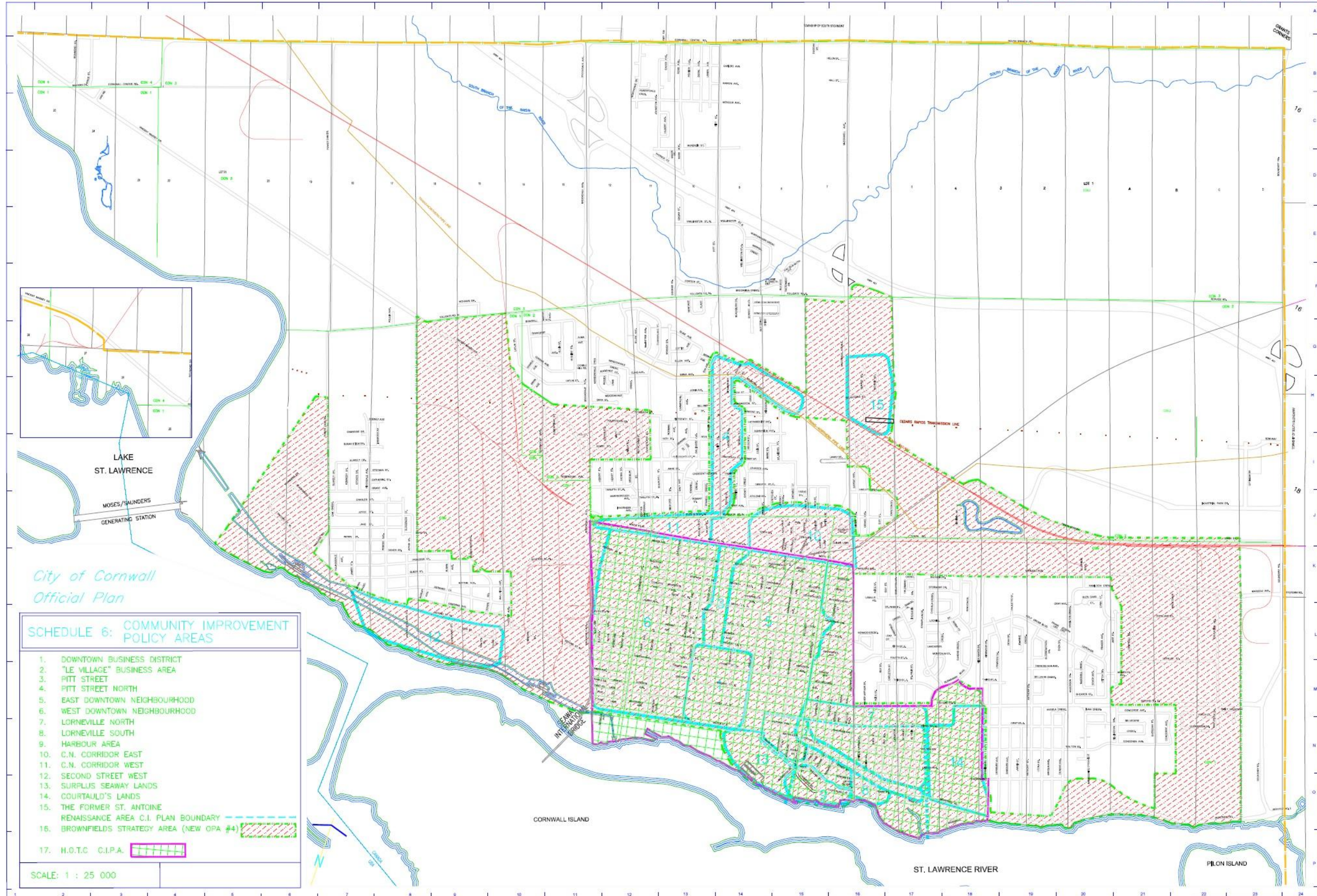
- i) Inclusion of areas within the “Urban Area”, as defined in the Official Plan;
- ii) Inclusion of areas within the limit of municipal servicing;
- iii) Inclusion of the inventory of known derelict and/or potentially contaminated sites within existing Community Improvement Policy Areas (also referred to as “sites of potential interest”). The aims of redevelopment and re-use in these Community Improvement Policy Areas are consistent with the goals of the Brownfields Strategy Community Improvement Plan;
- iv) Inclusion of the Downtown Business District and Waterfront area, and specifically the inclusion of potentially contaminated lands, and underused/vacant properties with redevelopment potential;

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Modification #8  
(June/05) (deleted  
wording)

- v) Inclusion of current and former industrial and commercial sites within the “Urban Area” potentially suitable for redevelopment or re-use including:
  - a) Potentially contaminated lands;
  - b) Vacant and underutilized lands or abandoned buildings; and
  - c) Former railway corridors.
  
- vi) The Brownfields Strategy Community Improvement Policy Area excludes:
  - a) Stable residential neighbourhoods;
  - b) Generally, sites without external municipal services; and
  - c) Future development areas within the City’s new industrial park (lands north of Tenth Street).

C. Application:

Within the Community Improvement Policy Area, support will be given to the redevelopment of brownfield lands in conformity with the objectives of the Official Plan. The City may, within the Policy Area, provide assistance to redevelopment efforts through the creation of various programs and policies as may be deemed appropriate.



City of Cornwall  
Official Plan

**SCHEDULE 6: COMMUNITY IMPROVEMENT POLICY AREAS**

- 1. DOWNTOWN BUSINESS DISTRICT
- 2. "LE VILLAGE" BUSINESS AREA
- 3. PITT STREET
- 4. PITT STREET NORTH
- 5. EAST DOWNTOWN NEIGHBOURHOOD
- 6. WEST DOWNTOWN NEIGHBOURHOOD
- 7. LORNEVILLE NORTH
- 8. LORNEVILLE SOUTH
- 9. HARBOUR AREA
- 10. C.N. CORRIDOR EAST
- 11. C.N. CORRIDOR WEST
- 12. SECOND STREET WEST
- 13. SURPLUS SEAWAY LANDS
- 14. COURTAULD'S LANDS
- 15. THE FORMER ST. ANTOINE RENAISSANCE AREA C.I. PLAN BOUNDARY
- 16. BROWNFIELDS STRATEGY AREA (NEW OPA #4)
- 17. H.O.T.C. C.I.P.A.

SCALE: 1 : 25 000

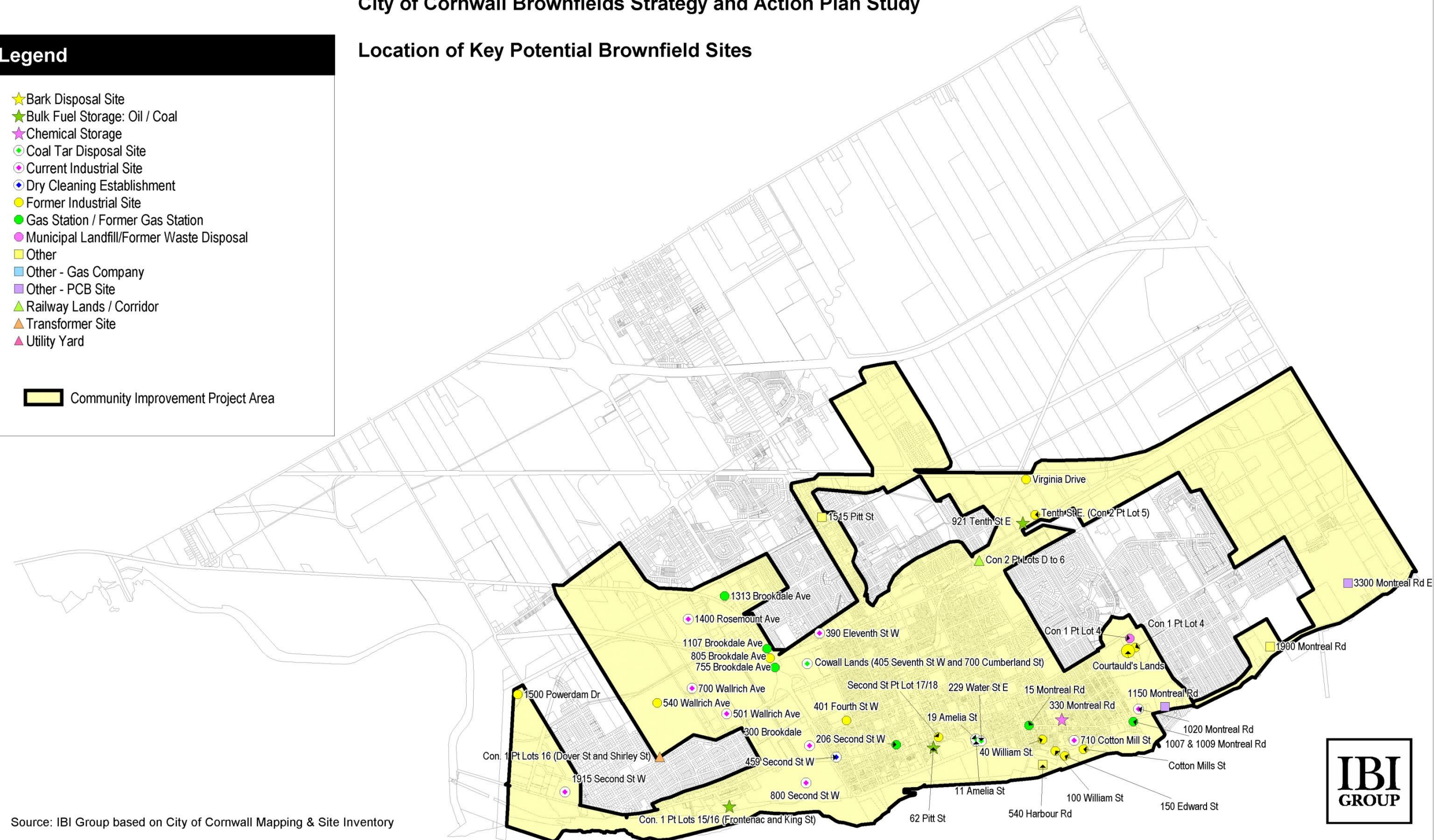
# City of Cornwall Brownfields Strategy and Action Plan Study

## Location of Key Potential Brownfield Sites

### Legend

- ★ Bark Disposal Site
- ★ Bulk Fuel Storage: Oil / Coal
- ★ Chemical Storage
- Coal Tar Disposal Site
- Current Industrial Site
- Dry Cleaning Establishment
- Former Industrial Site
- Gas Station / Former Gas Station
- Municipal Landfill/Formal Waste Disposal
- Other
- Other - Gas Company
- Other - PCB Site
- ▲ Railway Lands / Corridor
- ▲ Transformer Site
- ▲ Utility Yard

Community Improvement Project Area



Source: IBI Group based on City of Cornwall Mapping & Site Inventory  
 October, 2004 Schematic for Discussion Purposes



File #	Current Site Address	Address Roll #	Name	Area (acres)	Zoning	Site Use Description
1.87	1007 & 1109 Montreal Rd.	1-10-001-10	Garth Louis Riley	0.17	COM. 70	Former Gas Station (Champlain Service Station)
1.71	15 Montreal Rd.	2-2-196	Imperial Oil	0.23	COM. 70	Former Gas Station (Imperial Oil/Sun's)
3.41	206 Second St. W. (Pt Lot 22)	5-1-169	Petro-Canada Inc.	0.24	SPU. 20	Former Gas Station/Former Commercial Garage
6.37b	19 Amelia St.	3-1-166	Julius Miller Furniture Ltd.	0.31	OSP 10	Former Industrial (Eastern Chemicals & Paper Ltd.)
N/A	459 Second St. W. (Plan 68 Pt Lot 1/2)	6-2-101	City of Cornwall	0.33	COM 11	Bark Disposal Site/Former Dry Cleaning Establishment (Fashion Cleaners)
7.21	Dover Con. 1 Pt Lots 16	6-3-06450	Cornwall Street Railway	0.35	RES. 20	Former Dover Transformer Site
7.39	62 Pitt St.	4-1-033	Serafim Tsiaousidis	0.37	CBD	Former Bulk Fuel (McGuire Fuels Ltd /Mexi's Parking Lot)
6.37a	11 Amelia St.	3-1-165	Old Cornwall Curling Club	0.39	OPS 10	Old Curling Club, Under-Utilized Commercial Site
N/A	Cotton Mills St. (Plan 8 Pt. Lot Mill Factories, Con 1, Pt. Lot 7)	2-2-007-01	Menard Structures	0.51	MFR 20	Former Industrial Site (Reach Plastics & Chemicals Ltd.)
1.77	330 Montreal Rd.	2-2-211	City of Cornwall	0.52	COM 70	Former Industrial (Chemcell Cornwall Ltd.)
1.23	1313 Brookdale Ave.	6-3-047	Olco Petroleum Group Inc.	0.61	CH	Former Gas Station
7.83	100 William St.	2-2-005	Cornwall Warehousing	0.62	MFR. 20	Former Industrial Site (part of Dundas Mills)
N/A	Second St. W. (Second St Pt Lot 17/18)	4-1-093	City of Cornwall	1.0	CBD	Former Commercial Garage (E.D. Warner)
1.15	1107 Brookdale Ave.	6-4-258	1498057 Ontario Inc.	1.07	CH	Former Gas Station (Imperial Esso Station), Currently Auto Dealership
N/A	755 Brookdale Ave.	6-3-00615	Petro-Canada Inc.	1.42	CH	Former Gas Station
7.27	Frontenac St. (Con. 1 Pt Lots 15/16)	6-9-069	Waterfront Tanks	1.87	MFR 10	Former Bulk Fuel Storage (Oil)
6.37d	229 Water St.	3-1-160	City of Cornwall	2.31	OSP 10	Coal Tar Site
7.13	1515 Pitt St.	4-4-091	Paradise Tanning & Fitness	2.52	COM. 51	Former Industrial Waste Disposal Site (northeast corner of property)
4.73	Virginia Dr. & Tenth St. E. (Con 2 PT Lot 4)	1-016-003	(Rose Mechanical Ltd.)	2.86	MFR. 20	Former Industrial Site - Scrap Yard/Current Industrial
4.17	710 Cotton Mill St.	2-2-009	Cornwall Warehousing	3.08	MFR 20	Current Under- Utilized Industrial (Equipe Recyclage)
6.55c	Montreal Road (Con 1 Pt Lot 4)	01000747000	Tank Farm (Courtauld's)	3.25	MFR. 20	Former Heavy Industrial/Industrial Landfill Site
4.23	401-425 Fourth St. W.	06000208400	Canadian Cottons Ltd.	3.56	RES. 20	Current Industrial
4.5	1500 Powerdam Dr.	6-9-080	Liquid Carbonic Canadian Corp	4.09	MS	Former Heavy Industrial
N/A	40 William St.	2-2-131/2-2-001	1532199 Ontario Inc.	5.62	RES 40/MFR 20	Former Heavy Industrial (Associated with Dundas Mill)
4.2	150 Edward St.	2-2-010	Cornwall Warehousing	6.47	MFR 20	Former Industrial (Cotton Mills)
4.39	1020 Montreal Rd.	1-7-467-10	Lang Investment Corporation	6.68	MFR 20	Current Industrial (Paper Source Converting Mill Corp, Aloes Foods)
3.47	951 Tenth Street E. (Con 2 Pt Lot 5)	1-016-008)	124952 Canada - c/o Peter MacEwen	7.37	MFG 20	Former Commercial Garage
4.21	390 Eleventh St. W.	05000329600	Cornwall Gravel Co Ltd.	7.48	MFR. 10	Current Heavy Industrial Site
7.77	921 Tenth St.	1-016-009	Petro-Canada Inc.	7.53	MFR 20	Former Bulk Storage Fuel
N/A	805 Brookdale Ave		Ramada Inn	8.25	CH	Coal Tar Site
6.55a	Montreal Rd (Con 1 Pt Lot 4)	01000746600	Industrial Waste Disposal Site (Courtauld's)	11.75	MFR. 20	Industrial Waste Disposal Site
4.61	1915 Second St. W.	06000907000	The Valspar Corporation	12.89	MS	Current Industrial Site
7.35	1900 Montreal Rd.	1-4-001	City of Cornwall	15.0	RES 20	Construction Debris in Posterior Area
5.05	1150 Montreal Rd.	1-7-469-40	962101 Ontario Inc.	17.94	COM 51	PCB Storage Site/Former Industrial Site (Courtauld's Mills 1-4)
7.25b	540 Harbour Rd.	2-2-012	Transport Canada	19.65	MFR 20	Former Bulk Fuel/Chemical Storage (Universal Terminals)
4.85	700 Wallrich Ave	06000306600	Spartech Plastics Corrugated Sheet Division	23.37	MFR. 20	PCB Storage Site/Current Heavy Industrial Site
4.19	Cowall Lands (700 Cumberland St. & 405 Seventh St. W)	06000300600	Domtar Inc/Cowall	22.26	MFR 20	Current Industrial/Current Under-Utilized Industrial Site/ PCB Storage/Coal Tar Site
4.53	1400 Rosemount Ave.	06000303500	Canadian Technical Tape	31.38	MFR. 10	Current Industrial
4.11	300 Brookdale Ave.	6-3-012	ICI Canada Inc.	36.07	MFR 20	Existing Substation/PCB Storage Site/Current Heavy Industrial
4.81	501 Wallrich Ave.	06000306300	BASF Canada Ltd	37.4	MFR. 20	Current Industrial Site
7.11g	Con. 2 Pt Lots D to 6	6/9/2015	Canadian Pacific Ltd.	43.56	MFR 20	Former Railway Corridor/Lands
6.55c	Courtauld's Lands (Montreal Road - Mill 5 and Film Plant)		Noyar Developments (former Courtauld's)	63.63	MFR 20	Former Heavy Industrial
5.15	800 Second St. W.	06000119200	Domtar	79.1	MFR. 20	Current Heavy Industrial/PCB Storage Site
5.04	3300 Montreal Rd.	1-2-014	Cartwave Realty Limited	97.78	RES 20	PCB Storage Site/Former Industrial Site (Celanese)
4.80	540 Wallrich Ave. (Con 1 Pt Lots 15/16)	6-3-06550	Sensient Flavours Canada Inc.	99.95	MFR 20	Former Industrial

Appendix B:  
List of Key Potential  
Brownfield Sites  
sorted by size

Source: IBI Group based on City of Cornwall data

Notes:

Brownfields are abandoned, vacant, derelict or underutilized commercial and industrial properties where past actions have resulted in actual or perceived contamination (National Roundtable on the Environment and the Economy). The City of Cornwall has identified approximately 414 sites where current or former industrial, commercial, utility, disposal or transportation activity has taken place - potential brownfields. Some 45 properties have been identified as "key potential brownfield sites". A number of criteria were used to determine which properties should be considered as key sites, such as size and location of the property, status of occupancy (i.e. currently vacant, abandoned or underutilized), development potential, etc.

The former Courtauld's lands (between Montreal Road and Second Street East) comprise approximately 96.57 acres in total. Over the years these lands have been segmented into several smaller parcels. From the City's records, it appears that four different companies own the former Courtauld lands. For the purposes of this study, the bulk of the former Courtauld's lands (63.63 acres), owned by one company, is being referred to as the "Courtauld's Lands". The remaining lands (3.25, 17.94 and 11.75 acre sites) are being considered separate key potential brownfield sites.

## APPENDIX B

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### **LIST OF KEY POTENTIAL BROWNFIELD SITES**

- List of Key Potential Brownfield Sites sorted by size
- Location of Key Potential Brownfield Sites

## APPENDIX C

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5 yr review  
By-Law #2011-083

### **GUIDELINE FOR DELIVERY OF SOIL TO LANDFILL SITE**

## **Guideline for Delivery of Soil to Landfill Site**

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### **Background:**

Due to the increased Brownfield cleanup activity in the City of Cornwall the City's landfill site has received a number of requests to receive soil from these contaminated sites. On a number of occasions deliveries have been (or requests made to receive) that could not be accepted. This was due to improper or inadequate evidence that the materials being delivered met the requirements of the MOE issued Certificate of Authorization governing the operation of the landfill site.

### **Criteria:**

The City of Cornwall's landfill site requires a minimum 48 hrs notice prior to material being delivered to the landfill. The City of Cornwall's landfill site is authorized to accept **non-hazardous, solid waste**.

Prior to the delivery of any soil it is the responsibility of the operator in charge of the site where the soil is coming from to confirm to the City of Cornwall that this soil is both **non-hazardous** and **solid**.

Details of how this can be determined are detailed in O. Reg 347.

The following is provided as a guideline to determine how a soil sample can be classified as both non-hazardous and solid. These definitions are condensed versions of those contained in O. Reg 347.

Reference should be made to O. Reg 347 for the official definitions.

**Hazardous Waste** means a waste that is a,

- (a) hazardous industrial waste
  - is a waste listed in Schedule 1 (O. Reg 347).
- (b) acute hazardous waste chemical
  - is a waste listed in Part A of Schedule 2 (O. Reg 347).
- (c) hazardous waste chemical
  - is a waste listed in Part B of Schedule 2 (O. Reg 347).
- (d) severely toxic waste
  - is a waste listed in Schedule 3 (O. Reg 347) at a concentration greater than 1 ppm
- (e) ignitable waste
  - in solid form is capable under standard temperature and pressure of causing fire through friction, absorption of moisture or spontaneous chemical changes and, when ignited, burns so vigorously and persistently that it creates a danger.
- (f) corrosive waste
  - generally has a pH <2 or > 12.5
- (g) reactive waste
  - generally is unstable and undergoes violent change without detonating and reacts violently with water
- (h) radioactive waste
  - a mixture of radioactive waste and other waste
- (i) pathological waste
  - generally human body or infected animal carcass parts
- (j) leachate toxic waste

- a waste producing leachate containing any of the contaminants at the specified concentration listed in Schedule 4 (O. Reg 347) using the Toxicity Characteristic Leaching Procedure (TCLP)
- (k) PCB waste
  - same meaning as in Regulation 362

**Solid** waste means a waste that, is not a liquid. A liquid waste has a slump of greater than 150 mm. Test method for determining slump is contained in O. Reg. 347.

## **Documentation:**

**Prior to any soil being delivered to the landfill the City must receive documented assurance from a Competent Person employed by firm authorized to provide Professional Engineering Services in the Province of Ontario that all the above criteria have been satisfied. The City of Cornwall's landfill site requires a minimum 48 hrs notice prior to material being delivered to the landfill.**

**Evidence must be provided that the sample results received by the City are representative of the quality of the entire amount of soil being delivered. The City must be able to understand the scope of the project. For a site excavation, a map showing the area and depth of the excavation with sample locations would be expected. If soil is coming from a stockpile an estimate of the volume to be delivered must be provided. Included with this estimate would be details of how the number of samples and their locations were determined.**

**It is understood that a full suite of analysis will not be required to determine soil to be non-hazardous. Documentation must be provided (normally a Phase 2 EA or technical report) that clearly defines the decision process followed to determine the selected analysis. This is of particular concern when reporting the results of the TCLP.**

Revised: September 28, 2010

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