5. BROWNFIELD GRANT PROGRAM APPLICATION – 160, 164, 168 AND 170 CAMBRIDGE STREET NORTH

DEMANDE DANS LE CADRE DU PROGRAMME DE SUBVENTION POUR LES FRICHES INDUSTRIELLES – 160, 164, 168 ET 170, RUE CAMBRIDGE NORD

# **COMMITTEE RECOMMENDATIONS**

#### That Council:

- 1. Approve the Brownfield Rehabilitation Grant application submitted by 8069565 Canada Inc., owner of the property at 160, 164, 168 and 170 Cambridge Street North, for a Property Tax Assistance under the Brownfield Redevelopment Community Improvement Plan Program not to exceed a total of \$105,524 for which the grant payment period will be phased over a maximum of 10 years of development, subject to the establishment of, and in accordance with, the terms and conditions of the Brownfield Redevelopment Grant Agreement;
- 2. Delegate the authority to the General Manager, Planning, Infrastructure and Economic Development, to execute a Brownfields Redevelopment Grant Agreement with 8069565 Canada Inc., establishing the terms and conditions governing the payment of the grant for the redevelopment of 160, 164, 168 and 170 Cambridge Street North, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department, the City Clerk and Solicitor and the City Treasurer.

# RECOMMANDATIONS DU COMITÉ

#### Que le Conseil :

1. approuve la demande de participation au programme de subvention pour la remise en valeur de friches industrielles soumise par 8069565 Canada Inc., propriétaire des biens-fonds situés aux 160, 164, 168 et 170, rue Cambridge

Nord, en vue d'obtenir un allègement de l'impôt foncier dans le cadre du Programme d'améliorations communautaires pour le réaménagement des friches industrielles, une subvention n'excédant pas 105 524 \$ au total et dont la période de versement sera échelonnée sur 10 ans par phase d'aménagement au maximum, sous réserve de l'adoption des modalités de l'Entente de subvention pour la remise en valeur des friches industrielles, et conformément à celles-ci;

2. délègue au directeur général de Planification, Infrastructure et Développement économique le pouvoir d'exécuter l'Entente de subvention pour la remise en valeur de friches industrielles conclue avec 8069565 Canada Inc., qui établit les modalités relatives au versement de la subvention permettant le réaménagement des biens-fonds situés aux 160, 164, 168 et 170, rue Cambridge Nord, à la satisfaction du directeur général de Planification, Infrastructure et Développement économique, du greffier municipal et avocat général et de la trésorière municipale.

#### DOCUMENTATION/DOCUMENTATION

1. Director's report, Planning Services dated 16 August 2017 (ACS2017-PIE-PS-0093)

Rapport de la directrice, Service de la planification daté le 16 août 2017 (ACS2017-PIE-PS-0093)

COMITÉ DES FINANCES ET DU DÉVELOPPEMENT ÉCONOMIQUE RAPPORT 27 LE 13 SEPTEMBRE 2017

Report to Rapport au:

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Finance and Economic Development Committee / Comité des finances et du développement économique

September 5, 2017 / 5 septembre 2017

and Council / et au Conseil September 13, 2017 / 13 septembre 2017

> Submited on August 16, 2017 Soumis le 16 août 2017

> > Submited by Soumis par: Lee Ann Snedden, Director / Directrice

Planning Services / Service de la planification
Planning, Infrastructure and Economic Development Department / Direction
générale de la planification, de l'infrastructure et du développement économique

Contact Person
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Richard Buchanan,

Project Manager / Gestionnaire de projet, Development Review Central / Examen des demandes d'aménagement centrale (613) 580-2424, 27801, Richard.Buchanan@ottawa.ca

Ward: SOMERSET (14) File Number: ACS2017-PIE-PS-0093

SUBJECT: Brownfield Grant Program Application – 160, 164, 168 and 170

**Cambridge Street North** 

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OBJET: Demande dans le cadre du Programme de subvention pour les friches industrielles – 160, 164, 168 et 170, rue Cambridge Nord

#### REPORT RECOMMENDATIONS

That Finance and Economic Development Committee recommend Council:

- 1. Approve the Brownfield Rehabilitation Grant application submitted by 8069565 Canada Inc., owner of the property at 160, 164, 168 and 170 Cambridge Street North, for a Property Tax Assistance under the Brownfield Redevelopment Community Improvement Plan Program not to exceed a total of \$105,524 for which the grant payment period will be phased over a maximum of 10 years of development, subject to the establishment of, and in accordance with, the terms and conditions of the Brownfield Redevelopment Grant Agreement;
- 2. Delegate the authority to the General Manager, Planning, Infrastructure and Economic Development, to execute a Brownfields Redevelopment Grant Agreement with 8069565 Canada Inc., establishing the terms and conditions governing the payment of the grant for the redevelopment of 160, 164, 168 and 170 Cambridge Street North, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department, the City Clerk and Solicitor and the City Treasurer.

#### RECOMMANDATIONS DU RAPPORT

Que le Comité des finances et du développement économique recommande ce qui suit au Conseil :

1. approuver la demande de participation au programme de subvention pour la remise en valeur de friches industrielles soumise par 8069565 Canada Inc., propriétaire des biens-fonds situés aux 160, 164, 168 et 170, rue Cambridge Nord, en vue d'obtenir un allègement de l'impôt foncier dans le cadre du Programme d'améliorations communautaires pour le réaménagement des friches industrielles, une subvention n'excédant pas 105 524 \$ au total et dont la période de versement sera échelonnée sur 10 ans par phase d'aménagement au maximum, sous réserve de l'adoption des modalités de

l'Entente de subvention pour la remise en valeur des friches industrielles, et conformément à celles-ci;

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2. déléguer au directeur général de Planification, Infrastructure et Développement économique le pouvoir d'exécuter l'Entente de subvention pour la remise en valeur de friches industrielles conclue avec 8069565 Canada Inc., qui établit les modalités relatives au versement de la subvention permettant le réaménagement des biens-fonds situés aux 160, 164, 168 et 170, rue Cambridge Nord, à la satisfaction du directeur général de Planification, Infrastructure et Développement économique, du greffier municipal et avocat général et de la trésorière municipale.

#### **BACKGROUND**

Brownfields are properties where past actions have resulted in actual or perceived environmental contamination and/or derelict or deteriorated buildings. They may be vacant, abandoned or underutilized. They are usually, but not exclusively, former industrial or commercial properties.

The Brownfield Redevelopment Community Improvement Plan (BRCIP) was adopted by Council on April 27, 2007 and amended by Council on May 12, 2010, and October 14, 2015.

The BRCIP presents the rationale behind the redevelopment of Brownfield in Ottawa, and the actions and strategies that will promote brownfield redevelopment. The BRCIP contains a comprehensive framework of incentive programs which include the Brownfield Rehabilitation Grant Program.

8069565 Canada Inc. has filed an application under BRCIP for the clean-up and redevelopment of 160, 164, 168 and 170 Cambridge Street North, having a lot area of 1216 square metres and 40.3 metres frontage along Cambridge Avenue North (see Documents 1, 2 and 9). The property previous uses were residential.

A Phase I and II Environmental Site Assessment was prepared by Collard Associates in April of 2017, which identified that the fill material at the subject site exceeds the Ontario Ministry of the Environment and Climate Control (MOECC) Table 7 Standards for anthracene, acenaphthylene, benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(ghi)perylene, benzo(k)fluoranthene, chrysene,

# COMITÉ DES FINANCES ET DU DÉVELOPPEMENT ÉCONOMIQUE RAPPORT 27 LE 13 SEPTEMBRE 2017

dibenz(ah)anthracene, fluoranthene, indeno(123-cd)pyrene, barium, cadium, lead, zinc and petroleum hydrocarbon fraction 3, likely stemming from the type of fill material and the history of house fires and subsequent demolitions of former buildings at the site.

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Groundwater water was not encountered on-site therefore no samples were available.

The site does not qualify as an eligible Brownfield priority area candidate due to its location and criteria under the BRCIP.

The purpose of this report is to bring the application before the Finance and Economic Development Committee and Council for consideration and approval.

#### **DISCUSSION**

The Ottawa BRCIP specifies grants available to the development industry. This application is for the Property Tax Assistance and Rehabilitation Grant program. The total grant from this program shall not exceed 50 per cent of the eligible cost (with the provision that eligible items 7 to 12 cannot exceed 15 per cent of the total eligible items being submitted for grant) specific to the program for rehabilitating said lands and buildings. These items can be seen in Document 4 of this report. If the development does not proceed, no grants are paid.

The Brownfield Rehabilitation Grant Program includes a Property Tax Assistance which is a tax-increment based grant funded through the tax increase that results from redevelopment of the property but is equal to 100 per cent of the increase in municipal tax and is payable annually for up to three years of development, or up to the time when the total grant payments equal the maximum amount of grant, whichever comes first. The provision of the assistance program is that the property cannot be sold within the three-year period. Any remaining portion of the Brownfield Grant not covered by the Property Tax Assistance would be through the Rehabilitation grant, which is a tax-increment based grant funded through the tax increase that results from redevelopment of the property but is limited to 85 per cent of the increase in municipal tax and is payable annually for up to 10 years of development, or up to the time when the total grant payments equal the maximum amount of grant, whichever comes first. The City will only pay the annual grant after property taxes have been paid in full each year.

8069565 Canada Inc. Brownfield Grant Application

The required documents that are to be submitted to the City as part of a Brownfield

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Property Tax Assistance and Rehabilitation Grant Program application are described in Document 3. Staff reviewed the submissions and deemed the application to be complete as of March 31, 2017.

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#### **Proposed Remediation**

The suggested remedial action plan consists of a generic approach, where an excavation and disposal at an approved waste disposal facility would be undertaken. This will involve the excavation of depths up to 1.2 metres below grade, to remove all impacted soil. Overburden soils will be stripped, segregated and disposed off-site. Excavated soil will be screened using visual and olfactory observations as well as a portable soil vapour analyser. Field observations will be used in combination with the collection and analysis of verification samples to determine the excavation limits. Non-impacted soil and bedrock will remain on-site, while impacted soil will be placed in trucks and hauled to an approved waste disposal facility (approximately 1,491 cubic metres or 2,983 metric tonnes).

The remediation program is expected to be complete within approximately two months.

#### Proposed Redevelopment

8069565 Canada Inc. is redeveloping the property at 160, 164, 168 and 170 Cambridge Street North to accommodate a residential development consisting of a 2,043 square metres, three storey building containing 24 residential apartment rental units. Construction type is wood frame with brick exterior finish.

#### Calculating the Brownfield Grant

Under the Brownfield Redevelopment Program guide, the applicant is required to submit various technical documents to determine eligibility as well as the costs eligible for the Property Tax Assistance and Rehabilitation Grant. Staff has reviewed the submissions and has determined that the total costs eligible for a grant under the program is \$211,048.

The BRCIP specifies that the total eligible costs be capped at 50 per cent of the total costs (with the provision that eligible items 7 to 12 cannot exceed 15 per cent of the total eligible items being submitted for grant). A breakdown of the eligible costs is shown in Document 4. Applying this cap results in the calculation of the grant to be \$105,524 (see Document 5).

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The ability to receive the Brownfield grant occurs through the Property Tax Assistance and Rehabilitation Grant process which deals with the timing for the payouts of the grants. As part of the process, the Municipal Leadership Strategy Program runs in parallel to the payments of the Rehabilitation Grant. The following three programs are as follows:

### Property Tax Assistance

Grants would be capped at 100 per cent of the municipal share of the increase in property taxes that result from the redevelopment, payable annually for up to three years or, up to the time when the total grant payments equal the total eligible grants, whichever comes first. The City will only pay the annual grant after the property taxes have been paid in full each year and all terms and conditions specified in the registered legal agreement between the City and the applicant have been met.

#### Rehabilitation Grant

Grants would be capped at 85 per cent of the municipal share of the increase in property taxes that result from the redevelopment, payable after the Property Tax Assistance has been paid and is annually for up to 10 years or up to the time when the total grant payments equal the total eligible grants, whichever comes first. The City will only pay the annual grant after the property taxes have been paid in full each year and all terms and conditions specified in the registered legal agreement between the City and the applicant have been met.

#### Municipal Leadership Strategy Program

As part of the Brownfield Grant Program, a Municipal Leadership Strategy is a general program of municipal property acquisition, investment and involvement in pilot projects with the private sector to remediate and rehabilitate Brownfield sites in Ottawa. The program is funded from 15 per cent of the increment that is retained by the City as a result of properties participating in the Rehabilitation Grant Program and is placed into a Municipal Leadership Account. This account will function as a revolving fund. The allocation of 15 per cent of the tax increment that is retained by the City to the Municipal Leadership Account will end when the Rehabilitation Grant Program ends. At that time, the City may return funds remaining in the Municipal Leadership Account to general revenues

or continue to utilize these funds for Leadership activities until the Municipal Leadership Account is exhausted. No funding under this program for this site is anticipated since the Brownfield Grant is anticipated to be paid through the Property Tax Assistance program and not the Rehabilitation Grant Program.

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#### **Development Charge Deferral Program**

Under the Development Charge Deferral Program, the owner of the property is eligible for a 50 per cent deferment of eligible items costs towards development charges (items 1 to 7, see Document 4) by entering into a Deferral Agreement with a preferred annual interest charge of the issued index interest rate with the City of Ottawa. The term of the agreement would be subject to a maximum of either two years after issuance of a building permit or three years after the approval by the Council of the BRCIP application by the developer, whichever one occurs first, at which time the payment of the Development Charge deferred amount, plus interest, would be made by the developer. This amount eligible for deferral is \$ 89,695 (subject to all terms and conditions specified in the registered legal agreement between the City and the applicant have been met).

Under the Development Charges By-Law 2014-229, Collection Procedures, Section 13 (2), the ability to enter an agreement between the City of Ottawa and the Owner is established and the City Treasurer is assigned to collect the applicable development charges.

Under the Delegated Authority By-Law 2016-369, the City Solicitor has delegated authority to enter into an agreement with the owner for a Deferral of Development Charges.

### **Economic Benefits to the Community**

The overall economic impact of the proposed residential development is estimated at over \$4.2 million in direct construction value. During the development of the site, direct and indirect economic benefits to the local economy will be experienced as a result of site remediation, the construction period through payroll, purchased material supplies, services, and equipment rentals.

Over \$6 million in new residential assessment would be added to the property tax assessment roll at full development. The developer's taxation consultant estimates that

over \$52,000 per year in increased municipal property and education taxes can be expected at the completion of the project, after the Brownfield grant ends, which would subsequently go to the City's general revenues (see Document 6).

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#### **RURAL IMPLICATIONS**

There are no rural implications associated with this report.

#### CONSULTATION

There was no public consultation for this report.

#### COMMENTS BY THE WARD COUNCILLOR

Councillor McKenney is aware of the application for this report.

#### **LEGAL IMPLICATIONS**

There are no legal impediments to approving the recommendations contained in the report.

#### **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with this report.

#### **FINANCIAL IMPLICATIONS**

The maximum grant under the 2015 Brownfield Redevelopment Community Improvement Plan Program is \$105,524. Budget authority requirements will be brought forward through the annual budget process.

Under the Development Charge Deferral Program, the owner of the property is eligible to defer payment of \$89,695, subject to an annual interest charge. At the end of the term of the agreement, the deferred Development Charges, plus interest, would be due from the developer.

#### **ACCESSIBILITY IMPACTS**

There are no accessibility implications associated with this report.

# COMITÉ DES FINANCES ET DU DÉVELOPPEMENT ÉCONOMIQUE RAPPORT 27 LE 13 SEPTEMBRE 2017

#### **ENVIRONMENTAL IMPLICATIONS**

The approval of this rehabilitation grant will assist with the redevelopment of this Brownfield property and ensure that this contaminated site is properly remediated prior to development. A Record of Site Condition will be required as per the funding agreement. Brownfield redevelopment is identified as a key strategy for promoting reinvestment in existing urban areas and for reducing the need to expand into Greenfield sites. The remediation and redevelopment of Brownfield sites assists in meeting the Environmental Strategy's goal of clean air, water and earth.

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#### **TERM OF COUNCIL PRIORITIES**

This application is directly related to the 2015-2018 Term of Council Priorities:

SE1 – Improve the client experience through established service expectations.

FS2 – Align strategic priorities to Council's financial targets

#### SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Aerial View

Document 3 Brownfield Property Tax Assistance and Rehabilitation Grant Application Requirements

Document 4 Brownfield Redevelopment Grant - Eligible Costs

Document 5 Calculating the Brownfield Grant

Document 6 Estimated Future City Property Tax Increment and Annual Municipal Grant Payable

Document 7 Payment Option Scenario

Document 8 Site Plan

#### DISPOSITION

City Clerk and Solicitor Department, Legal Services, to prepare the Brownfield Rehabilitation Grant Agreement.

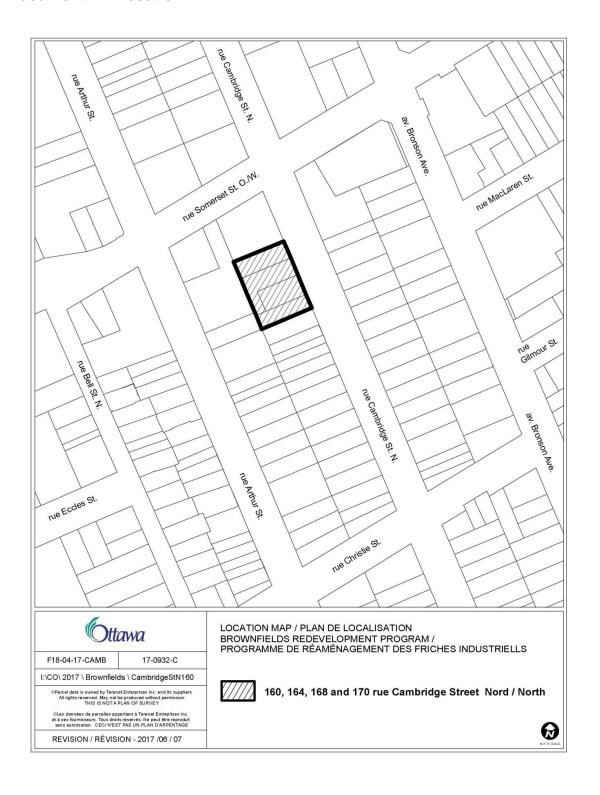
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Planning, Infrastructure and Economic Development Department and Finance Department, Revenue Branch to develop a general administrative approach to implement the Brownfield Redevelopment Financial Incentive Program and more specifically for this application.

Planning, Infrastructure and Economic Development Department to notify the applicant of Council's decision.

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#### **Document 1 - Location**



# **Document 2 – Aerial View**



160, 164, 168 and 170 Cambridge Street North

# **Document 3 – Brownfield Rehabilitation Grant Application Requirements**

A Brownfield Rehabilitation Grant Program guide was prepared as part of the administration of the Brownfield Financial Incentives Program. This program guide provides the detailed requirements to an applicant in order to file a complete application with the City for consideration of financial assistance under this grant program. The applicant is required to submit various technical documents to determine eligibility and costs eligible for the rehabilitation grant. The following documents are required:

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- All environmental studies (Phase I ESA, Phase II ESA and Remedial Action Plan);
- Detailed work plan and cost estimate prepared by a qualified person (as defined by the *Environmental Protection Act* and Ontario Regulation 153/04, as amended), for all eligible environmental remediation and risk assessment/risk management works;
- A cost estimate provided by a bona fide contractor for eligible rehabilitation/redevelopment and demolition costs;
- A set of detailed architectural/design and/or construction drawings; and
- An estimated post-project assessment value prepared by a private sector property tax consultant.

The applicant (registered owner) or agent acting on behalf of the registered owner is required to fully complete the application including all required signatures and complete the sworn declaration.

# **Document 4 - Brownfield Redevelopment Grant - Eligible Costs**

The costs eligible for a Brownfield Redevelopment Grant for 160, 164, 168 and 170 Cambridge Street North are estimated as follows:

Table 1 - Eligible Cost and Estimated Cost

	Eligible Costs	Estimate Cost
1	Environmental studies, Remedial Work Plan and Risk Assessment not covered by Environmental Site Assessment Grant Program	\$17,938.42
2	Environmental Remediation including the cost of preparing a Record of Site Condition	\$139,600.00
3	Placing clean fill and grading	\$21,852.00
4	Installing environmental and/or engineering controls/works as specified in the Remedial Work Plan and/or Risk Assessment	N/A
5	Monitoring, maintaining and operating environmental and engineering controls/works as specified in the Remedial Work Plan and/or Risk Assessment	N/A
6	Environmental Insurance Premiums	N/A
7	Leadership Program	N/A
	Sub-Total Costs eligible for 50% of DC deferral program	\$179,390.42
8	Cost of Feasibility Study	N/A
9	30% of Building Permit	\$5,412.00
10	50% Building Demolition	N/A
11	50% Building rehab	N/A
12	50% of the upgrading costs for on-site infrastructure including water services, sanitary sewers and stormwater management facilities	\$31,455.00
	Sub-total 7 to 12 - Actuals	\$37.069.00
	Items 7 to 12 maximum amount allowable based on 15% of total	\$31,657.00

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Total Costs Eligible for Property Tax Assistance and	\$211,048.42
Rehabilitation Grant	

# **Document 5 – Calculating the Brownfield Redevelopment Grant**

The Ottawa Brownfield Community Improvement Plan (CIP) specifies that the total of all grants shall not exceed 50 per cent of the cost of rehabilitating said lands and buildings (with the provision that eligible items 7 to 12 cannot exceed 15 per cent of the total eligible items being submitted for grant)\*

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Table 2 – Total eligible costs

1	Total eligible Costs- from Document 4	\$211,048.42
2	Total capping at 50 per cent of line 1	\$105,524.00
3	Total of Redevelopment Grant Payable	\$105,524.00

<sup>\*</sup> The land is not located within a priority area. This location is therefore eligible for the Rehabilitation Grant equivalent to 85 per cent of the municipal property tax increase that results from the redevelopment, payable annually for up to five years per phase of development, or until the time when the total grant payments equal the total eligible costs whichever comes first.

The total Brownfield grant payable is \$105,524 (line 3 above).

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# Document 6 – Estimated Future City Property Tax Increment and Annual Municipal Grant Payable

# **Pre-Project Property Tax Rates and Property Taxes**

Current (2016 tax year) Value Assessment on the property at 160, 164, 168 and 170 Cambridge Street North is \$240,000, classified in the residential vacant land tax class. Current (2017 tax year) property taxes are approximately \$12,162 broken down as follows:

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Table 3 – Current (2017 tax year) Property Taxes

Municipal Property Tax portion	\$10,345
Education Property Tax portion	\$1,817
Total Pre-Project Property Taxes	\$12,162

Based on a post-project assessment valuation prepared by Altus Group Tax Consulting Paralegal Professional Corporation, as submitted as part of the application, it is estimated that once the entire project is complete, the proposed development could have a post-project assessment value of \$6,805,000 (based on an effective valuation date of December 6, 2017). The estimated taxes (Municipal and Education) to be generated from full build-out is \$64,111 (2019 tax year for complete development constructed), see Table 4.

Table 4 - Estimated Annual Post-Project Municipal\Education Property Taxes (2021)

Tax Class	Estimated	Estimated	Estimated	Estimated		
	assessment	Municipal Tax	Education Tax	Total Tax		
	(2016)	(2021)	(2021)	(2019)		
Commercial and	\$6,805,000	\$52,837	\$11,274	\$64,111		
Residential						

# **Document 7 – Payment Option Scenario**

Table 1

ear	Base Tax		Proposed Tax		Increment		Eligable Amount		Applied Amount		Cummulative Grant Amt		BRADMIN 15%		
1	\$	10,345	S	52,837	S	42,492	\$	42,492		42,492		42,492		10-0	Property Tax Assistance
1 2	S	10,345		52,837		42,492	\$	42,492		42,492		84,984	S	-	Property Tax Assistanc
	\$	10,345		52,837		42,492	\$	42,492		20,540	\$	105,524	\$	7926	Property Tax Assistance
3 4 5 6 7 8	\$	10,345	\$	52,837	\$	42,492	\$	21,246	\$	17/	\$	105,524	\$	U50	Rehabilitation Grant
5	\$	10,345	\$	52,837	\$	42,492	\$	21,246	\$	124	\$	105,524	\$	U.53	Rehabilitation Grant
6	\$	10,345	\$	52,837	\$	42,492	\$	21,246	\$	378	\$	105,524	\$	15. <del>-</del> 51	Rehabilitation Grant
7	\$	10,345	\$	52,837	\$	42,492	\$	21,246	\$	(-0)	\$	105,524	\$		Rehabilitation Grant
8	\$	10,345	\$	52,837	\$	42,492	\$	21,246	\$	(4)	\$	105,524	\$	-	Rehabilitation Grant
							\$	233,706	\$	105,524			\$	121	
		Form	Existing			osed	1 1								
	Municipal Education				52,837	Property Tax As Rehabilitation G				\$					
			ducation \$ 1,817	\$ 11,274											

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It is important to note that the tax increment is only an estimate and provides guidance on the order of magnitude of the possible payment under the assumption that the project would be completed, reassessed and taxes levied and paid in this period. The tax rates and all of the assessment valuation parameters are held constant for illustration purposes. In practice the assessed value would likely increase reflecting increasing property values. As well, there would likely be some increase in the annual municipal levy during the projection period.

The administration of the rehabilitation grant program would require that any grants to be paid be based on actual Municipal Property Assessment Corporation (MPAC) property assessment (including any resolution of appeals) of improved properties. The prevailing tax rate would be applied and only after taxes are paid in full for one year and only when the City is satisfied that all terms and conditions have been met as specified in the legal agreement between the City and the applicant would a tax rebate be issued. This rebate would be capped at 50 per cent of the municipal share of the increase in property taxes over the pre-project municipal property taxes paid.

In the administration of this grant each row would be calculated every year based on the new assessment, tax rate, taxes paid and actual municipal tax increment to establish the actual grant payment.

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#### Document 8 - Site Plan

