
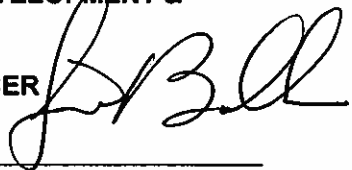
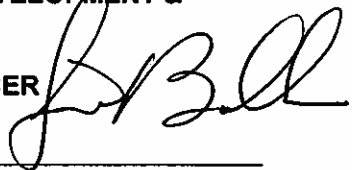

TO: GENERAL COMMITTEE

SUBJECT: BROWNFIELDS OFFICIAL PLAN POLICY

PREPARED BY AND KEY CONTACT: C. TERRY, SENIOR PLANNER
EXTENSION #4430

SUBMITTED BY: S. NAYLOR, MES, M.C.I.P., R.P.P., DIRECTOR OF PLANNING 

GENERAL MANAGER APPROVAL: R. FORWARD, MBA, M.Sc., P. ENG.
GENERAL MANAGER OF INFRASTRUCTURE, DEVELOPMENT & CULTURE 

CHIEF ADMINISTRATIVE OFFICER APPROVAL: JON M. BABULIC, CHIEF ADMINISTRATIVE OFFICER 

RECOMMENDED MOTION

1. That an Open House and Public Meeting be held to introduce Official Plan policies for Brownfields that encourage redevelopment and provide an opportunity for increased market exposure for sites that participate on a voluntary basis. (Appendix "A").
2. That staff investigate the opportunity for Community Improvement Plan Financial Incentives for the clean-up and redevelopment of Brownfields in the City through the Downtown: The Next Wave and Allandale Centre Community Improvement Plans.
3. That staff be directed to initiate improvements to the development application process that enhance the early identification of Brownfield sites and provides a framework for the effective processing of Brownfield redevelopment opportunities.

PURPOSE & BACKGROUND

4. The purpose of this report is to recommend that a public consultation process be initiated to introduce more detailed Brownfield policies into the City's Official Plan and investigate the opportunity for the City to provide Financial Incentives for the clean-up and redevelopment of Brownfields in the Downtown. It is the intent of these policies to promote the proactive treatment of Brownfields through owner and community awareness and to provide direction that encourages the redevelopment of Brownfield sites.

Provincial Policy Statement (2005)

5. The Provincial Policy Statement defines Brownfields as:

"undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant."
6. It is important to emphasise that there is a wide range of properties that qualify as a Brownfield in accordance with the provincial definition. The perception of a Brownfield as being a contaminated property is not entirely accurate rather it is an aspect of development review that should be investigated in more detail through the Planning process.

7. Provincial Policy Statement (2005) Policy

1.1.3.3 Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, **including Brownfields sites**, and the ability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Places to Grow (2005)

8. The City of Barrie Urban Growth Centre needs opportunities for the development community to foster the growth necessary to meet our intensification goals as set out in the Growth Plan. Through the implementation of Official Plan policy and development application improvements for Brownfields, it is expected that the process will be more candid and proactively discussed as part of any redevelopment project that meets the criteria of a Brownfield site.

City of Barrie Official Plan (April 2010)

9. The title for the Brownfield policy section was changed to Contaminated Sites through the review process of the new Official Plan, as approved by the Ministry of Municipal Affairs and Housing in April 2010. It was determined that the Brownfield policies in Official Plan (2006) did not represent the goals and opportunities for the redevelopment of Brownfield, but rather the requirements that an identified contaminated site must meet through the development process.

3.8.1.1.1 CONTAMINATED SITES

- a) Where a change in land use is proposed and either the previous or current use has the potential to have caused environmental contamination (i.e. industrial to residential), the site shall be decommissioned and/or cleaned up by the owner/applicant to the satisfaction of the City and the Ministry of the Environment.
- b) A Record of Site Condition and Certificate of Property Use in accordance with the Environmental Protection Act shall be prepared for contaminated sites and filed for public access with the Environmental Site Registry.

ANALYSIS

10. A working group was formed by Planning with internal departments including; Engineering, Building, Environmental Operations, Real Estate and Legal to discuss Brownfields policy and site development. The focus was to evaluate processes and requirements used by Planning and other departments for identifying Brownfield sites, the analysis of site specific applications, and development regulations. It was determined that there is not a process for Brownfields identification or development.
11. Brownfield sites are often strategically located in the core areas of cities, with access to existing infrastructure and services, and in close proximity to water and other transportation networks. Left abandoned or vacant, Brownfield sites can represent lost property tax revenue, residential intensification and employment opportunities. Unfortunately the redevelopment of a Brownfield can be a challenge to the developer due to the legal, financial and environmental obstacles involved.
12. Through the implementation of Official Plan policy, the goal of Planning staff is to develop and promote the coordination of departments through Brownfield policy and a new proactive development process for Brownfield redevelopment. As key properties are developed, it is anticipated that the influence of this development will affect the surrounding properties and

community as whole, therefore promoting intensification and desirable living and employment opportunities.

Community Improvement Plans - Financial Incentives

13. Part IV of the *Planning Act* outlines the municipal permissions for Community Improvement, including the preparation of Community Improvement Plans. To aid in the implementation of Community Improvement Plans, grants or loans for "eligible costs" can be offered to land owners, including awarding financial incentives for the completion of environmental site assessment and environmental remediation.
14. A number of Ontario municipalities have included Brownfields redevelopment opportunities in their Community Improvement Plans or have created a specific Brownfields Plan for the municipality, including Financial Incentives for the redevelopment of Brownfields sites. In an effort to further encourage the redevelopment of Brownfields in the City of Barrie, staff have proposed investigating the opportunity for adding Financial Incentives for Brownfields to our existing Community Improvement Plans, Downtown: The Next Wave and Allandale Centre. The Plans focus on the Downtown where intensification and infill development are an integral part of achieving our Growth Plan objectives.

Brownfields Inventory

15. The creation of an inventory of Brownfield sites is being considered as a future step in this process; however there remains a question of liability for the City as there could be a significant impact on property owners and the surrounding community if a property is categorized as a Brownfield. A Brownfield is perceived by many as an indication that the property has existing contamination. As noted previously, this is not necessarily the case, and the value of a property as well as the surrounding lands could decrease as a result.
16. Other municipalities (Oshawa, Kingston, Hamilton, Cambridge, Kitchener and Niagara) have been surveyed to determine if and how an inventory was developed to implement their Brownfield policies. The liability issue has been a deterrent for creating an inventory in the surveyed municipalities with the exception of Hamilton, which started an inventory but has stopped collecting and updating the information due to the potential liability placed on the City.
17. However, there are investment companies that specialize in the clean-up and development of contaminated properties. One of the proposed Official Plan policies is to encourage property owners to participate in a voluntary registry so that a listing of investment opportunities could be provided to developers that have a specific interest in the redevelopment of Brownfields.

Next Steps

18. Investigate an expansion to the Financial Incentives Program for Downtown: The Next Wave and Allandale Centre Community Improvement Plans to include grant or loan opportunities for the clean-up and redevelopment of Brownfields sites in the existing CIP areas.
19. Through the implementation of new Official Plan policy, promote the redevelopment of Brownfields sites and the coordination of City departments using an enhanced development application process that aids in the early identification of Brownfields and specialized design alternatives on a site specific basis.
20. Encourage property owners to add their Brownfield property to a voluntary registry to be kept by the City for inventory purposes. This inventory can then be provided to interested land developers that are looking for properties with the challenge of contamination, as well as being utilized for the City's own investigations for infill opportunities.

ENVIRONMENTAL MATTERS

21. The following environmental matters have been considered in the development of the recommendation:
- a) To protect community health through the investigation and treatment of contaminated properties
 - b) Actively advocate the clean-up of potentially contaminated sites along the waterfront and in the downtown

ALTERNATIVES

22. There is one alternative available for consideration by General Committee:

Alternative #1 General Committee could maintain the existing policy and with respect to contaminated sites. (i.e. Status Quo)

This alternative is not recommended as it is not a proactive approach to redeveloping potential Brownfields in the City, particularly in the Urban Growth Centre where intensified development is encouraged to locate.

FINANCIAL

23. There are no immediate financial implications for the Corporation resulting from the proposed recommendations.

LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN

24. The recommendations included in this Staff Report support the following goals identified in the 2010-2014 City Council Strategic Plan:
- ☒ Manage Growth and Protect the Environment
 - ☒ Create a Vibrant and Healthy City Centre
 - ☒ Improve and Expand Community Involvement and City Interactions
25. It is the intent of the proposed policies to provide basic direction for the consideration of Brownfield development opportunities and initiate candid discussion about how the City can improve our development process to identify and process these more complex applications. It is important to garner proactive public support from both citizens and the development community for the redevelopment of Brownfield sites in the City.

Attachments:

Appendix A – Proposed Official Plan Policies

APPENDIX "A"

Proposed Official Plan Policies

3.8 BROWNFIELDS

3.8.1 GOALS

- (a) To protect community health and advocate environmental sustainability through the clean-up of contaminated sites.
- (b) To encourage urban revitalization by developing vacant, underutilized and degraded properties.

3.8.2 POLICIES

3.8.2.1 DEFINITION

Brownfields are undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

3.8.2.2 GENERAL POLICIES

- (a) The City shall encourage the clean-up of both public and private Brownfields to:
 - i. Protect the general health of the community;
 - ii. Mitigate potential impacts of Brownfields on environmental features;
 - iii. Promote intensification and infill in areas that have access to existing municipal infrastructure, social and recreational activities;
 - iv. Revitalize properties to create pride and enjoyment in core neighborhoods.
- (b) The City shall facilitate the redevelopment of Brownfield sites through effective project management that is focused on the coordination of reports, studies and the detailed actions required for the success of a Brownfields project.
- (c) The City shall initiate a voluntary registry of Brownfields sites to promote the redevelopment of properties that are potentially contaminated and/or require remediation for documented contamination.

3.8.2.3 CONTAMINATED SITES

- (a) Where a change in land use is proposed and either the previous or current use has the potential to have caused environmental contamination (i.e. industrial to residential), a site risk assessment and/or remediation shall be conducted by the owner to the satisfaction of the City and the Ministry of the Environment.
- (b) A Record of Site Condition and Certificate of Property Use in accordance with the Environmental Protection Act shall be prepared for contaminated sites and filed for public access with the Environmental Site Registry.