

CITY OF HAMILTON

ERASE Study Grant Program (SGP)

Since 2006 the City of Hamilton has received 21 applications. 5 have become Redevelopment Applications and it is anticipated another 5-10 will. This is one of the objectives of the program. We are using the studies received through this program to justify the redevelopment application (approximately total 54 reports) to populate the Actual or Documented Contaminants layer of the Historical Land Use Study (HLUS) database. It is anticipated that the HLUS will assist in brownfield redevelopment strategies (assess distribution of potentially impacted properties and form the basis for incentive programs for clean-up), assist planning with development approvals, redevelopment opportunities and identify priority investigation areas and assist public works with offsite migration issues, etc.

Purpose

There is very little information on the existence, type, and extent of contamination, as well as the estimated cost of site remediation for brownfield properties in the Project Area. This lack of information is one of the key stumbling blocks in the redevelopment of brownfield properties because it inhibits interest in the redevelopment of these properties, as both property owners and purchasers are often reluctant to undertake and fund environmental studies.

The purpose of this program is to promote the undertaking of environmental studies so that more and better information is available with respect to the type of contamination and potential remediation costs on brownfield properties. As Phase I ESA's have become a standard requirement of most financial institutions and do not provide detailed information with respect to the type of contamination and cost of remediation, Phase I ESA's are not eligible for funding under this program.

Program Description

The SGP will provide a financial incentive in the form of a matching grant equal to 50% of the cost of a Phase II ESA, risk assessment or remedial work plan (excluding G.S.T), to a maximum of:

- a) \$15,000 per study;
- b) Two studies per property/project;
- c) \$20,000 per property/project;

The SGP will commence on or after the date of approval of this CIP, and will continue for a period of approximately five (5) years from the date of approval of this CIP by the Minister of Municipal Affairs and Housing, subject to the availability of funding as approved by Council.

The SGP is an application based program. Review and evaluation of the application and supporting materials against program eligibility requirements will be done by City staff and a decision on the grant application will be made by City staff. Applications will be

processed and approved on a first come, first serve basis, subject to a higher priority being placed on SGP applications where planning applications have already been approved or submitted, and applications that are in key strategic locations and/or in areas of greatest need, as may be identified by the City from time to time.

The grant will be paid on the lesser of a cost estimate provided by the qualified person conducting the study or the actual cost of the study. Property owners may assign the grant to non-owners, otherwise known as assignees. For example, some property owners may wish to enable prospective purchasers to be eligible for a study grant. Assignees are eligible to apply for this grant, subject to providing the municipality with written consent from the owner to conduct the study and provided that the property owner has assigned the grant to their assignee.

Grants approved under this program would be provided to property owners or their assignees following submission of the final completed study with the original invoice, indicating that the study consultants have been paid in full. One hard copy and one electronic copy of the environmental study will be provided to the City for its inspection, review and retention. The applicant will agree to provide the City with permission to notify any other subsequent project proponents of the existence of an environmental study or studies, but said study or studies will not be released by the City.

The City reserves the right to audit the cost of the study. The grant may be reduced or cancelled if the study is not completed, not completed as approved, or if the environmental consultant(s) that conducted the study are not paid. Notwithstanding any representation by or on behalf of the City, or any statement contained in the program, no right to any grant arises until it has been duly authorized by the City. The City is not responsible for any costs incurred by the Owner/Applicant in any way relating to the program, including without limitation, costs incurred in anticipation of a grant. The City may discontinue this program at any time, but applicants with approved grants will still receive a grant subject to meeting the program eligibility requirements.

Eligibility Requirements

All owners and their assignees within the ERASE Community Improvement Project Area are eligible to apply for funding under this program, subject to meeting the general program requirements in Section 8.0, the following eligibility requirements and subject to the availability of funding as approved by City Council:

- a) An application for the SGP must be submitted to the City prior to the start of any environmental study to which the grant will apply;
- b) Assignees are eligible to apply for the SGP only if they can provide written consent to conduct the study from the owner of the property;
- c) Environmental studies shall be for the purpose of:
 - i) confirming and describing contamination at the site (partial or complete Phase II ESA); and,
 - ii) developing a plan to remove, treat, or otherwise manage contamination found on the site (Remedial Work Plan or Risk Assessment);
- d) Applicants must submit to the City a Phase I ESA that demonstrates that site contamination is likely;

- e) Applications will include:
 - i) a brief proposal for the environmental study;
 - ii) a detailed study work plan;
 - iii) a cost estimate for the study; and,
 - iv) a description of the planned redevelopment, including any planning applications that have been submitted/approved;
- f) All environmental studies shall be completed by a “qualified person” as defined by the *Environmental Protection Act* and its regulations;
- g) All completed environmental studies must comply with the description of the studies as provided in the grant application form;
- h) One (1) electronic and one (1) hard copy of the study findings shall be submitted to the City;
- i) A maximum of two (2) study grants will be awarded for any property, to a maximum of \$15,000 (excluding G.S.T) per study and \$20,000 (excluding G.S.T) per property/project;
- j) The City reserves the right to audit the costs of studies prior to advancing the grant payment;
- k) The total value of any grant(s) provided under this program will be deducted from eligible program costs for the ERASE RGP, if applicable.