

June 8th, 2022

Niagara Region
1815 Sir Isaac Brock Way
Thorold, ON
L2V 4T7

ATTN: - Ann-Marie Norio, Regional Clerk. Niagara Region

RE: - Artisan Ridge, Thorold
- June 15th Corporate Services Committee Meeting (CSC-C 10-2022)
- Proposed Changes to RDC Brownfield Reduction Program

LANDx Developments Ltd. has prepared the following letter on behalf of our clients Downing Street (Artisan Ridge) Inc., owners and developers of the Artisan Ridge Community located at 1522 Beaverdams Road / 161 Queen Street South in the City of Thorold.

Artisan Ridge, a 55.31-acre brownfield, was formerly occupied by the abrasive manufacturer Exolon, which operated production facilities on the property for almost 90 years. Since commencement of remediation efforts back in 2006, over 400,000 tonnes of contaminated material has been remediated and approximately 33.90 acres of land have received a Record of Site Condition. Upon completion, the community will result in 659 new dwelling units (Attachment 1).

In 2018, Ownership applied to Niagara Regional staff under the Regional Development Charges Brownfield Reduction Program ("BDCRP"). To support the application, Regional staff required a third-party audit of project financials to substantiate eligible remediation costs incurred to date by the applicant. On November 8th, 2018, Niagara Regional staff advised that the application had been approved with **\$27,869,477** in confirmed eligible costs (Attachment 2).

Through review of both the 2022 Niagara Development Charges Background Study and 2022 Draft Development Charges By-Law, it has been identified that the BDCRP will be discontinued. In an effort to recognize the constraints associated with the timeline for removing this incentive, staff have provided pre-payment agreements which will allow applicants to secure their eligibility for the BDCRP, subject to a number of criteria. Such criteria includes obtaining a Record of Site Condition and executed building permit prior to the end of December 2022 (Attachment 3). Both the proposed changes to the by-law and the brownfield prepayment agreement criteria have been recommended for approval by the Regional Development Charges Policy Task Force and corresponding motions are being considered by the Corporate Services Committee on June 15th, 2022.

Phase 3 of Artisan Ridge will not be able to meet the terms of the pre-payment agreement and as such its eligibility for the BDCRC incentive is currently set to expire in August of this year. The remediation of brownfield properties of this scale is a very long

and arduous process that does not align with the short timelines established by the current pre-payment agreements.

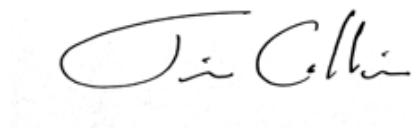
The removal of the BDCRP will have significant implications on the financial viability of the ongoing development of Artisan Ridge. We formally request that either:

- 1. The Draft 2022 Niagara Region Development Charge Bylaw be revised to accommodate a grandfathering provision which will maintain the BDCRP for select projects, such as Artisan Ridge; OR**
- 2. The terms and conditions of pre-payment agreements be revised and tailored on a case-by-case basis for eligible brownfield developments.**

Such a revision will ensure that the development of Artisan Ridge remains eligible for this critical brownfield incentive. Please contact our office if you have any questions.

Please contact our office if you have any questions.

Prepared by,

A handwritten signature in black ink, appearing to read "Tim Collins", is positioned above a faint, light-colored rectangular stamp.

Tim Collins
President
LANDx Developments Ltd.

CC: Mr. Terry Ugolini. Mayor, City of Thorold.
Mr. Tim Whalen. Niagara Regional Councillor, City of Thorold



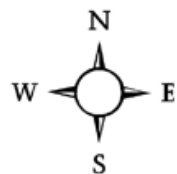
Artisan Ridge, Thorold

Niagara Corporate Services Committee Meeting (Wednesday June 15th, 2022)

Attachment 1



Subject Lands



Artisan Ridge Community

CSC-C 13-2022

Phase 1

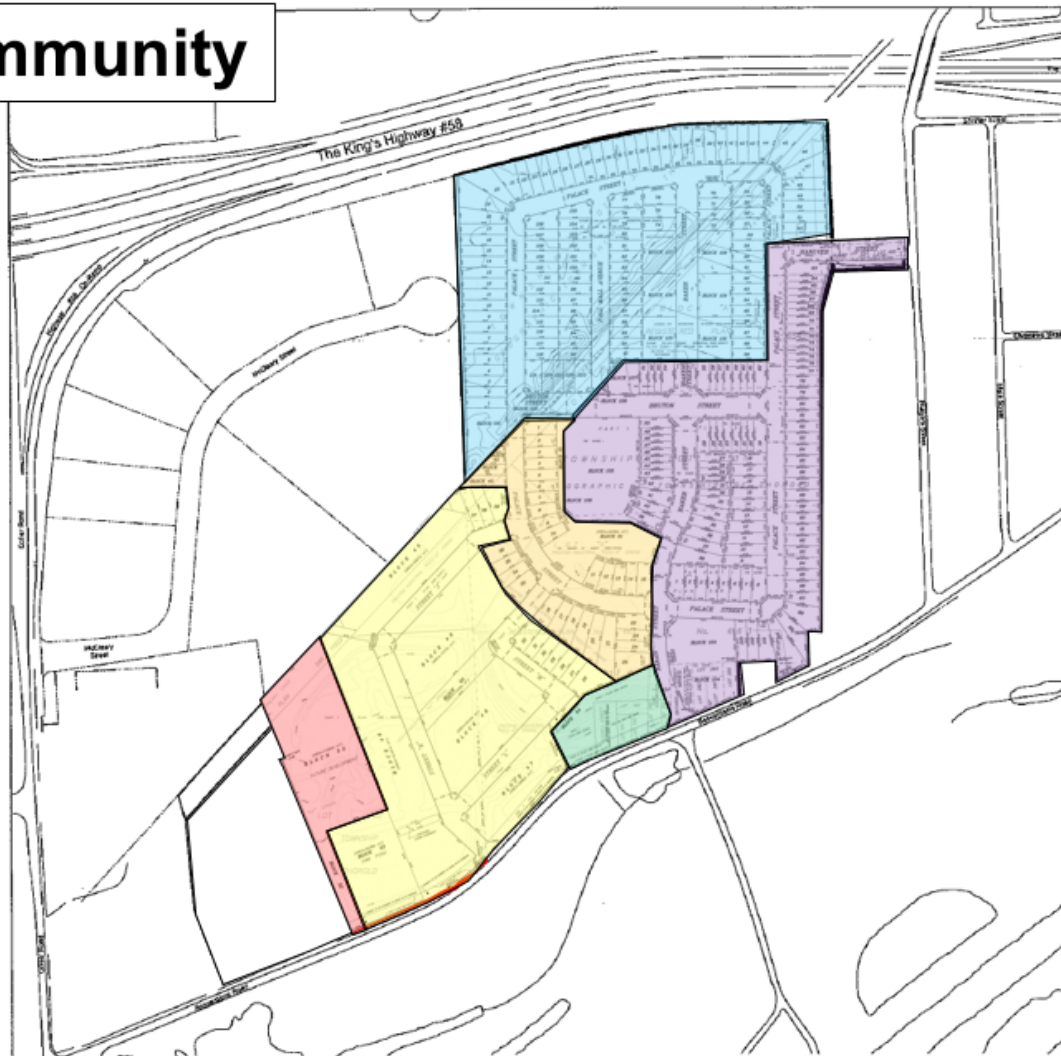
Phase 2

Phase 3(A)

Phase 3(B)

Non-Profit Apt

Future Industrial Lands





Artisan Ridge, Thorold

Niagara Corporate Services Committee Meeting (Wednesday June 15th, 2022)

Attachment 2

Via Regular Mail & Email

November 8th, 2018

LandX Developments Limited
c/o Tim Collins
293-1235 Fairview Street
Burlington, ON L7S 2K9

Dear Mr. Collins,

Re: Regional Development Charges Brownfield Reduction Program – (1522 Beaverdams Road/181 Queen St S, Thorold)

Niagara Region has reviewed the application submitted under the Regional Development Charges Brownfield Reduction Program for the project located at 1522 Beaverdams Road/181 Queen St S, Thorold. The Region would like to inform you that your application has been approved with total eligible costs of \$27,869,477. The total amount of the reduction available under this Niagara Region program has been reduced as a result of previous brownfield related funding from the City of Thorold, (as per Schedule D, paragraph (f) of Regional Bylaw 2017-98).

The Regional Development Charges owing at time of building permit issuance will be reduced pursuant to schedule D. In order to remain eligible for the reduction, the building permit must be issued before the expiry of the Region's current development charge bylaw on August 31, 2022.

Niagara Region would also like to inform you that the approval for funding under the Regional Brownfield Development Charges Reduction Program will result in reductions to future grant program amounts for this property (including tax increment grant) as per schedule "D" paragraph (f) of Regional By-Law No. 2017-98

In order to close this file, the Region requests that evidence is provided to demonstrate project completion once available. Evidence can be in the form of photographs of completed project.

Should you have any questions please don't hesitate to contact:

Rob Fleming
Senior Tax & Revenue Analyst
Financial Management and Planning
Email: robert.fleming@niagararegion.ca



Artisan Ridge, Thorold

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Attachment 3

In order to allow developments that are currently in progress and not able to draw building permits by August 31, 2022 to secure the existing DC Brownfield Reduction Program developments have the option to enter into a prepayment agreement to secure the current provisions. In order to be eligible to enter into a prepayment agreement with the Niagara Region the development must submit the below criteria # 1-5 by **June 30, 2022** and have their Record of Site Condition submitted to the Province and building permits executed by **December 31, 2022**. Subject to criteria 1-5 being acknowledges as received by the Region an agreement must be executed and prepayment must occur by **August 31, 2022**.

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Criteria #	Criteria
1	Proof that Owner is the registered and beneficial owner of the Property
2	A completed Phase 2 Environmental Site Assessment ("ESA") for the Property
3	Proof that Owner has commenced the mandatory remediation measures identified in the ESA and proof including a cost estimate that the Owner has retained qualified contractors to perform the mandatory remediation measures to remediate identified contaminants at the Property

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Corporate Services

Financial Management & Planning

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www.niagararegion.ca

4	A description of the proposed development including types of units proposed and total number of each unit type
5	Estimate of DC Charges payable with respect of the proposed development
6	Subject to the above (ie. Criteria 1-5) being submitted by June 30, 2022 an agreement executed by August 31, 2022 and prepayment of net DC payable based on proof of remediation cost estimate
7	a) By December 1, 2022 reconciliation and proof of actual remediation costs incurred to December 31, 2022 b) By December 31, 2022 proof that the owner has submitted Record of Site Condition to the Province.
8	Agreements will expire if a building permit is not executed by December 31, 2022 and all DCs will be payable based on the DCs in effect on the date of first building permit issued.

In order to receive a reduction in Regional Development Charges under the Brownfield Reduction program as outlined in By-law NO 2017-98 all prepayment criteria must be achieved.