

**COMMITTEE OF THE WHOLE COUNCIL MEETING
October 12, 2021**

The meeting was called to order by the Chair at 7:07 p.m., in the Multi-purpose Room, in the Administrative Centre, in Barrington, N.S., with the following members present:

- Lindsay (Eddie) Nickerson, Chair
- Jody Crook
- Shaun Hatfield
- Andrea Mood-Nickerson
- George El-Jakl – Absent due to work commitments

- Chris Frotten, CAO
- Lesa Rossetti, Municipal Clerk

ADDITIONS TO THE AGENDA

The following items were added to the agenda:

- Student Sponsorship Program
- Invitation to Department of Transportation and Active Transit

APPROVAL OF AGENDA

Being duly moved and seconded that the agenda be approved as amended.

Motion carried unanimously.

APPROVAL OF MINUTES

Being duly moved and seconded that minutes of the Committee of the Whole Council Meeting held September 20, 2021, be approved as circulated.

Motion carried unanimously

MATTERS ARISING FROM THE MINUTES

Draft Virtual Meetings and Attendance Policy

The originally drafted Virtual Meetings and Attendance Policy was presented to members in August and after making a few changes, again in September, 2021 at which time members asked that it be brought back in October in order to give them time to consider the suggested policy.

Additional changes to the policy were discussed.

Resolution COW211001

Being duly moved and seconded that the draft Virtual Meetings and Attendance Policy be amended to allow members to attend up to two committee of the whole council meetings and two council meetings per fiscal year and the policy be returned to the committee for further consideration.

Motion carried unanimously.

GRANT REQUEST – WOODS HARBOUR BALLFIELD SOCIETY

In advance to the meeting, members were provided with a grant application received from the Woods Harbour Ballfield Society.

Resolution COW211002

Being duly moved and seconded that it be recommended to Council that the Woods Harbour Ballfield Society be provided with a grant in the amount of \$500.00.

Motion carried unanimously.

PROPERTY DEVELOPMENT FOR MUNICIPALITY

A Staff Report was prepared and circulated to members in advance to the meeting relating to the development of municipal property. A copy of the report is attached and forms part of the minutes.

During discussion of the report it was suggested that the former Knowles property be removed from the proposal and developed separately. It was the feeling of members that the need for housing in our area was a high priority. It was suggested that the property in front of the former Knowles property be developed to include a road, sewer line and power poles to the former CNR Right-of-Way. The former Knowles property would be left vacant to be developed by contractors determined by RFP. The RFP would identify the type of housing development desired.

It was agreed that the CAO prepare an RFP for the development of the former Knowles property for consideration by the committee.

The Staff Report contained three other municipal properties and it was the recommendation of the CAO that Council proceed to properly create a development vision using the three options outlined in his report. The development of these properties will be further discussed at a future meeting of the committee.

RECREATION ADVISORY COMMITTEE APPOINTMENTS

Current appointments to the Recreation Advisory Committee expire the end of October, 2021.

Vacancies have been advertised in the Vanguard Newspaper and on social media. Expressions of interest to continue to serve on the committee have been received from the following:

Page 3, Committee of the Whole Council Meeting, October 12, 2021.

- Nicole Nickerson – District 2
- Charla Strang – District 3
- Jonathan Langille – District 4

Resolution COW211003

Being duly moved and seconded that it be recommended to Council that Nicole Nickerson – District 2, Charla Strang - District 3 and Jonathan Langille – District 4 be appointed to serve on the Recreation Advisory Committee for another two year term commencing November 1, 2021.

Motion carried unanimously.

Vacancies still exist in Districts 1 and 5 and for the Town of Clarks Harbour.

FORMATION OF COMMITTEE RE: MEDICAL CLINIC

Discussion took place regarding the development of a committee or advisory group with a membership of skilled people to help the municipality move forward with the development of a medical clinic.

After some discussion the following motion was brought forward:

Resolution COW211004

Being duly moved and seconded that it be recommended to Council that the construction of a Medical Clinic be identified as a priority of the Municipality and budgeting for such a facility commence in 2022 and it be included in our Strategic Plan.

Motion carried unanimously.

REMEMBRANCE DAY CEREMONIES

Remembrance Day Ceremonies have not yet been finalized. It was therefore agreed that the matter be moved to the next committee agenda.

SET MEETING DATES FOR DECEMBER, 2021

Due to the Christmas season it is recommended that the regular dates of Council and Committee meetings be changed for the month of December, 2021.

Resolution COW211005

Being duly moved and seconded that it be recommended to Council that a Committee of the Whole Council meeting be held on December 6th and a Council meeting be held on December 13th.

Motion carried unanimously.

STUDENT SPONSORSHIP

Correspondence has been received from the Shelburne County Student Sponsorship Committee thanking Council for their contribution to the Student Sponsorship Program which will expire this year. The Committee is asking the Municipality to consider contributing to this program once again. They are suggesting \$1,500.00 per year for the next 5 year period commencing January, 2022.

Resolution COW211006

Being duly moved and seconded that it be recommended to Council that the Municipality participate in the Shelburne County Student Sponsorship Program by contributing \$1,500.00 per year for the next 5 years commencing in January, 2022.

Motion carried unanimously.

INVITATION TO DEPARTMENT OF TRANSPORTATION AND ACTIVE TRANSIT

It was agreed that Pamela Mehlman-Shand, Area Manager and Kirk Reede, Maintenance Supervisor of the Department of Transportation and Active Transit be invited to meet with members to discuss transportation matters.

ADJOURNMENT

The meeting was adjourned at 9:00 p.m.

Chair

Secretary for the Meeting



STAFF REPORT

SUBMITTED BY: Chris Frotten

DATE: July 21, 2021

SUBJECT: Development of Municipally Owned Land

ORIGIN

One of the Municipality's key strategic area is *Economic Growth*. One of the strategic objectives within that area is the development of additional business/commercial property to attract and retain commercial enterprises, increase opportunities for local expansion and possibly attract future short-term accommodations (i.e. hotel).

The Municipality owns a number of high-value vacant properties that could be suitable for a number of types of development. This report is intended to provide an overview of possible courses of action on determining the best process/use for these properties.

BACKGROUND

The Municipality owns a 21-acre property (PID# 80051063) which is accessible from Highway 3 through another municipal property (PID# 82569138), a 440-hectare property (PID# 82550179) accessible from Highway 103 and a 39-acre property (PID# 82552571) and a 46-acre property (PID# 82552563) along Highway 103 and accessible from Oak Park Road. A map of each property can be found below in the attachments.

Municipalities have a key role to play in land use planning. We are fundamentally responsible for making decisions on existing and future land use and development. Through careful planning, we can manage our growth and development while addressing important social, economic and environmental concerns. More specifically, a proper planning process balances the interests of individual property owners with the wider needs and objectives of our community, and can have a significant effect on a community's quality of life.

Finally, good planning contributes significantly to long-term, orderly growth and efficient use of services. On a day-to-day basis, it is sometimes difficult to see how individual planning decisions can have such impact. Making decisions on planning issues is challenging and, for these reasons, it is important to understand the planning system and process.

DISCUSSION

When most people think about what can be done with vacant land, they have a surprisingly small imagination. Many people struggle to see the practical applications and benefits of raw land, but with a little bit of creative thinking, there is a vast world of opportunity.

There is no surprise that vacant land is extremely valuable, especially in our current market and when in close proximity to a main road network. It is for that reason that it is very important to ensure that any decision to sell or develop municipally owned land takes into consideration all of the inherent factors.

There are three main options on how to properly plan for future sale or development of municipal land.

Option 1 – Municipal Development

The Municipality could choose to develop its own property for municipal purposes. Examples of this would be for the construction of a recreational facility such as an arena or library.

This option would be the simplest and quickest as the Municipality would have sole discretion on the speed and

Option 2 – Request for Proposals

A Request for Proposal (RFP) is the process of documentation and solicitation that communicates an organization's need or availability for a certain opportunity and invites various vendors to submit proposals in consideration for the opportunity.

The Municipality could seek development proposals through a formal RFP process, to provide an opportunity for developers to purchase and develop the properties under certain terms and conditions. The process would outline any questions, timelines, instructions and responsibilities of both the Municipality and the bidder, and all proposals would be evaluated with a development vision in mind.

This process would take longer than option 1 but could attract interesting opportunities that would have been unknown otherwise. That said, although the Municipality would not have to accept any of the proposals, there would be an expectation that the Municipality would choose one. It would therefore be important for the Municipality to ensure this was the best option before using municipal resources to prepare and implement the process and asking developers to submit.

An example of this option can be found below in the attachments.

Option 3 – Land Development Plan / Strategic Action Plan

A land development plan / strategic action plan aids in the role of economic development by selecting vacant properties, also known as brownfield properties, within or near a town or municipality with the goal of creating both an interim and long-term strategy for remediation (where required) and infill redevelopment. In some cases, these plans do not identify every vacant, underutilized, and/or brownfield site; rather, it focuses on the redevelopment of key sites than can act as a catalyst for future redevelopment within or near the downtown. Bringing brownfield properties back into productive use

creates business opportunities, increases economic activity, manages environmental risk, improves public health, and revitalizes surrounding neighbourhoods and the downtown.

This option would take the longest, but the end result would be well thought out and would provide a clear indication to all stakeholders of our intentions of certain municipal properties.

BUDGET IMPLICATIONS

Options 1 and 2 would have minimal budget implications and the majority of the work would be completed internally. Option 3 would require the biggest financial commitment as we would have to engage an external planner to help us develop the plan. There are no funds dedicated specifically to this in our current budget. No cost estimates are available at this time but if this were the preferred option, more information would be provided during deliberations of next fiscal year's budget.

LEGAL IMPLICATIONS

N/A

PUBLIC CONSULTATION/COMMUNICATIONS

N/A

RECOMMENDATION

The conversation of vacant land is not new to the Municipality but now is the time to act. In deciding how to move forward, we must take a few influences into consideration. First, there is no doubt that we must strategically reserve some lots and invest in acquisition in order to achieve larger ecological, economic, and social benefits; large-scale impacts on housing, flood protection, and public health are often only possible with larger parcels of land. Second, to open up new possibilities for vacant land, we must look beyond our borders. At the regional scale, a neighborhood's vacant lots fit into a bigger picture of investment and planning around roads, housing and tourism. Finally, as referenced on a number of occasions in the Nova Scotia Affordable Housing Commission's report, we must consider the current housing crisis and the role Municipalities will play in its resolution. The Commission believes that Municipally owned vacant or under-utilized land and buildings could be transformed into new affordable rental housing. For example, the Community Land Trust model has proven successful in places such as British Columbia. In this model, publicly-held land is provided at low or no-cost to a group of community housing organizations that hold the land and use it to leverage financing for affordable housing development.

In terms of a recommendation, all three options are needed in this case to properly create a development vision and exploit their potential. I would recommend starting with option 3 and then utilizing options 1 and 2 to move ahead with the goals and objectives outlined in the plan. This would allow us to build a solid foundation while providing potential developers with the information they require to invest.

SUGGESTED MOTION

N/A

ALTERNATIVES

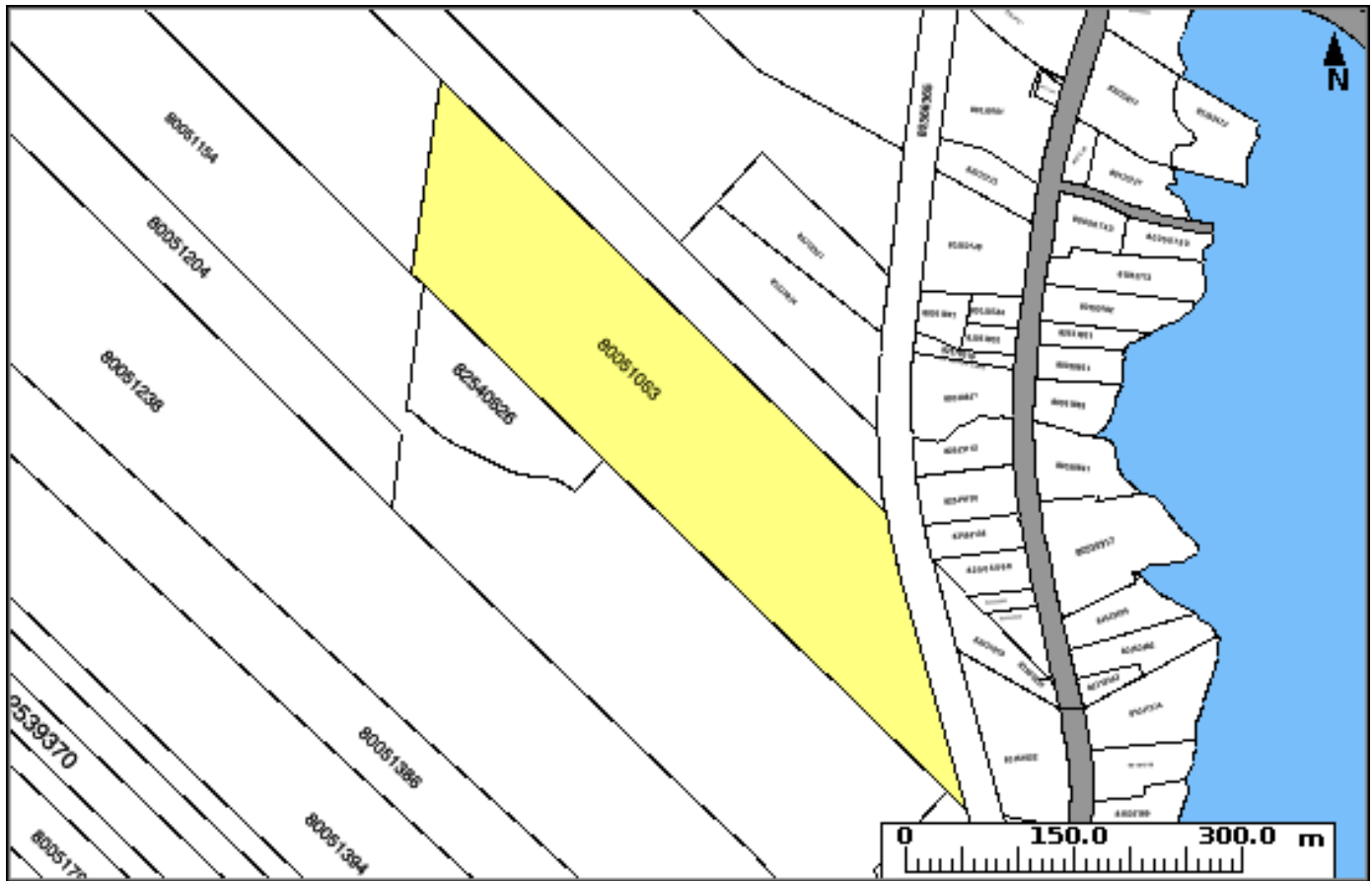
- Council could choose to continue as is. In essence
- Council could choose to put a moratorium on the sale of municipal property.

ATTACHMENTS

- Vacant Property Map – PID# 80051063
- Vacant Property Map – PID# 82569138
- Vacant Property Map – PID# 82550179
- Vacant Property Map – PID# 82552571
- Vacant Property Map – PID# 82552563
- Request for Proposals - Development of City-Owned Property – City of Hickory, NC
- Strategic Action Plan to Address Select Vacant Sites and Brownfields - Fort St. John, BC

Property Online Map

Date: Oct 12, 2021 4:13:55 PM



PID: 80051063 **Owner:** MUNICIPALITY OF BARRINGTON **AAN:** 00462047
County: SHELBURNE COUNTY **Address:** NO 3 HIGHWAY BARRINGTON PASSAGE **Value:** \$20,600 (2021 RESOURCE EXEMPT)
LR Status: LAND REGISTRATION

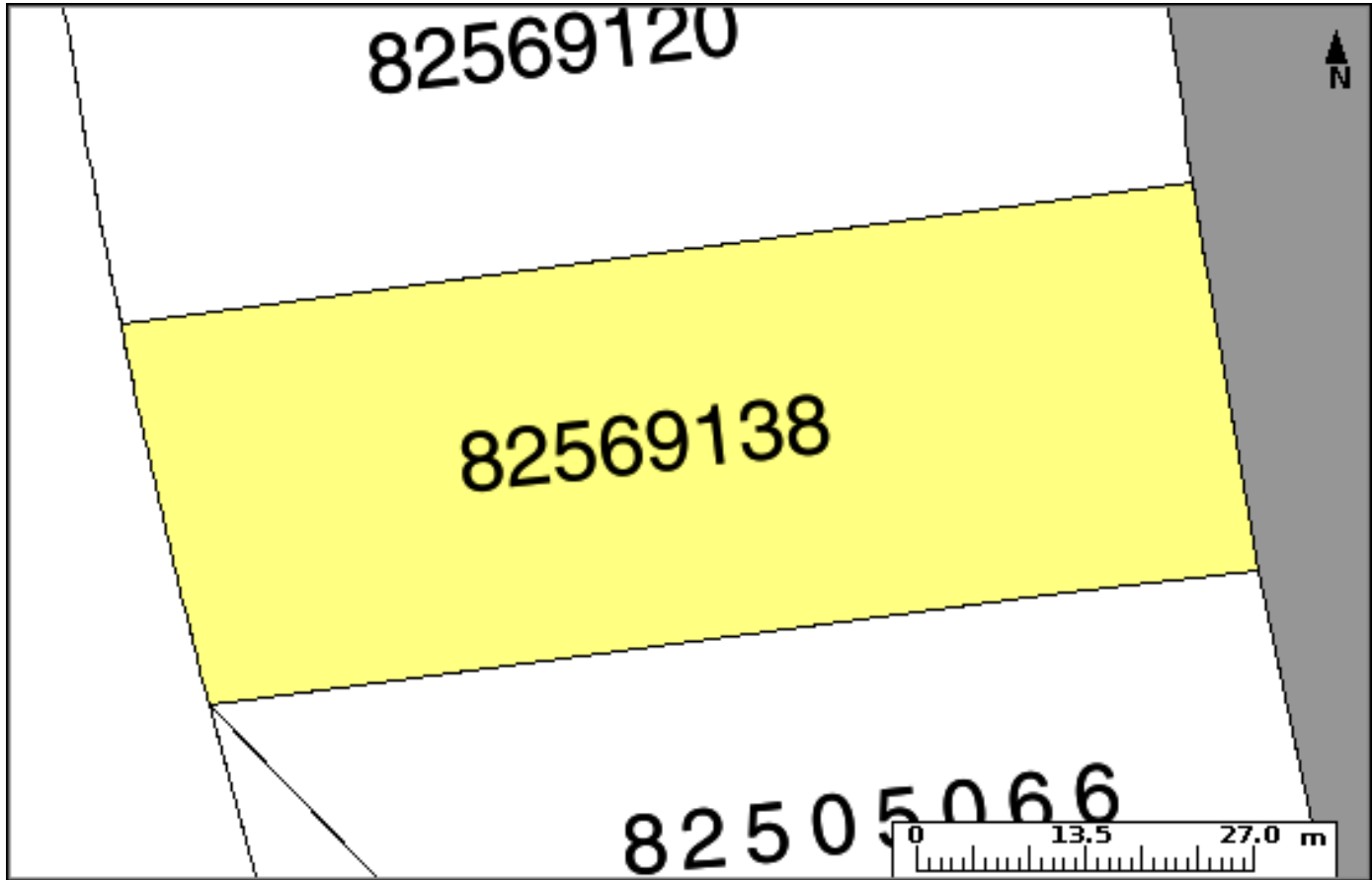
The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [*Land Registration Act* subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.

Property Online version 2.0

This page and all contents are copyright © 1999-2003, [Government of Nova Scotia](http://www.gov.ns.ca), all rights reserved.

Property Online Map

Date: Oct 12, 2021 4:15:29 PM



PID: 82569138	Owner: MUNICIPALITY OF THE DISTRICT OF BARRINGTON	AAN: 10590434
County: SHELBURNE COUNTY	Address: HIGHWAY 3 BARRINGTON PASSAGE	Value: \$20,000 (2021 RESIDENTIAL EXEMPT)
LR Status: LAND REGISTRATION		

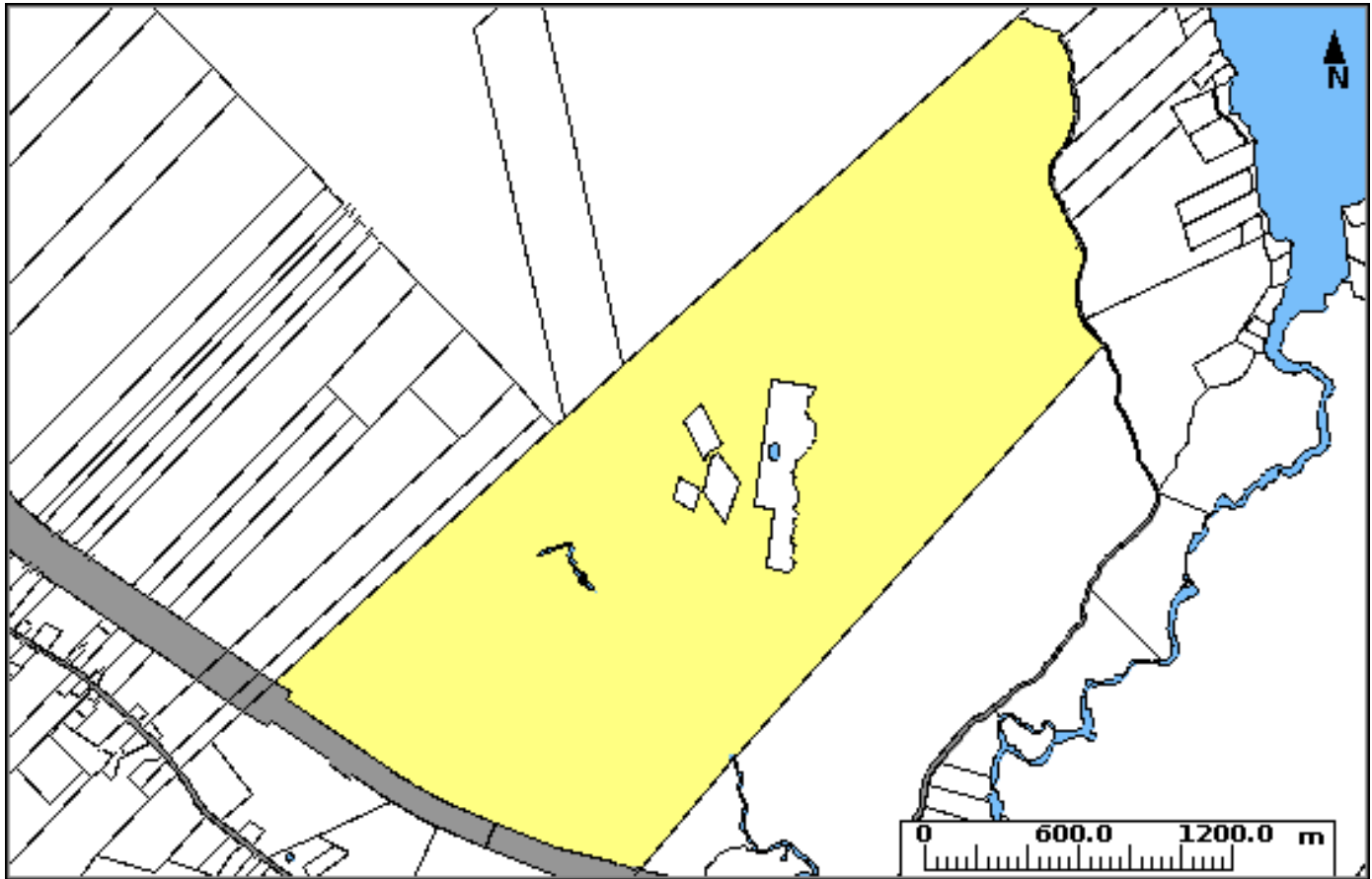
The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [*Land Registration Act* subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.

Property Online version 2.0

This page and all contents are copyright © 1999-2003, [Government of Nova Scotia](#), all rights reserved.

Property Online Map

Date: Oct 12, 2021 4:15:56 PM



PID: 82550179	Owner: MUNICIPALITY OF THE DISTRICT OF BARRINGTON	AAN: 10910633
County: SHELBURNE COUNTY	Address: OAK PARK ROAD OAK PARK	Value: \$195,800 (2021 RESOURCE EXEMPT)
LR Status: NOT LAND REGISTRATION		
PID: 82550179	Owner: MUNICIPALITY OF THE DISTRICT OF BARRINGTON	AAN: 10910633
County: SHELBURNE COUNTY	Address: OAK PARK ROAD OAK PARK	Value: \$195,800 (2021 RESOURCE EXEMPT)
LR Status: NOT LAND REGISTRATION		

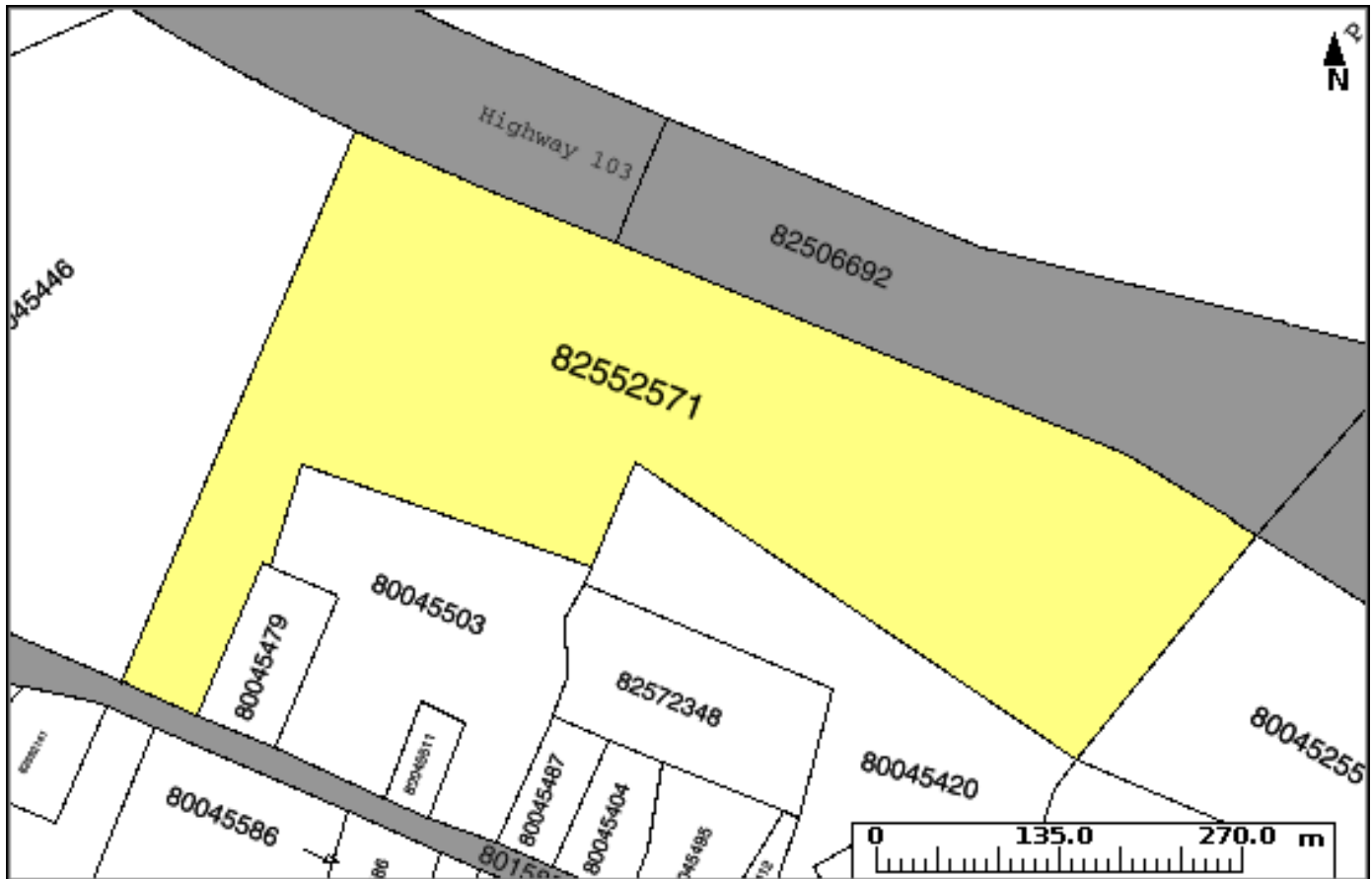
The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [*Land Registration Act* subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.

Property Online version 2.0

This page and all contents are copyright © 1999-2003, [Government of Nova Scotia](http://www.gov.ns.ca), all rights reserved.

Property Online Map

Date: Oct 12, 2021 4:16:23 PM



PID: 82552571	Owner: MUNICIPALITY OF THE DISTRICT OF BARRINGTON	AAN: 09717560
County: SHELBURNE COUNTY	Address: OAK PARK ROAD OAK PARK	Value: \$7,000 (2021 RESOURCE EXEMPT)
LR Status: NOT LAND REGISTRATION		

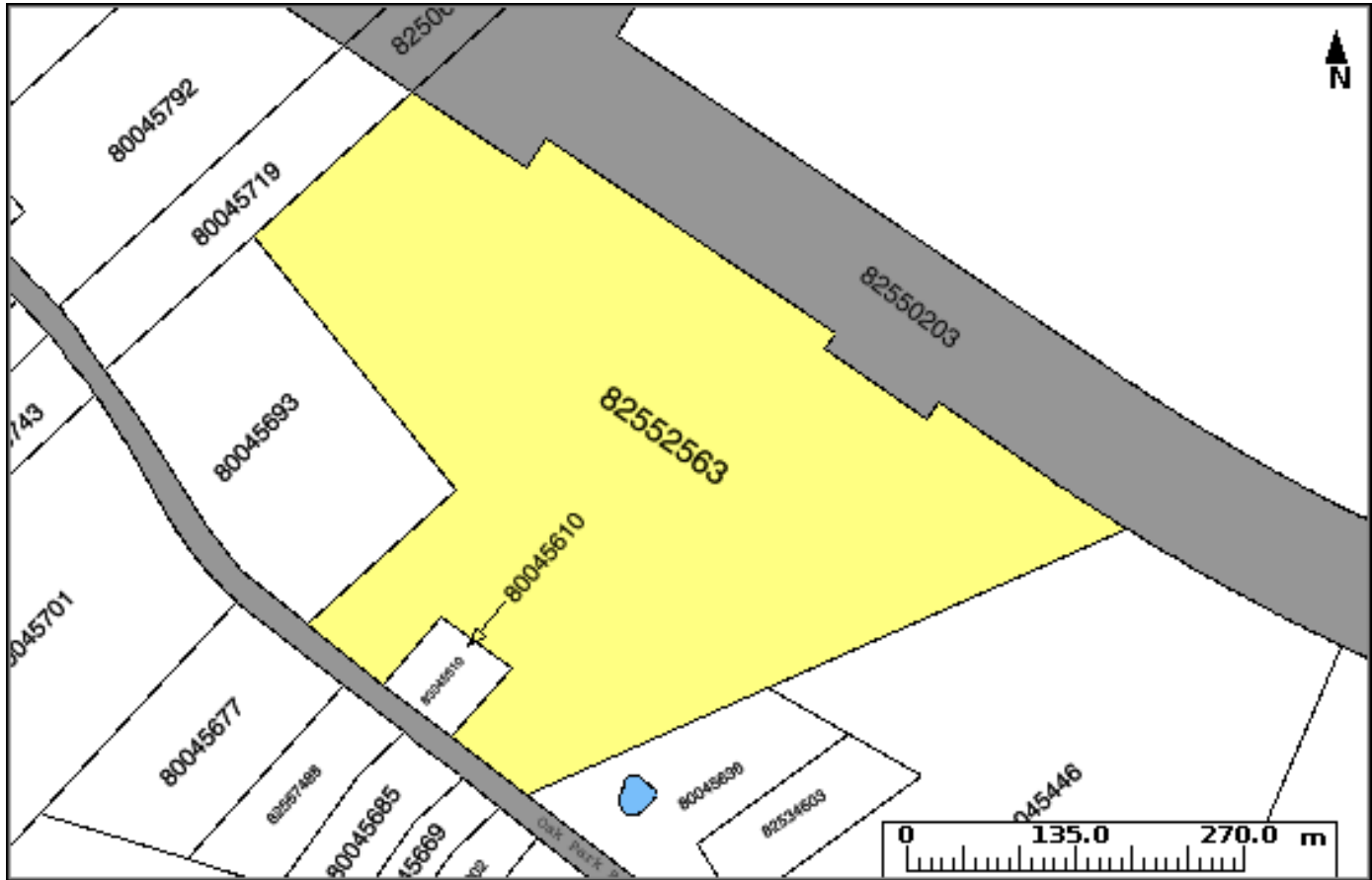
The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [*Land Registration Act* subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.

Property Online version 2.0

This page and all contents are copyright © 1999-2003, [Government of Nova Scotia](http://www.gov.ns.ca), all rights reserved.

Property Online Map

Date: Oct 12, 2021 4:16:48 PM



PID: 82552563	Owner: MUNICIPALITY OF THE DISTRICT OF BARRINGTON	AAN: 09717536
County: SHELBURNE COUNTY	Address: OAK PARK ROAD OAK PARK	Value: \$8,300 (2021 RESOURCE EXEMPT)
LR Status: NOT LAND REGISTRATION		

The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [*Land Registration Act* subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.

Property Online version 2.0

This page and all contents are copyright © 1999-2003, [Government of Nova Scotia](http://www.gov.ns.ca), all rights reserved.

Request for Proposals Development of City-Owned Property 111 and 131 Main Avenue NE



Life. Well Crafted.

ISSUED: December 1, 2020
PROPOSALS DUE: 5:00 P.M. February 26, 2021

Julian Whitener Municipal Building
(Hickory City Hall)
76 N Center Street
Hickory, NC 28601

Section 1 PROJECT SUMMARY

The Hickory (“City”) is seeking development proposals (“Proposals”) from qualified firms (“Developers”) for the opportunity to purchase and develop City-owned property at 111 Main Avenue NE (Parcel ID: 370207696633) and 131 Main Avenue NE (Parcel ID: 370207698603).

Because of its proximal location to the City Walk, the City Council considers this property (“Site”) an important site that offers unique mixed use, commercial, and residential development opportunities. Currently, the property is zoned C-1 Central Business District Commercial, which permits a variety of commercial, residential, office, and institutional land uses.

DEVELOPMENT VISION

The vision for the property’s development is still emerging and the City will look at Developer proposals and prioritize them according to job creation potential, market demand, and highest economic and financial benefit to the City. The City will consider rezoning to maximize the economic, quality of life, and financial benefits. Note: all land use changes will require Hickory Regional Planning Commission and City Council approval. The City is open to proposals that address one or both properties for rehabilitation or demolition and new construction.

Section 2 PROJECT INTRODUCTION

COMMUNITY OVERVIEW

Hickory, North Carolina is City of approximately 41,000 people located along I-40 between Charlotte and Asheville, beautifully nestled at the foot of the Blue Ridge Mountains along the shores of the Catawba River. A three-time All-America City, Hickory is the regional hub of a metropolitan area of 365,497 people.

Hickory and the metro area have strong transportation, utility, higher education, cultural and workforce development networks that have produced a strong manufacturing base and extensive medical, retail, service and residential development. The City and its departments focus on collaborating with existing and new businesses in the development process-with an economic development goal to foster economic growth, job creation and quality of life through attracting and retaining business and industry, providing resources to promote small business development, encouraging tourism, and supporting community revitalization.

Hickory's past and future prospects have drawn to this place a people with an eye for detail and a hand for hard work, a passion for making something of themselves and of the future. Hickory is Life. Well Crafted!

The City has a strong workforce with approximately 65,000 jobs located within the City limits. Recent industrial attraction successes include Corning Cable Systems, ITM, Cataler, and MaxPack. The City supports a robust healthcare system that includes Frye Regional Medical Center and Catawba Valley Medical System.

The City of Hickory serves as the regional shopping hub for the four-county region. Tenants include: Target, Walmart, Sam’s Club, Best Buy, Belk, Dillards, Home Goods, Dick’s Sporting Goods, Kohls, and many more. The Hickory Furniture Mart contains over 500,000 square feet of furniture showrooms attracting visitors from across the country. The Hickory Metro Convention Center supports over 1,200 hotel room in the City and draws visitors from across the region and state.

Hickory’s downtown is currently seeing extensive revitalization and development with the construction of the 95-unit One North Center project that will include an additional 8,000 square feet of retail space. The Center Crossing project will bring 50 additional senior housing units to the downtown core. The City Walk project is currently under construction. The 1.7 mile multi-use trail will connect the downtown to Lenoir Rhyne University and the larger Hickory Trail project, which will eventually provide over 9 miles of connected trails.

SITE OVERVIEW

The City-owned Site consists of two adjoining lots that offer a combined 1.6 acres on the northern side of Main Avenue NE. The two buildings on the Site were previously used as a district court and soup kitchen respectively.

- 1.6 acres, see Appendix A for additional property information
- Located in downtown Hickory near City Hall
- A block from NC 127 a north-south arterial that links the northern and southern parts of the city
- Directly across the street from the City Walk section of the Hickory Trail
- 145 housing units are currently under construction within ¼ mile of the site



GENERAL PROJECT COMMENTS / STANDARD CONDITIONS OF APPROVAL

The intended outcome of this Request for Proposals (“RFP”) process is the development of an Economic Development Agreement (“EDA”) that will establish terms and conditions, and further define the scope, design, overall use and development of the Project upon which the selected Developer can purchase and develop the preferred project on the City Parcels.

During the RFP period, Developers and their employees, agents or representatives, shall have the right of reasonable access to the City Parcels during normal business hours for the purposes of inspecting the City Parcels, and otherwise conducting due diligence to ensure that the City Parcels are suitable for Developer’s intended use. Notwithstanding anything else in this Request for Proposals, Developer shall defend, indemnify and hold the City, its employees, officers and agents, harmless from any injury, property damage or liability arising out of the exercise by Developer of this right of access, other than injury, property damage or liability relating to the gross negligence or willful misconduct of the City or its officers, agents or employees.

Section 3: PROPOSAL QUESTIONS

To evaluate the alternatives and select the appropriate Developer, the City is requesting development proposals that will help the City finalize its vision and move ahead with property disposition and development. Proposals must respond to the following items:

1. Description of the Developer’s proposed project:
 - a. Size in acres and/or square feet of building space
 - b. Type of use(s) planned (e.g. commercial, residential, office, or a mixed-use combination)
 - c. Conceptual design
2. Description of the Developer’s experience developing the proposed type of project

elsewhere:

- a. Name and location of project(s)
 - b. Description of project(s)
 - c. Completion date of project(s)
 - d. Experience in dealing with other City projects and/or have experience in purchasing government property for private development
3. Explanation of the role the Developer’s organization will play in the proposed project and a list of other partners and their roles (if any).
 4. The proposed general timeframe for the development of the Developer’s proposed project. If multiple components or phases are planned, include a list of all.
 5. Description of the benefit(s) your proposed project brings to the City including:
 - a. Land sale price
 - b. Projected property tax revenues from the project
 - c. Projected sales tax and other revenues from the project (if applicable)
 - d. Projected number of direct jobs
 - e. Other benefits to the City

Section 4: TIMELINES

Release Request for Proposal	December 1, 2020
Deadline for Submittal of Proposals	5 P.M. February 26, 2021
Evaluation of Submission by City	February, 2021

Section 5: INQUIRIES

Please direct all inquiries concerning this RFP to:

City of Hickory
Attn: David Leonetti, Business Services and Redevelopment Manager
PO Box 398
Hickory, NC 28603
Telephone: 828.261.2227
Email: dleonetti@hickorync.gov

Section 6: DEVELOPER’S RESPONSIBILITIES

Following Developer selection and execution of a Memorandum of Understanding, Developer shall proceed with detailed due diligence, pre-development, and entitlement activities while working with City to negotiate an Economic Development Agreement that will include a Purchase and Sale Agreement for the property.

The City anticipates that the general scope of the successful Developer team’s responsibilities would include, but not be limited to:

ENTITLEMENTS

The Developer shall be responsible for all aspects of the Project including pre- development planning, environmental review and design. The selected Developer shall be responsible, at its sole expense, for obtaining all land use entitlements and other government approvals required for its proposed Project.

PREDEVELOPMENT COSTS

The selected Developer shall bear all predevelopment costs relating to this project. All fees or expenses of engineers, architects, financial consultants, attorneys, planning or other consultants or contractors retained by Developer for any study, analysis, evaluation, report, schedule, estimate, environmental review, surveys, planning and/or design activities, drawings, specifications or other activity or matter relating to the Project shall be the sole responsibility of and undertaken at the sole cost and expense of Developer and no such activity or matter shall be deemed to be undertaken for the benefit of, at the expense of, or in reliance upon the City.

LEGISLATIVE ACTION

City and Developer acknowledge that the City must exercise its independent legislative authority in making any and all findings and determinations required of it by law concerning the City Parcels. Developer selection does not restrict the legislative authority of the City in any manner whatsoever and does not obligate the City to enter into the Economic Development Agreement or to take any course of action with respect to the Project.

FINANCING

The Developer shall be responsible for providing funding for the Project, whether it be in the form of debt financing, equity, tax credits or a combination of these methods. If debt financing is used, no financial risk or credit risk shall be imposed upon or borne by the City.

CONSTRUCTION

The Developer shall be responsible for demolition, construction and commissioning of the Project including obtaining all permits, fees, and approvals necessary for construction of the Project.

Section 7: PROPOSAL INSTRUCTIONS

A complete, concise and professional response to this RFP will enable the City to identify the Developer who will provide the highest benefit to the City and will be indicative of the level of the Developer's experience and commitment to the proposed project. Proposals must demonstrate that the approach, design, and financing plan for the proposed project will allow the project's successful development and delivery.

One original (bound) and five (5) copies of the proposal along with an electronic copy shall be submitted.

The following minimum information should be provided in each proposal and will be utilized in evaluating each proposal submitted. To expedite the evaluation of proposals, submittals should be no more than thirty pages. Proposals should include the following items:

- Detailed completion of Questions 1 thru 5 in Section 3: Scope of Development which shall include the following:
 - The firm / team's statement of qualifications.
 - A narrative description that expresses the firm / team's understanding of the project and vision for development. The narrative should reflect the respondent's development design intent, strategy and implementation expertise, and understanding of the scope of work.
 - Resumes with related expertise of the specific Developer and any other consultant or subcontractor resumes with relevant expertise and experience.

- Descriptions of the firm's / team's last three completed projects that demonstrate the Developer's:
 - Experience in working with municipalities and/or other public agencies to develop mixed use residential and commercial projects.
 - Ability to complete projects of a similar size, scope, and purpose in a timely manner.
 - Description of any other completed projects (representative examples) of similar types of projects. Include current addresses, telephone numbers, and the names of reference contacts for each project. Similar project descriptions should be submitted for all subcontractors.
- Proposed offer price to purchase the Site to include earnest money deposit amount and proposed terms. If public participation is anticipated, propose the public investment structure and amount and provide financial analysis to demonstrate why such participation is necessary.
- Analysis of the proposed job creation potential, market demand, and the economic and financial benefits of various potential uses proposed for the Site.
- A proposed approach for undertaking this development, including:
 - Detailed scope of work and
 - Schedule for predevelopment analysis, entitlement review, construction, etc.
- Standard statements:
 - A statement that this RFP shall be incorporated in its entirety as a part of the Developer's proposal.
 - A statement that this RFP and the Developer's proposal will jointly become part of the "Economic Development Agreement" ("EDA") agreement for this project when the EDA is fully executed by the Developer and the City Council of the City of Hickory,
 - A single and separate section "EXCEPTIONS TO THE CITY'S REQUEST FOR PROPOSAL" containing a complete and detailed description of any/all of the exceptions to the provisions and conditions of this Request for Proposal upon which the Developer's proposal is contingent and which shall take precedent over this RFP,
 - A statement that the Developer will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.
- Disclosure and evidence of financial stability
 - Disclosure of any potential conflicts of interest that could be relevant to this project in any manner.
 - Disclosure of any projects/financing on which the team or any of its members has defaulted.
 - Disclosure of whether the developer or any officer, director, or owner thereof has had judgments entered against it, him or her within the past 10 years for breach of contracts for governmental or nongovernmental construction or development.
 - Disclosure of whether the developer has been in substantial noncompliance with the terms and conditions of prior construction contracts with a public body.
 - Disclosure of whether any officer, director, owner, project manager, procurement manager, or chief financial official thereof has been convicted within the past 10 years of a crime related to financial fraud or to governmental or nongovernmental construction or contracting.

- Disclosure of whether any officer, director, or owner is currently debarred from bidding or contracting, pursuant to an established debarment procedure, by any public body, agency of any state, or agency of the federal government.
- Other evidence of financial stability of developer (can be submitted under confidential cover as detailed in “Submission Process”).

The City will not be liable for any expenses incurred by Developers responding to this solicitation. All material submitted will be kept by the City.

EVALUATION CRITERIA

Proposals will be judged according to the following criteria:

- Developer experience and ability to carry out the project within the proposed timeline
- Number of Jobs created
- Amount of private investment
- Overall fit with City Walk, Hickory Trail, and other downtown projects.

Section 8: STANDARD TERMS AND CONDITIONS

The City has the sole authority to select a Developer for this project and reserves the right to reject any and all proposals and to waive any informality or minor defects in proposals received.

The City reserves the right to retain all proposals submitted and to use any ideas in a proposal, regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the proposing Developer of the conditions contained in this Request for Proposals, unless clearly and specifically noted.

The City will not pay for any information requested, nor is it liable for any costs incurred by the Developers in preparing and submitting proposals.

DEVELOPER INDEMNIFICATION

Developer shall indemnify, defend and hold the City, their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including, without limitation, the payment of all consequential damages, expert witness fees, reasonable attorney’s fees and other related costs and expenses, incurred in connection with or in any manner arising out of Developer’s performance of the work contemplated by this RFP. Submitting a response to this RFP signifies that the Developer is not covered under the City’s general liability insurance, employee benefits, or worker’s compensation. It further establishes that the Developer shall be fully responsible for such coverage. Developer’s obligation to indemnify shall survive expiration or termination of this RFP and shall not be restricted to insurance proceeds, if any, received by the City and their officers, agents and employees.

INTELLECTUAL PROPERTY

Any system or documents developed, produced or provided in response to this RFP, including any intellectual property discovered or developed by Developer in the course of performing or otherwise as a result of its work, shall become the sole property of the City unless explicitly stated otherwise in the RFP response. The Developer may retain copies of any and all material, including drawings, documents, and specifications, produced by the Developer in

performance of this proposal. The City and the Developer agree that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

PUBLIC RECORD

Proposals received will become the property of the City. All responses are subject to public disclosure under North Carolina Public Records Law. The City of Hickory recognizes that respondents must submit financial information that it may deem confidential and proprietary to comply with the requirements of this solicitation. To the extent permissible by law, the City agrees to keep confidential any confidential proprietary information included in a response, provided that (1) the respondent identifies the confidential proprietary portions of the response, (2) the respondent identifies as confidential and proprietary only those portions of the submittal that are confidential and proprietary, and (3) the respondent states why protection is necessary. Respondents shall not designate their entire response as confidential and proprietary, nor shall they so designate information that is already public.

ASSIGNMENT

Developer selection includes consideration of the merits of the firm / team. Assignment of the proposal is discouraged and the City reserves the right to cancel the contract if the contract is assigned without City's written consent.

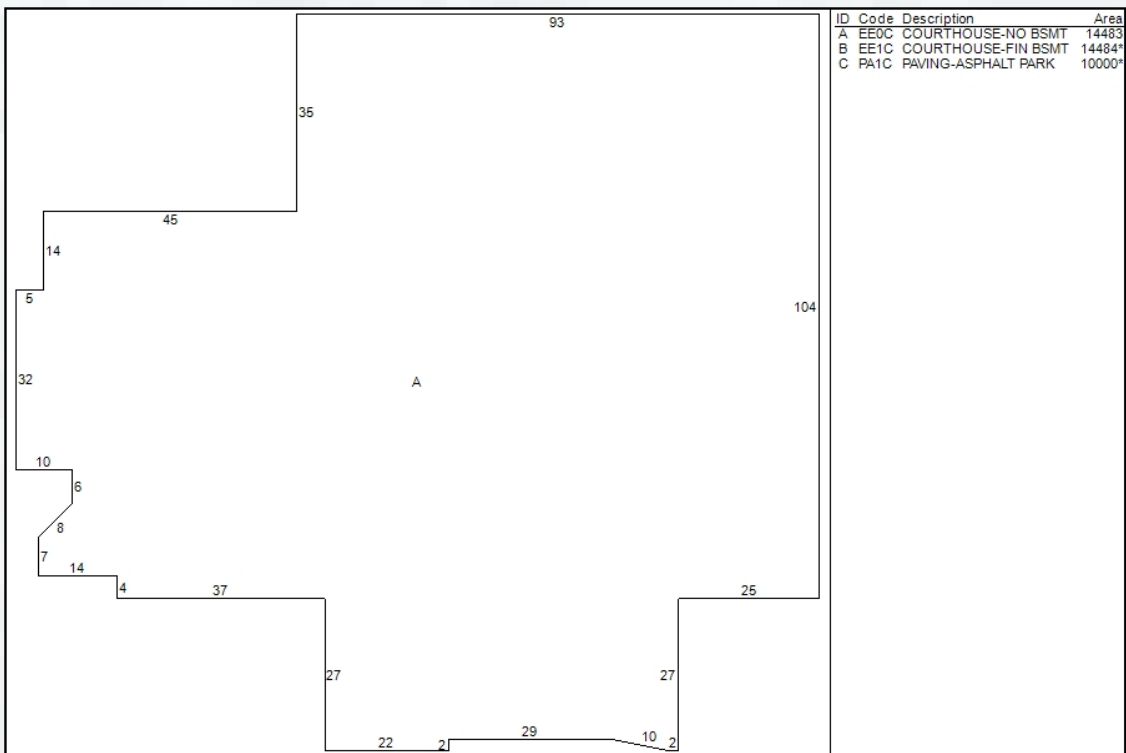
RFP ADDENDA

The City may determine it is necessary to revise any part of this solicitation. Revisions will be made by written addenda and it is the Developer's responsibility to understand and comply with any addenda to this solicitation. Addenda may be posted on the City's website, www.hickorync.gov under Bid Advertisements or vendors may contact the Office of Business Development:

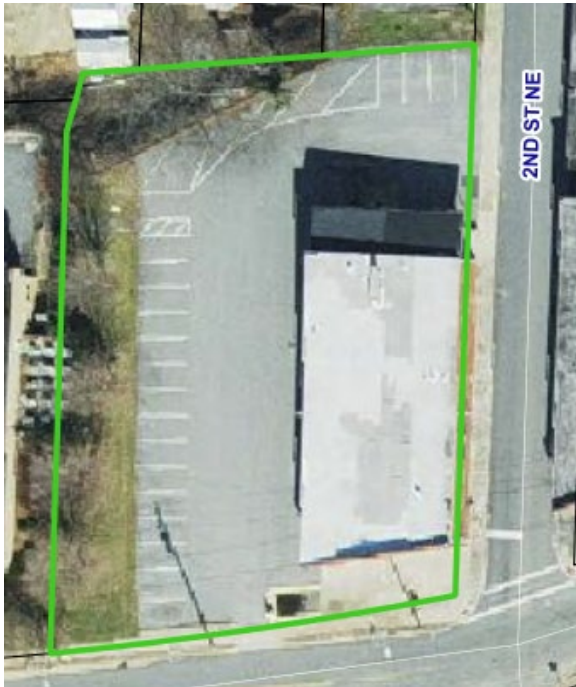
City of Hickory
Attn: David Leonetti, Business Services and Redevelopment Manager
PO Box 398
Hickory, NC 28603
Telephone: 828.261.2227
Email: dleonetti@hickorync.gov

Appendix A (Property Information)

111 Main Avenue NE (Parcel ID: 370207696633) (0.96 acres)



131 Main Avenue NE (Parcel ID: 370207698603) (0.64 acres)



ID	Code	Description	Area
10	51		10
	C		
	51		
16	B		16
	51		
122	A		122
	51		

ID	Code	Description	Area
A	37	CAFETERIA	6222
B	CP5	CANOPY ONLY	816
C	LD1	LOAD DOCK ST OR CONC	510
D	PA1C	PAVING-ASPHALT PARK	10000*

APPENDIX B: Vicinity Map



Vacant No More

A Strategic Action Plan to Address Select Vacant Sites
and Brownfields within the Downtown
Neighbourhood of Fort St. John

Public

November 13, 2017



Contents

1.	Introduction.....	1
2.	Definitions.....	1
3.	Policy Context and Related Documents	2
3.1	Inventory – Vacant and Underutilized Land (2012)	3
3.2	Residential, Office & Retail Market Analysis (2013).....	3
3.3	Downtown Action Plan (2015).....	4
3.4	Draft Official Community Plan Update (2017).....	4
4.	Incentives and Penalties to Promote Behaviours	5
4.1	Incentives for Redevelopment.....	6
4.1.1	The City of Fort St. John (local government)	6
4.1.2	BC Regional Economic Trusts – Northern Development Initiative Trust.....	8
4.1.3	First Nations.....	9
4.1.4	New Building Canada Fund	9
4.1.5	Federation of Canadian Municipalities	10
4.1.6	Other Canadian Municipalities	10
4.2	Penalties for not Redeveloping.....	12
4.2.1	Brownfield Tax Class.....	12
4.2.2	Zoning Bylaw.....	12
4.2.3	Nuisance Bylaw.....	13
4.2.4	Unightly Premises Bylaw	13
5.	Interim Uses.....	14
6.	Long Term Uses	14
7.	Recommendations	15
7.1	Excite	15
7.2	Educate	15
7.3	Redevelop City Owned Sites	15
7.4	Incentivize	17
7.5	Embrace the Interim.....	18
7.6	Enforce	19
8.	Summary.....	19

Appendices

Appendix A – Figure: Vacant site summary

1. Introduction

For too long, select parcels of land within or near the downtown core of Fort St. John have been vacant or underutilized. And as parcels remain vacant for prolonged periods of time, they are at risk of being perceived as having barriers to development.

While past projects were successful in identifying the issues and implications of vacant and underutilized land in the city core, no action plan has emerged that has yielded results that has elevated the city core to match the community vision.

The completion of the *Fort St. John Downtown Action Plan* in 2015 set out a list of objectives, policies, and action items to be implemented through 10 Big Moves. This Vacant No More strategic action plan will support the objectives of the *Downtown Action Plan* and is targeted to meet many components of one of the 10 Big Moves: Vacant No More.

If barriers – real or perceived – restricting downtown redevelopment continue to be present, future development could continue to seek alternative locations, such as greenfield development on the periphery of Fort St. John. Existing businesses may also be at risk to leave the downtown.

This strategic action plan is provided to aid in the role of economic development by selecting brownfield sites within or near downtown Fort St. John with the goal of creating both an interim and long-term strategy for remediation (where required) and infill redevelopment. This strategic action plan does not identify every vacant, underutilized, and/or brownfield site; rather, it focuses on the redevelopment of key sites that can act as a catalyst for future redevelopment within or near the downtown.

Bringing brownfield properties back into productive use creates business opportunities, increases economic activity, manages environmental risk, improves public health, and revitalizes surrounding neighbourhoods and the downtown.

2. Definitions

To be clear on the terms used in this document, the following key definitions are provided for reference and are consistent with the definitions applied in the draft 2017 Official Community Plan:

Brownfield means an abandoned, vacant, derelict or underutilized commercial and industrial property where past actions may have resulted in actual or perceived contamination and where there is an active potential for redevelopment. A site that is

contaminated may also not be a brownfield (i.e. due to the migration of contaminants from an adjacent area via groundwater)

Business Improvement Area (BIA) means an area designated by a municipal council at the request of a business community. A BIA can develop and undertake programs to improve and beautify the improvement area. Tree planting, street furniture, improved parking, flower boxes and baskets, and street banners are typical commercial area public improvements which can be implemented by a BIA. BIAs respond to and reflect the needs of individual areas. They can act as merchant associations, initiators of revitalization projects, coordinators of civic planning processes, a key spoke in the economic development team and a key voice when addressing street issues.

Contaminated Site means an area of land in which the soil or underlying groundwater or sediment contains a hazardous waste or substance in an amount or concentration that exceeds provincial environmental quality standards. A site is contaminated if it is unsuitable for specific uses of land, water and sediment. Many sites in the province became contaminated during past industrial or commercial uses.

Underutilized (parcel) means a parcel that is being used less than fully or below its potential maximum use. Examples of underutilized parcels can include vacant lands that are being used as parking lots, but which could be developed, or lands containing low density development but could accommodate medium or high density development.

Vacant (land) means land with no houses, offices, or other permanent structures or infrastructure. Vacant land may be available for development, or it may be set aside by a government or private owner to remain vacant.

It is important to emphasize that not all brownfields are contaminated sites.

3. Policy Context and Related Documents

The conversation of vacant land, some which may fall under the definition of a brownfield, is not new to the City of Fort St. John. In the downtown area the City has struggled with absentee landowners, land-banking, and large corporations holding on to land with limited annual improvements or maintenance.

Figure 1 (Appendix A) maps vacant sites in proximity to the downtown area in addition to sites that have seen construction or improvements since 2010. The private commercial and residential market has incrementally constructed on vacant lots, but many vacant lots still exist. Figure 1 also indicates vacant sites strategically acquired by the City for future municipal purposes or controlled land disposition.

Studies in recent years relating to redevelopment of vacant downtown lands include inventory mapping, market analysis, and a revitalization plan. The most relevant documents impacting brownfields are described below.

3.1 Inventory – Vacant and Underutilized Land (2012)

In 2012, Urban Systems completed a report titled *Inventory – Vacant and Underutilized Land* which was to be used as a baseline tool to enable City staff and Council to implement, monitor, and analyze land use policies over time. The intent was that the inventory would be reviewed, updated, and modified regularly. In addition to obvious vacant lands, this report also identified underutilized lands based on determining their highest and best use based on zoning at the time.

Mapping was produced to visually communicate the quantity of vacant and underutilized land and its cluster locations within the city; a summary table communicated a numerical analysis of vacant and underutilized parcels based on zoning types.

At the time of the report, there existed a total of 604 vacant lots with a total land area of 398 hectares, and a total of 405 underutilized lots with a total land area of 183 hectares.

3.2 Residential, Office & Retail Market Analysis (2013)

In 2013, GP Rollo & Associates drafted a report titled *Residential, Office & Retail Market Analysis* that explored the market demand for various uses. Generally, this report predicted growth and demand for all residential, office, and retail markets with a focus within the downtown area.

The results of the report indicated that there exist market opportunities to develop within the downtown, and on vacant sites, to support the forecasted growing markets.

To achieve the broad goals and objectives for the downtown, the 2013 GP Rollo report recommended:

- Coordinating and focusing public and private realm investments to ensure they are mutually supportive.
- Building on and enhancing existing strengths such as the grid street and laneway network, existing small format pedestrian oriented businesses and their traditional street fronting orientation, and the number of civic and community uses and amenities located in or in close proximity to the downtown core.
- Close coordination between City functions and departments.

- Engaging with the community to confirm and refine the vision for downtown and identify strategies, policies and priority actions such as public realm improvements and other capital projects.
- Prioritizing the downtown in the context of community wide growth and change over the coming years and decades.

3.3 Downtown Action Plan (2015)

In 2015, Modus finalized the *Fort St. John Downtown Action Plan* that focused on creating, by 2040, a compact, mixed use, pedestrian, and transit oriented urban place that is the social, economic, and cultural heart of the community and where there are opportunities for downtown living.

The *Downtown Action Plan* affirmed the downtown as a priority for Fort St. John and encouraged developing underutilized or vacant sites as a means to achieve the vision of the *Downtown Action Plan*.

One of the 10 Big Moves of the plan is Vacant No More which involved:

- Encouraging development of vacant sites, including City owned, contaminated, and other prominent sites.
- Redeveloping vacant sites with buildings and uses that showcase the future vision for downtown and implement interim uses/improvements until such time as they are redeveloped.
- Redeveloping contaminated sites by taking action such as:
 - City Council and senior management will lobby owners of contaminated sites to remediate and redevelop their sites.
 - Developing a contaminated sites strategy and information package to make land owners aware of programs and incentives that are available to support site remediation.
 - Working with land owners (and the public) to identify temporary uses for sites that benefit the community until the site can be cleaned up and redeveloped. Temporary uses could include raised-bed community gardens, small parks or plazas, public art displays, or surface parking lots.

The *Downtown Action Plan* was received in principle on November 9, 2015 as per Resolution No. 390/15.

3.4 Draft Official Community Plan Update (2017)

Throughout 2016 and into 2017, the City of Fort St. John undertook an update their Official Community Plan. Currently in a final draft state, the draft Official Community Plan includes Section 6.5 titled *Vacant, Underutilized or Brownfield Lands Development*

which gives guiding direction to facilitate the remediation and redevelopment of existing brownfield sites.

Draft strategies within the *Vacant, Underutilized or Brownfield Lands Development* section include:

- Compile a publicly accessible inventory of all existing brownfield sites within the current municipal boundary.
- Develop an information package for brownfield sites that makes land owners and the community-at-large aware of programs and incentives available for remediation and redevelopment.
- Create a brownfield development strategy and seek financial assistance from agencies and organizations to develop the strategy that:
 - Considers waiving fees associated with the development approvals process for brownfield developments.
 - Considers developing a Revitalization Tax Exemption Bylaw that provides tax abatement incentives for the remediation and redevelopment of brownfield sites within the city.
 - Supports the undertaking of Environmental Site Assessments for brownfield sites and help property owners seek financial assistance from a variety of agencies and organizations to conduct the required field tests.
- Work with the public and land owners of brownfield sites to identify temporary uses such as plazas, park space or parking facilities, until remediation or development can occur on the site.
- Consider temporary use permits to encourage activities on vacant, underutilized, brownfield or contaminated parcels.

4. Incentives and Penalties to Promote Behaviours

With a history of identifying vacant, underutilized, and potential brownfield lands, a visionary *Downtown Action Plan* that relies on eliminating vacant sites, and a commitment by Council in principle to support the *Downtown Action Plan*, there exists the problem on how to eliminate brownfield sites. The past method of waiting for the market to choose to develop on brownfield sites has been only marginally successful.

To succeed, the City needs to promote, create, and implement a combination of incentives and penalties (the 'carrot and stick' approach) to induce action in redeveloping brownfield sites.

4.1 Incentives for Redevelopment

4.1.1 The City of Fort St. John (local government)

Revitalization Tax Exemptions

Under section 226 of the Community Charter, local governments are given the authority to exempt property from municipal property value taxes. This financial tool enables local governments to encourage various types of revitalization to achieve economic, social, and environmental objectives. It incentivises development to occur in a defined area by positively affecting cash flow and reducing taxes for a period of time for each property owner that meets the objectives.

Objectives of such a bylaw are to:

- Encourage new multi-family residential development in a defined area (downtown).
- Encourage new mixed-use development in a defined area (downtown).
- Improve the vibrancy and activeness of a defined area (downtown).
- Generate employment opportunities in a defined area (downtown) through new commercial and office space improvement.
- Improve the City's tax base over the long term through efficient and compact land use.

If the objectives are met by a development proposal, an example of a Revitalization Tax Exemption Bylaw would be to exempt 100% of the increased value of assessment for a period of up to 5 years.

In 2016, Urban Systems drafted a Revitalization Tax Exemption Bylaw as part of implementing strategies to incentivize redevelopment in the downtown area. This incentive could also be applied to areas outside of the downtown core to encourage brownfield redevelopment in target areas.

Downtown Improvement Grant in lieu of Revitalization Tax Exemption

As an alternative to implementing a Revitalization Tax Exemption, the City could create a conditional Downtown Improvement Grant. The City would annually fund the Downtown Improvement Grant and properties that meet specific requirements of the grant – yet to be determined – would be eligible to receive funding. The Downtown Improvement Grant would be administered by City staff where they would review and evaluate grant application submissions.

Downtown Reinvestment Fund

The City could create a Downtown Reinvestment Policy where the City will place 100% of the increased value of assessment of properties in the downtown core for a period of time (example: 5 years) in a dedicated Downtown Reinvestment Fund.

This Downtown Reinvestment Fund would only be used to fund downtown improvement projects – such as constructing new sidewalks, adding public art, or purchasing and installing street furniture and street trees. The City would choose the projects to fund each year.

By marketing this incentive to future developers, it will incentivize development by raising the confidence that the City will place a shared investment into improving the downtown.

Combinations: Downtown Improvement Grant + Downtown Reinvestment Fund

A Downtown Improvement Grant could be paired with a Downtown Reinvestment Fund policy to guide funds over a fixed period of time for developments that meet specific objectives. Programs can be combined together depending on how aggressive the City wishes to incentivize the revitalization of vacant property.

Business Improvement Area

The City could work with land owners and businesses operating within the downtown to define a Business Improvement Area (BIA) and dedicate annual funds to a BIA management group – such as a Businesses Improvement Association. This management group would undertake programs to improve and beautify the improvement area. Often BIA members are a highly motivated sector of the community and can act to produce positive economic results for the defined area they represent.

By providing funding to a BIA, the City would not have control of which projects the BIA management group selects.

Parking Revenue for Downtown Improvements

Given many existing and future commercial properties in the downtown area share public parking opportunities – such as curbside metered parking – an incentive for property redevelopment is to direct the funds collected by the meters directly back to the area in which they were collected.

Funds collected through parking meters could go to enhancing local on/off-street parking options or to fund local improvements – such as planting trees or enhancing the streetscape. Wherever the funds are directed to, this should be communicated to the community so they recognize their parking meter payments directly fund future improvements in the local area in which they park.

Density Bonusing

Density bonusing is a tool that can be applied as an incentive to attract investment and development on eligible sites by allowing developments to surpass the maximum Floor Area Ratio established in the zoning bylaw.

DCC Exemptions

Based on conversations between the City of Fort St. John, Urban Systems, and Modus in 2016, the City confirmed that exempting DCCs is not something that the City will explore as an incentive tool.

Standardized and Streamlined Approval Process for Redevelopment Proposals

The City confirmed that providing preferential approvals process for specific types of development is not an incentive the City wishes to implement. Under recent process changes at the City, all applications will be processed within fixed time periods. For example, Development Area Permit applications are processed within 120 days.

4.1.2 BC Regional Economic Trusts – Northern Development Initiative Trust

The Northern Development Initiative Trust has two programs that are appealing to incentivizing downtown redevelopment: Marketing Initiatives program; and Business Façade Improvement program.

The Marketing Initiatives program provides up to \$200,000 in grant funding for municipalities to undertake a marketing initiative project. Projects must be focused on development and implementation of a marketing initiative that will directly increase revenues within the region.

The Business Façade Improvement program provides annual grant funding for municipalities that participate in combined regional development accounts. Annual funding of \$20,000 is available to each municipality to enhance economic development by encouraging private sector investment in business façade improvements. To obtain the business façade improvement grant, applicants to the program are required to develop and submit their business façade improvement plan/guidelines to give direction to local business owners on the eligibility criteria of their improvements. The Downtown Action Plan includes a downtown development permit area guidelines for form and character that can be used for this purpose.

4.1.3 First Nations

Urban land acquisition is a growing economic development priority among First Nations throughout Canada. Many nations are turning to urban areas to improve the economic and social conditions of their communities through land acquisition and development in urban areas. In Northeast BC, many Treaty 8 nations have expressed interest in acquiring land in Fort St. John and Dawson Creek.

Recent settlements involving longstanding land claims between the Federal Government and individual Treaty 8 nations are nearing completion. Industry agreements related to projects, such as the Site C project, have also been negotiated between industry partners and individual nations. Both developments have greatly increased the capacity of First Nations to expand their land bases through land acquisition and cash settlements. In addition, programs available through Indigenous and Northern Affairs Canada can provide funds for planning and capital works related to economic development initiatives for First Nations. The result is opportunities to engage with and potentially partner with local First Nations on acquiring and redeveloping vacant and brownfield sites.

Both the City and First Nations may mutually benefit from focused outreach with local First Nations to identify what their land acquisition and development priorities are in Fort St. John and how they could meet those priorities through brownfield and vacant land acquisition.

4.1.4 New Building Canada Fund

Small Communities Fund

The Small Communities Fund (SCF) is a program within the New Build Canada Fund (NBCF) that provides funding to support the development of eligible infrastructure projects in communities with populations under 100,000 residents. Brownfield redevelopment is a subcategory of the eligible projects that are funded under the SCF. Eligible projects under the SCF include all categories of NCBF eligible infrastructure projects, construction of municipal use public parks and affordable housing. Applicants can receive funding up to a maximum of two-thirds of the total eligible project costs.

4.1.5 Federation of Canadian Municipalities

Green Municipal Fund

The Federation of Canadian Municipalities (FCM) has taken a leadership role on brownfields and provides municipalities resources and funding to redevelop brownfields.

Under the Green Municipal Fund (GMF), they offer the following incentives:

- Loans at the remediation stage.
- Innovative funding methods.
- Funding that can be combined with other funding programs.
- Year round application acceptance.

In terms of financial funding, the GMF offers:

- Grants for Sustainable Neighbourhood Action Plans or Community Brownfield Action Plans (50% of eligible costs; grant maximum of \$175,000).
- Grants for feasibility studies (50% of eligible costs; grant maximum of \$175,000) and pilot projects (50% of eligible costs; grant maximum of \$350,000).
- Loans for brownfield capital projects (up to 80% of eligible costs).
- Loans and grants for capital projects in the energy, transportation, waste and water sectors (up to 80% of eligible costs).

4.1.6 Other Canadian Municipalities

Looking at success stories of municipalities across Canada shared by FCM, and summarizing some of their incentive strategies, common themes arise such as providing grants to complete Phase I and/or Phase II Environmental Site Assessments and to defer or reduce property tax increases on the increased property taxes following redevelopment. Although it is a non-exhaustive list, a summary of successful municipalities and their incentives are summarized below in **Table 1**.

Municipality	Grants	Property taxes
City of Kingston	Up to \$10,000 to assist in Phase I and Phase II Environmental Site Assessment reports	Defers property taxes during remediation and redevelopment (max. 3 years); Tax rebate equivalent to 80% of the increase of property taxes that results from redevelopment to cover the cost of remediating a property
City of Edmonton	Up to 50% of the cost of a Phase II Environmental Site Assessment with a maximum of \$20,000	Property tax rebate equivalent to 80% of the increase of property taxes that results from redevelopment to cover the cost of remediating a property
Region of Waterloo	Up to 50% of the cost of a Phase II Environmental Site Assessment with a maximum of \$40,000	Property tax rebate (grant) funded from the increase of property taxes that results from redevelopment to assist the cost of remediating a property
City of Ottawa		Property tax rebate (grant) for a maximum of 50% of the cost of remedial work. Grants funded to 50% of the increase of property taxes, annually, for up to 10 years.
City of Edmonton	Up to \$5,000 or 80% of a Phase I Environmental Site Assessment Up to \$80,000 or 80% of a Phase II Environmental Site Assessment Up to \$200,000 or 80% of a Phase IV Remediation/Exposure Control with Interim Solution	Property tax rebate equivalent up to 50% of the increase of property taxes that results from redevelopment over a 6 year term to cover the cost of remediating a property (*up to 100% for LEED Silver buildings)

Table 1: Successful brownfield incentive strategies applied by other municipalities and recognized by FCM.

Note: exact details of incentives may vary as the highlights were extracted for easy comparison. All contained clauses that the total amount of assistance cannot exceed eligible costs.

4.2 Penalties for not Redeveloping

4.2.1 Brownfield Tax Class

Unfortunately, few opportunities exist for local governments in BC to apply penalties land owners not redeveloping brownfield sites. This shared observation for lack of tools resulted in recent executive recommendations from the North Central Local Government Association (NCLGA) of which the City of Fort St. John is a member.

In 2016, the NCLGA endorsed a resolution, supported by the NCLGA executive, for the NCLGA to lobby the provincial government to create a new tax class for brownfield sites so that local governments can tax these sites accordingly (NCLGA reference 2016-B104). If legislation changes in BC, this holds the potential for brownfield sites to be taxed based on highest and best use.

In response to the 2016 NCLGA resolution, the provincial government indicated that it is not currently considering a separate property class for brownfield sites. The province pointed out that “the cost of remediation, if required, is often prohibitive and can even exceed the market value of the property,” and expressed reservations about unintended consequences and challenges resulting from taxing brownfields at a higher rate.

With municipalities still facing challenges, in 2017 the NCLGA endorsed the following resolution (2017-B9): “that the Assessment Act Prescribed Classes of Property Regulation be amended to add a separate property class; ‘Class 10 – Brownfield’, which applies to any vacant or deserted properties that are classified as a brownfield”.

4.2.2 Zoning Bylaw

The City of Fort St. John Zoning Bylaw, Consolidated Version (Bylaw No. 2181, 2014) can apply penalties for violations of the bylaw. Fines can range from a minimum of one hundred dollars to a maximum of ten thousand dollars. For offences that continue for more than one day, separate fines may be issued for each day of which the offence occurs or continues.

For C-2 Downtown Core Commercial zones, chain link fences are not permitted unless they incorporate vegetative screening on the side of the fencing visible from outside the parcel. Enforcing this clause to sites with chain link fences surrounding their parcel is a tool to improve site appearances.

For full details, please refer to **Bylaw No. 2181, 2014**.

4.2.3 Nuisance Bylaw

For properties that fall within the "nuisance" definition of the City of Fort St. John Nuisance Bylaw (Bylaw No. 1645, 2003) – such as the accumulation of building material on any property other than premises licensed under the Business Licence Bylaw – the City can serve an order to have the nuisance dealt with by its owner, or failing to do so, the City can take action on the removal of the nuisance and recover the costs and apply a penalty.

The Nuisance Bylaw is a tool that can be used to incrementally improve the appearance of brownfields to the public realm and can result in positive value to the surrounding area.

For full details, please refer to Bylaw No. 1645, 2003.

4.2.4 Unsightly Premises Bylaw

For properties that meet the defined criteria of the City of Fort St. John Unsightly Premises Bylaw (Bylaw No. 1223, 1992) – such as no owner or occupier of real property shall allow such property to become or remain unsightly or cause or permit water, rubbish, or noxious, offensive, or unwholesome matter to collect or accumulate around their premises – the City can take remedial action to improve the site condition and recover the costs from the property owner.

The Unsightly Premises Bylaw is a tool that can be used to incrementally improve the appearance of brownfields to the public realm and can result in positive value to the surrounding area.

For full details, please refer to Bylaw No. 1223, 1992.

5. Interim Uses

The City recognizes that redevelopment from a few key sites can act as a catalyst for future redevelopment and add vibrancy to the downtown area. But before redevelopment occurs, there are strategies to implement interim uses to create a more pleasing public realm environment as a way to make a more appealing neighbourhood to develop in.

Possible interim uses include:

- Greenspace.
- Community gardens.
- Food truck parking and outdoor dining.
- Festival use.
- Show and shines.
- Farmers' Markets.
- Interim use agreements.
- Temporary commercial/industrial.
- Parking lots.

Endorsed in 2017, the City of Fort St. John Parks and Recreation Master Plan identified the need for a downtown park. With the downtown vision aiming to increase downtown living, a downtown park complete with a children's play area helps support people and families choosing to live in the downtown.

6. Long Term Uses

The ultimate goal of the City is to have all brownfields within the City developed to their highest and best use.

Redevelopment should follow the vision of the City's Official Community Plan and Downtown Action Plan.

By taking proactive actions such as connecting with potential developers before they purchase land elsewhere, actively promoting the downtown for development, making public investments to improve the downtown, disposing of City owned land on the condition of development, and inspiring the public and development community of the future of the downtown through the use of visionary renderings, the City can positively influence achieving the desired long term uses of the downtown.

7. Recommendations

7.1 Excite

1. Create visual renderings of the future of each brownfield site by applying recommendations from the Downtown Action Plan and display them near each site to activate public demand for redevelopment.

7.2 Educate

1. Through the City's Strategic Services department, contact each land owner of brownfields and communicate to them about re-development incentives offered by federal, provincial, and municipal levels of government, and inform them of funding available through other organizations.
2. For brownfield sites owned by major petroleum companies, in addition to the first educational bullet, educate them on the negative impacts the vacant land has on the community. In lieu of making financial donations to City or community programs, lobby and encourage major petroleum companies to remediate and redevelop their sites.

7.3 Redevelop City Owned Sites

The City is a large landholder of vacant lands within the downtown area (Figure 1, Appendix A) and successful development of their current assets can promote development of nearby brownfield lands. This provides the City the opportunity to be a catalyst for future development and lead by example. It is recognized that prior to selling any land, the City will ensure that the land will be improved to complement the City's vision of the downtown. It is recognized that the City take the following sequential steps prior to developing or selling land with development conditions.

1. Amend the Official Community Plan to establish two new downtown land use designations: Downtown Residential; and Downtown Commercial & Mixed Use.

These proposed amendments were drafted in the fall of 2016 and directly follow recommendations from the *Downtown Action Plan*. They are reflected in the City's draft Official Community Plan.

2. Amend the Zoning Bylaw to allow for increased housing types to promote infill development and densification.

These proposed amendments were drafted in the fall of 2016 and directly follow recommendations from the *Downtown Action Plan*.

3. Amend the Subdivision and Development Servicing Bylaw to require the use of lanes winter city elements, include paseos, and allow for parking flexibility.

These proposed amendments were drafted in the fall of 2016 and directly follow recommendations from the *Downtown Action Plan*.

4. Undertake recommendations from the 2013 *Downtown Planning Baseline Inventory & Analysis Report* (Rob Barrs and Associates) which, presented again for convenience, could include:

- Spot zone/pre-zone and sell

This approach ensures the use and form the City wants to see while virtually eliminating risk to the City. It may reduce the potential to negotiate amenities or additional gives from rezoning, however much could be considered to be written into the spot zoning already. Selling minimizes potential return for the City as a result of the lack of risk taken on. Theoretically, rezoned land value would be higher than existing value.

- Sales agreement with specific conditions for development

Virtually the same approach as pre-zone and sell, perhaps with the potential to negotiate additional benefits through the rezoning. Likely a lower value realized from selling under current zoning.

- City as developer

This is potentially the best return for the City; however it carries a significant amount of risk. It also requires both ability and appetite to finance the project. It also ensures the City gets exactly what they want, when they want it.

- City partners with developer

Similar to the City as developer, but less risk and the returns will be far less, although they should be higher than selling the land outright. Partnerships of this nature usually determine equity shares based on contribution to costs, and land is often a relatively small portion of total project costs.

Redevelopment should follow the vision of the City's Official Community Plan and Downtown Action Plan. The draft 2017 Official Community Plan has an objective to have all downtown vacant brownfield sites developed and/or redeveloped by 2030.

7.4 Incentivize

1. Create a Downtown Improvement Grant and/or a Downtown Reinvestment Fund to encourage redevelopment, in a specified area, of specific types of development such as: New Multi-family residential infill projects of 4 units or more; or new mixed use (commercial retail/residential or commercial retail/office) buildings of 2 storeys or more.
2. Create a Brownfield Grant Program to assist funding in Phase I and Phase II Environmental Assessment Reports.

With this program, applicants would apply for a grant under the Brownfield Grant Program, managed by the City of Fort St. John, and be awarded based on qualified proposals subject to availability of funds at the time of application.

The City would fund the grant by annual contributions.

3. Create a Downtown Reinvestment Fund to dedicate annual public investments into the downtown. Many public investments are recommended in the Downtown Action Plan including streetscape improvements, infrastructure upgrades, transportation and parking changes, and City-owned building enhancements.
4. Establish a BIA with annual funding to broaden the advocates for downtown redevelopment. The resulting BIA management group will choose where to best spend the funds based on the needs of the area.

7.5 Embrace the Interim

Apply creativity and flexibility to work with different City departments and land owners to embrace the interim and take action such as:

1. For sites that are fenced, place screenings to add colour and visual interest to unappealing sites.



Trail, BC applies colourful screenings over chain-link fences surrounding vacant land to add visual appeal to the public realm.

2. Encourage temporary or interim land uses such as dedicated food-truck rental pads, greenspaces, community gardens, or parking lots. To do this on privately owned sites, it will take a collaborative effort between the City and the private land owner.

Brownfield land owners could temporarily improve their surface by adding seating and planters to create an outdoor patio environment which could be serviced by a collection of independently owned and operated food trucks. Food truck owners could pay a rental fee for utilizing this space.

A downtown greenspace or community garden with raised beds could be established as a temporary use as well. The City could support this initiative by providing water or street furniture. This action is supported by the need for more greenspace in the downtown by both the *Parks and Recreation Master Plan* and the *Downtown Action Plan*.

As development of vacant sites in the downtown increases, the abundance of uncoordinated free parking will decrease. This could result in economic opportunities for private brownfields owners to improve their surface and charge for parking as a temporary measure.

For all City owned vacant sites, it is recommended that the City creates architectural concept renderings showcasing the potential of the downtown once on the land is developed. These renderings should be placed on large signs on each vacant site as a way to excite the public and investors about the future of the downtown, and to provide visual interest.

For selected vacant sites within and near the downtown, it is recommended that the City creates specific site strategies to recommend interim uses while the markets work towards developing each site to its highest and best use that is complimentary of the City's Official Community Plan and Downtown Action Plan.

7.6 Enforce

1. Enforce existing bylaws to the greatest extent to increase the visual appeal of brownfields.

8. Summary

To fight blight and realize the vibrant city and downtown that is desired by the community as reflected in the draft 2017 OCP and Downtown Action Plan, action must be taken on vacant, underutilized, and brownfield sites to make them *vacant no more*.

While local governments in British Columbia struggle with legislation restricting them from penalizing brownfields, innovative communities must look to creating incentives and embracing interim solutions while the private investment market takes time to develop urban vacant sites.

Implementing interim solutions will take time, collaboration, and continued financial investment from land owners, municipal, provincial, and federal governments. But the outcomes are positive and encouraging to build the character and attractiveness of the downtown.

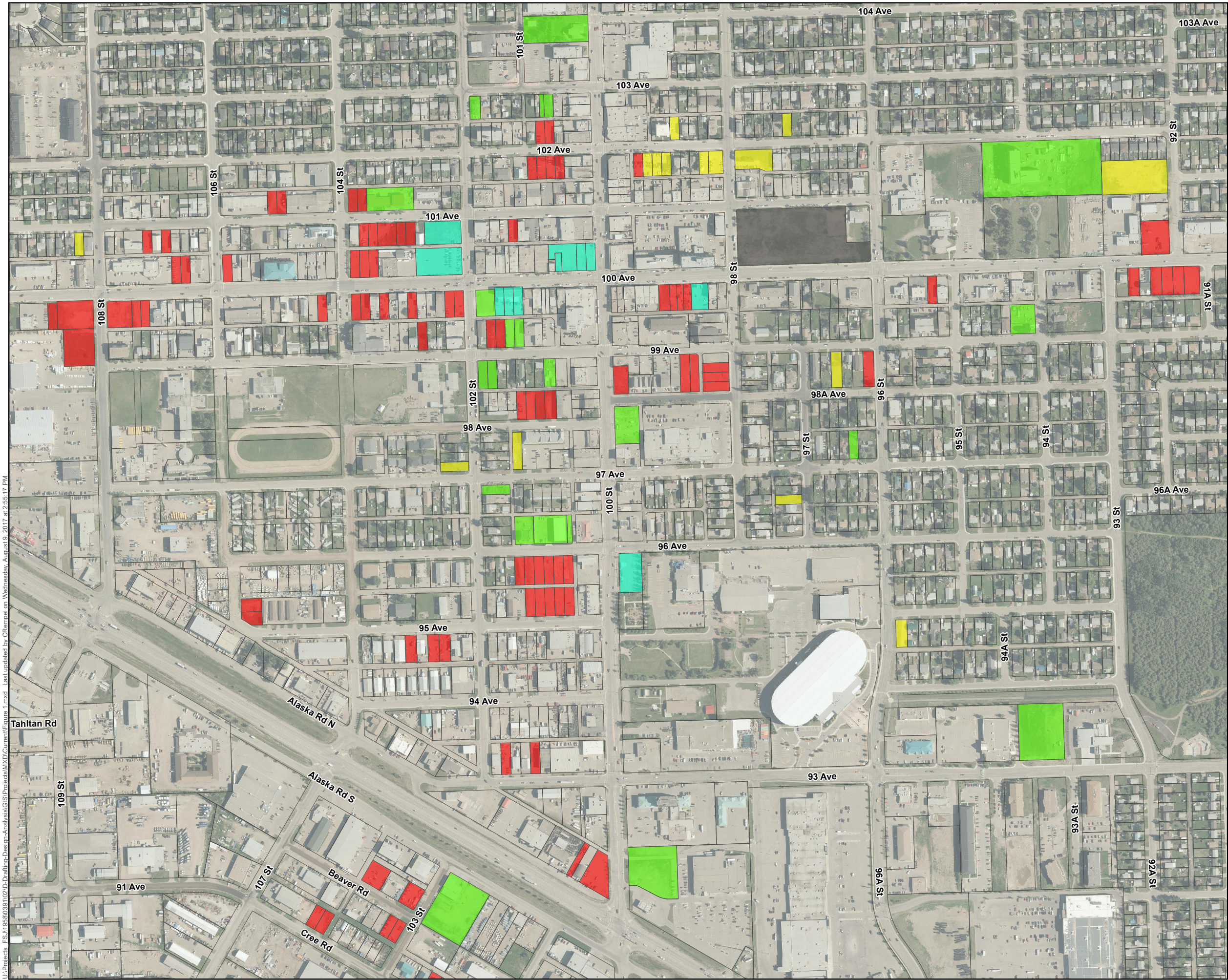
For City owned sites, there exist unique opportunities to lead by example and act as a catalyst for developing vacant sites within the downtown. Whether the City takes the lead on development, forms a partnership, or disposes of the land with development conditions, positive value can result to transform the downtown to create its vision articulated in the Downtown Action Plan.

The City's interim improvements to the corner of 100 Street and 100 Avenue by adding topsoil, grass, trails, and seating has become a celebrated community amenity. This greenspace has been activated by the public through uses such as hosting inflatable

jumping structures, multi-cultural celebrations, parade gatherings, and winter dog-sled touring. It's with this proof of concept that vacant sites in Fort St. John can transform from unsightly gravel parcels to cherished community spaces used in all seasons until their full development is achieved.

Appendix A

Figure: Vacant Site Summary



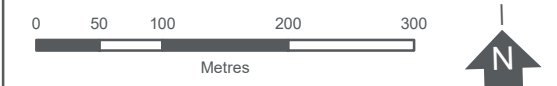
City of Fort St. John

Vacant No More

**Downtown Core
Vacant Site Summary**

- Residential - Vacant
- Commercial - Vacant
- Constructed since 2010
or Construction Imminent
- City Owned - Vacant
- Other - Vacant

The accuracy & completeness of information shown on this drawing is not guaranteed. It will be the responsibility of the user of the information shown on this drawing to locate & establish the precise location of all existing information whether shown or not.



Coordinate System: NAD 1983 UTM Zone 10N
Scale: 1:6,000

Data Sources:
 - Base data provided by the City of Fort St. John.
 - Original vacant land information based off of work completed by Urban Systems as part of the 2012 Vacant and Underutilized Land Inventory project. The information as shown has been updated by Urban Systems to better reflect current conditions.

Project #: 1958.0391.02
 Author: CR
 Checked: CC
 Status: ~ DRAFT ~
 Revision: A
 Date: 2017 / 8 / 9



FIGURE 1

U:\Projects_FSA\19580391\02-Drafting-Design-Analyses\GIS\Projects\MXD\Current\Figure 1.mxd Last updated by CRempel on Wednesday, August 9, 2017 at 2:55:17 PM