

**R**evitalization  
**O**ppportunity  
**I**nvestment

BROWNFIELDS IN WATERLOO REGION

Region of Waterloo

Phase II Environmental Site Assessment (ESA) Grant  
Brownfields Financial Incentive Program

Application Package

July 2010

**R**evitalization  
**O**ppportunity  
**I**nvestment

BROWNFIELDS IN WATERLOO REGION



Region of Waterloo

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## **A. GUIDELINES FOR APPLICANTS**

The Region of Waterloo is offering grants to assist land owners in carrying out Phase II Environmental Site Assessments (ESAs) for the reurbanization of brownfield sites. The Phase II ESA grants are one of a number of financial incentives available under the Brownfields Financial Incentives Program to stimulate the rehabilitation and reurbanization of brownfield sites in the Region of Waterloo.

The Phase II Environmental Site Assessment Grants are being made available to encourage the investigation of potentially contaminated sites as a step towards site cleanup and redevelopment, and to assist the Region's efforts for the protection of drinking water sources including groundwater.

**Please Note: Pre-consultation is required before application submission as there are specific hydrogeological investigation and reporting requirements that must be met in order to be eligible. If possible, applicants are encouraged to contact the Region before commencing the Phase II ESA to ensure the requirements are addressed.**

Questions regarding the criteria, application form or the required supporting documents can be addressed to the Region's Brownfields Coordinator.

Brooke Lambert, Principal Planner - Brownfields Coordinator  
Planning, Housing and Community Services Department  
Region of Waterloo  
150 Frederick Street, 8<sup>th</sup> Floor  
Kitchener ON N2G 4J3  
Tel: (519) 575-4500 Ext. 3113  
Fax: (519) 575-4449  
Email: lbroke@region.waterloo.on.ca

### **A1. ELIGIBILITY CRITERIA**

Under the Phase II ESA Grant Program, a brownfield is defined as:

*A property which contains environmental contamination either in the ground or buildings due to the operational activities of a previous land use, **where the extent of the contamination rendered the property vacant, under-utilized, unsafe, unproductive or abandoned.***

Please note: Not all sites that require a Phase II ESA are considered a brownfield and therefore may not be eligible for funding. Applicants should discuss the particulars of their site during the pre-consultation meeting with the Region.

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To qualify for a grant, brownfield sites must meet the following eligibility criteria:

- The site must qualify as a brownfield site i.e. vacant, under-utilized, unsafe, unproductive or abandoned as a result of actual or perceived contamination in the land or buildings.
- A Phase I ESA report must have been prepared for the site by a Qualified Person as per Ontario Regulation 153/04 of the *Environmental Protection Act*. The report must indicate a need for an additional environmental study.
- Only one Phase II ESA per site can be funded. The study may be conducted in multiple stages. The total amount of funding for all stages cannot exceed the funding maximum.
- The Phase II ESA must meet the required regulatory and professional standards.
- The Phase II ESA must address the Region's interest in protecting groundwater.
- Only the owners of a site can apply for funding. The site owner may assign payment of financial incentives to a third party, such as a prospective purchaser, with written consent of the Applicant, the Assignee and of the Region.
- Properties subject to a Ministry of the Environment Order, or which are in property tax arrears, are not eligible to receive funding.
- Studies submitted for funding must be new Phase II ESAs, where the majority of work was completed and paid for no more than one year prior to application for the grant.
- Costs submitted for funding must be limited to Phase II ESA work and other related environmental assessment work completed in conjunction with the Phase II ESA. (Phase I work and remediation work, including remediation plans, are not included in eligible costs)
- Applicants must attend a pre-consultation meeting in advance of a submitting a grant application to ensure Phase II ESAs will meet the Region's hydrogeological investigation and reporting requirements.

## **A2. TERMS OF FINANCIAL ASSISTANCE**

The Region's Phase II ESA grant provides funds to a maximum of 50% of total study cost, less any financial support received from other sources for brownfield remediation and reurbanization. The total value of a grant per site will not exceed \$40,000. For the purposes of this program a "site" consists of one or more parcels that have or will be consolidated for the purposes of a reurbanization project. The grant maximum applies to the total cost of all stages of a multi-stage Phase II ESA.

## **A3. APPLICATION PROCESS**

Applicants are required to attend a pre-consultation meeting with the Region before they submit an application in order to ensure that the study will meet the Region's hydrogeological investigation and reporting requirements. If possible, Applicants are encouraged to attend a pre-consultation meeting before commencement of the Phase II ESA.

Following completion of the study, Applicants may complete and sign the Application Form (Part B) and submit all documents in support of their application. The required documents are listed on the application form. Please note that applications will not be considered complete until all supporting documents have been received by the Region.

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Only Phase II ESAs which meet the eligibility criteria will be considered for funding. All applications will undergo a screening process and a completed Eligibility Requirements Form (Part C) must be submitted with the application. It is recommended that the Phase II ESA consultant assist in completing Part C.

Phase II ESAs eligible for funding will undergo a technical review by Regional staff or independent consultants as required, as part of the eligibility review process. Payment of the grant will occur only if the Region is satisfied with the technical review and the submitted application forms and invoices. It is important to note that not every Phase II ESA will meet the eligibility requirements of this program. Pre-consultation is required, however it does not guarantee eligibility.

Once completed applications have been reviewed by the Region's Brownfield Coordinator and Senior Hydrogeologist they will be submitted to the Commissioner of Planning, Housing and Community Services and the Chief Financial Officer, or their respective designate, for approval.

The application for program assistance does not confer upon the Applicant the right to commence property improvements which have not been approved at the time of application. The submission of an application for program assistance does not imply that the application will be approved in part or in whole by the Region. The Region of Waterloo reserves the right, in its absolute and sole discretion, to approve, in part or in whole, any application, reject any or all applications, seek clarification and additional information from Applicants, and add to, adjust or terminate the program of assistance as may be desirable from time to time.

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**B. APPLICATION**

To qualify for a Phase II Environment Site Assessment Grant, brownfield sites must meet the eligibility criteria laid out in Section A – Guidelines for Applicants.

Applications should be submitted to:

Brooke Lambert, Principal Planner - Brownfields Coordinator  
Planning, Housing and Community Services Department  
Region of Waterloo  
150 Frederick Street, 8<sup>th</sup> Floor  
Kitchener ON N2G 4J3  
Tel: (519) 575-4500 Ext. 3113  
Fax: (519) 575-4449  
Email: lbrooke@region.waterloo.on.ca

**The following application must be filled out in its entirety. Referencing applicable sections in supporting documents is not acceptable and may result in the application being deemed incomplete.**

***B1. GENERAL INFORMATION***

**Applicant Information**

Registered Site Owner(s)

Company (if applicable): \_\_\_\_\_

Contact: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Date of Acquisition of Site(s): \_\_\_\_\_

**Site Information**

Municipal address of site(s) for which application is being made (please include an Ontario Land Survey (OLS) if available):  
\_\_\_\_\_

Legal description of property (in the absence of a legal survey, refer to tax bill for information):

Lot No(s): \_\_\_\_\_

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Plan No(s): \_\_\_\_\_

Roll No(s): \_\_\_\_\_

PIN No(s): \_\_\_\_\_

Description of Site(s) : (if more than 1 site, please use backside to provide details)

Size: \_\_\_\_\_

Past Known Use(s): \_\_\_\_\_

Current Use(s): \_\_\_\_\_

Other Details: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Evidence that site is a Brownfield**

Please provide a description of the nature of the potential/actual environmental contamination on the site(s). Please attach the site(s) existing ESAs and other relevant reports/documentation as evidence of potential/actual environmental contamination in the ground.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Has remediation begun on site? (If yes, please describe action to date)

\_\_\_\_\_  
\_\_\_\_\_

**Reurbanization Project Details**

Please provide a description of the future reurbanization plans for this site:

Size: \_\_\_\_\_

Use(s): \_\_\_\_\_

Density (expected jobs and people per hectare): \_\_\_\_\_

Expected Development Stages: \_\_\_\_\_

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Current Development Stage and Anticipated Requirements (OPA, Zoning, Site Plan, etc):

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Estimated Project Value: \_\_\_\_\_

**Other Funding Assistance**

Have you previously received a grant or other financial assistance for the subject site, from the Region of Waterloo or any other level of government or public agency?

Yes\_\_ No\_\_

If yes, please provide details below (e.g. file number(s), reference number(s), type of program, value of assistance, etc.):

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Do you expect to apply for any other financial assistance for the subject site from the Region of Waterloo or any other level of government or public agency? Yes\_\_ No\_\_

If yes, please provide details below (e.g. program name, government source, timing of application, value of assistance, etc.):

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**B2. PHASE II ENVIRONMENTAL SITE ASSESSMENT GRANT INFORMATION**

Environmental Site Assessments should generally meet all regulatory and professional standards, including conformity with Ontario Regulation 153/04, as amended, of the *Environmental Protection Act*, the most recent version of the Ministry of the Environment's *Guideline for Phase II Environmental Site Assessments*, and the requirements of the Canadian Standards Association. An ESA must be prepared by an environmental professional certified for this purpose by the Ontario Ministry of the Environment. This Consultant is commonly referred to as the 'Qualified Person' (QP).

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**Evidence that Phase II ESA included Groundwater Testing**

Please provide a description of the groundwater quality on the property. Please attach any reports/documentation that provide evidence that groundwater testing forms part of the Phase II ESA work on the property (e.g. information from the environmental consultant who completed the work).

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**Environmental Site Assessment Information**

Phase I Environmental Site Assessment

Applicants must have completed a Phase I ESA of the property which indicates the need for additional environmental study.

Date of Phase I ESA: \_\_\_\_\_

Company/Firm that Prepared Phase I ESA: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

Email: \_\_\_\_\_

Phase II Environmental Site Assessment

Company/Firm that prepared Phase II ESA: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_ Email: \_\_\_\_\_

Cost of Phase II ESA and associated environmental assessment work (attach invoices):

\$ \_\_\_\_\_

Please note: All Invoices must detail the type of work completed in relation to the Phase II ESA (ie. monitoring, hydrological assessment, project management) as well as any environmental assessment work done in conjunction with the Phase II ESA. They must also include the dates of the services provided and the amount before GST.

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The Region reserves the right to verify all invoices submitted, including the right to contact the Qualified Person responsible for the services provided. If invoices are deemed unacceptable, the application will not be considered complete and the Applicant will be notified.

***B3. REQUIRED SUPPORTING DOCUMENTS***

Please include the following documents to support your application:

- i. A completed Application Form (Part B)
- ii. A completed Eligibility Requirements Form (Part C)
- iii. Planning applications for the subject site, if applicable
- iv. The relevant Phase I ESA report or the report's recommendations
- v. Paid invoices for the Phase II ESA and associated environmental assessment work (Proof of payment must be included. This could be a letter or statement from the payee indicating the invoices submitted have been paid in full)
- vi. The final Phase II ESA report and technical appendices; and
- vii. The Statutory Declaration of application statement(s) truthfulness (Part D). (Signed by a Commissioner)

Please note that applications will only be considered complete when all supporting documents have been submitted.

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**B4. ACKNOWLEDGEMENT AND CONSENT**

I/We hereby apply for assistance under the program specified and agree to abide by the terms and conditions of the program as established by the Region of Waterloo.

I/We hereby state that the subject property for which this application for a Phase II ESA grant is made is not in tax arrears nor is it subject to a Ministry of Environment order.

I/We hereby certify that the information given herein is true, correct and complete in every respect and consent that the Region of Waterloo reserves the right to verify any information contained herein.

I/We acknowledge and consent that the Region of Waterloo may provide a copy of the report to government agencies or other interested parties.

Signature of Applicant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
If Corporation - "I have authority to bind the Corporation."

Title: \_\_\_\_\_

Witness: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Notes: Personal information contained on this form and in attached documents is collected pursuant to the Municipal Act and in accordance with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), and will be used for the purposes of processing your application. Questions regarding the collection of information in accordance with MFIPPA should be directed to the Region of Waterloo's Brownfields Coordinator referenced within this application form.

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**C. ELIGIBILITY REQUIREMENTS FORM**

Applications for the Phase II Environmental Site Assessment (ESA) Grant will be received and screened based on the following requirements. Please complete this form and submit it with the application. Applicants are encouraged to confirm the technical details with the environmental professional who carried out the work.

**C1. DOES THE SITE MEET THE ELIGIBILITY CRITERIA?**

ELIGIBILITY CRITERIA – (PASS/FAIL)	YES	NO
1. Does the site contain environmental contamination in the ground due to the operational activities of a previous land use, <b>where the extent of the contamination rendered the property vacant, under-utilized, unsafe, unproductive or abandoned?</b>		
2. Has a Phase I ESA report been completed for the site?		
3. Does the Phase I ESA report indicate a need for an additional environmental study?		
4. Has a Phase II ESA report been completed for the site?		
5. Has the Phase II ESA report been prepared by a Qualified Person as per Regulation 153/04, as amended, of the <i>Environmental Protection Act</i> ?		
6. Has the Phase II ESA report generally met all regulatory and professional standards, including conformity with Regulation 153/04, as amended of the <i>Environmental Protection Act</i> , the most recent version of the Ministry of the Environment's <i>Guideline for Phase II Environmental Site Assessments</i> , and the requirements of the Canadian Standards Association?		
7. Is the property subject to a Ministry of Environment Order?		
8. Is the property in tax arrears?		
9. Is the Phase II ESA study a new study, i.e. was the majority of the study completed and paid for within one year prior to the application for the grant?		
10. Did the Applicant attend a pre-consultation meeting?		

Note: Shaded boxes indicate a "pass".

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**C2. DOES PHASE II ESA REPORT INCLUDE GROUNDWATER TESTING?**

*The specifics of these requirements will be discussed in more detail during the pre-consultation meeting.*

GROUNDWATER REQUIREMENTS (PASS/FAIL)	YES	NO
1. Has groundwater testing (water level and quality) been undertaken as part of the Phase II ESA and have a minimum of three groundwater testing events been completed?		
2. Can the results of groundwater testing be compared to the applicable clean-up standards in a potable water scenario?		
3. Does the interpretation of the hydrogeologic results in the Phase II ESA report include a comparison of site specific and regional scale hydrogeology?		
4. Does the interpretation of the hydrogeologic results in the Phase II ESA report include maps illustrating groundwater flow directions, maps illustrating distribution of representative chemicals in the groundwater and hydrogeologic cross-sections?		
5. Does the interpretation of the hydrogeologic results in the Phase II ESA report include a discussion of wellhead protection areas and an assessment of the impact to Region water supply wells, surface water intakes, and areas of intrinsically high vulnerability?		
6. Does the Phase II ESA include recommendations regarding the need for further investigation of groundwater?		

Note: Shaded boxes indicate a “pass”.

**C3. DO THE INVOICES SUBMITTED CONTAIN THE REQUIRED DETAILS?**

INVOICE REQUIREMENTS (PASS/FAIL)	YES	NO
1. Do the invoices contain the dates of the services provided and are the majority of these dates within a year prior to the ESA grant application?		
2. Are the details of the services provided stated on the invoice (ie. monitoring, hydrological assessment, etc.) and are the invoices specifically for the provision of services for Phase II ESA or associated environment assessment work (i.e. excluding services related to costs for preparing remedial work plans to direct site clean-up or strategies to manage contaminants on site)?		
3. Do the invoices have the name and the contact information for the Qualified Person who provided the services?		
4. Do the invoices show the amounts paid for the services before GST?		

Note: Shaded boxes indicate a “pass”.

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**D. STATUTORY DECLARATION OF APPLICATION STATEMENT(S)  
TRUTHFULNESS**

I, \_\_\_\_\_ of the City/Township of \_\_\_\_\_,  
in the Regional Municipality of \_\_\_\_\_, solemnly declare that:

All statements contained in this application are true and complete, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath or affirmation by virtue of the Ontario Evidence Act and the Canada Evidence Act.

Declared before me at the \_\_\_\_\_ )  
City/Township of \_\_\_\_\_ in the \_\_\_\_\_ )  
Regional Municipality of \_\_\_\_\_, this)  
\_\_\_\_\_ day of \_\_\_\_\_, 201\_ )

\_\_\_\_\_  
Signature of Registered Owner of lands that are the subject of he  
application or Authorized Officer or Director if Corporate Registered  
Owner

\_\_\_\_\_  
A Commissioner, etc.