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Town of Cochrane, ON, Growth CIP



Value through service and commitment

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Table of Contents

1.0	Introduction	1
1.1	Background	1
1.2	Legislative Authority	2
1.3	Purpose.....	2
2.0	The Growth CIP Project Area	4
2.1	Geographic Area	4
2.2	Projected Employment, Population, and Housing Growth.....	4
2.3	Land Supply	5
2.4	Hard Infrastructure Capacities	6
	2.4.1 Water and Wastewater Infrastructure Capacity	6
	2.4.2 Landfill Capacity	6
3.0	Goals, Objectives, and Target Areas	8
3.1	Goals and Objectives	8
3.2	Eligibility	8
3.3	Eligible Costs	8
3.4	Financial Incentive Programs	9
	3.4.1 Sale of Land Below Market Value (\$10/lot program)	9
	3.4.2 Tax Increment Equivalent Grant (TIEG)	10
	3.4.3 Planning and Building Permit Fee Grants	12
	3.4.4 Physician Return of Service Incentive Program	12
	3.4.5 General Terms and Conditions	13
3.5	Other Community Improvement Activities and Actions	15
4.0	Monitoring and Amendments	16

List of Appendices

Appendix A	Legislative and Policy Basis
Appendix B	References

1.0 Introduction

1.1 Background

The Town of Cochrane (the Town) is located along the Highway 11 Corridor in Northern Ontario, in Cochrane District. The Town was incorporated into a Town in 1910 and named after the Honourable Francis Cochrane, a prominent politician in Northern Ontario at the time. The Town grew as the transcontinental railway expanded, and attracted farmers, lumbermen, and merchants to the region. Cochrane was the hometown of NHL player Tim Horton, a name that has become integral to the Canadian identity.

Today the Town is a vibrant community with a growing population and a breathtaking landscape with a diversified economy. The Town is known for its high quality of life. The Town is still a centre for rail and the forestry industry, however, due to its location within the Abitibi Greenstone Belt and the expanding mining operations nearby, it is likely that the Town's mining sector will grow.

Council's strategic vision for the community is long term and forward thinking – to build a community today that future generations will be proud of. To help achieve this vision, Council established the following objectives:

1. Population Retention: To retain and grow the Town's population;
2. Fiscal Health: To keep more money in people's pockets;
3. Self Sufficient: To be strategic about our growth and development;
4. Physically Healthy Community: To grow while we maintain our physical health; and,
5. Strengthening Our Unique Blend of Cultures: To stop cultural segregation and remove socioeconomic barriers of our people.

Consistent with this vision and objectives, in recent years, there has been an increased focus on how the Town can make housing more affordable and attainable in the community to attract and retain residents, encourage movement within the housing stock and strengthen the fiscal sustainability of the Town. There are, as described later in this report, several barriers which are preventing the private sector from creating the housing that Cochrane needs. Addressing these barriers is important to create "a community that future generations will be proud of". This has become especially important as regional economic development proposals including Canada Nickel's proposed mine south of the Town and Agnico Eagle's proposed expansion of the Detour Lake Mine northeast of the Town take shape. It is anticipated that these projects will help attract residents and generate additional demand for new housing.

The potential significance of these regional economic development proposals is evident in the recently commissioned Population, Employment and Housing Projections Study conducted by Watson & Associates Economists Ltd. (Watson). This study shows that the Town's population is projected to grow over the next 27 years, with new housing growth projected to be the strongest in the next 10 years. This growth will be largely driven by the growing mining and forestry sector in the region, with employment growth increasing alongside population, and housing growth. The study also notes that the Town has a more than adequate supply of residential lands within its existing urban settlement area to accommodate the projected housing growth. Overall, the study

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reinforces the Town's move to accommodate the projected growth through the implementation of a Growth CIP to incentivize new residential development.

On October 16th, 2023, the Council of the Town of Cochrane ("Council") approved Resolution No. 509-2023 to direct the Town to develop a property rebate or subsidy program and to identify new lots for residential development at \$10 a lot as a part of the program. This forms the basis for the creation of the Town's Growth CIP.

On July 19th, 2022, Council approved Resolution No. 245-2022 furthering physician recruitment in the Town by authorizing Town staff to modify the incentive package offerings to the needs of prospective physicians.

The CIP's incentive programs are tools that can be used to address key community needs. Council's goal is to attract more residents to the community, which has a high quality of life and is a relatively affordable community to live and do business. The incentives are designed to help with macro issues such as affordable and attainable housing and attracting new working age residents, who will reinforce the social and economic vitality of the community. In addition, the incentives have the potential to grow the Town's assessment base and tax revenue, improving its fiscal sustainability in the mid to long term.

1.2 Legislative Authority

The Growth CIP has been developed in accordance with Section 28 of the *Planning Act* and Section 106 of the *Municipal Act*, as well as other relevant policies and documents including the Provincial Policy Statement (2020), Growth Plan for Northern Ontario (2011), Official Plan of the Cochrane and Suburban Planning Area (2014), and the Town of Cochrane Zoning By-law (968-2013). The legislative and policy framework for the CIP is included in Appendix A.

1.3 Purpose

Council's strategic objective is to increase residential development within the community and help attract new physicians to serve existing and future residents of the Town. Like the numerous other municipalities across Ontario that have used CIPs as a tool to address the barriers that prevent growth in the municipality, by providing incentives that offset the costs incurred in overcoming the barrier.

In the case of the Town, Council aims to use the Growth CIP to stimulate the creation of new residential development and to attract physicians to serve the Town's current and future residents. The Growth CIP may be amended from time to time as the needs of the community and Council's strategic goals for the community change.

An extensive review of literature, reports, and population data reveals that there are a variety of barriers that prevent access to housing in the Town. These barriers include:

- New in-migration from Southern Ontario and other areas;
- High construction costs;
- Labour shortages;
- Site preparation costs; and

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Town of Cochrane, ON, Growth CIP

- High transportation cost of materials.

Therefore, by offsetting the cost of new residential development through CIP incentive programs the Town can assist prospective homeowners in overcoming these barriers by reducing the cost of new residential development and improvement to existing residences.

Although there is a shortage of physician across Ontario, the shortage is felt acutely in Northern Ontario. There is an overwhelming demand for care and as approximately half of the physicians in Ontario prepare to retire within the next five years (OMA, 2023) the shortage could intensify. A return of service incentive program could help the Town overcome this barrier to care by incentivizing doctors to set up their medical practice locally. With the understanding that the incentive program will focus on physician recruitment, in the future, incentives could be extended to other regulated and non-regulated medical professionals and service providers at the discretion of the Town.

As such the purpose of the CIP is to help overcome these barriers in order to stimulate the creation of new housing and attract physicians to serve the Town's residents.

2.0 The Growth CIP Project Area

2.1 Geographic Area

The Growth CIP Project Area includes all lands within the Settlement Area of the Town of Cochrane as Shown in Schedule A of the Official Plan for the Cochrane and Suburban Planning Area. The CIP Project Area boundaries are illustrated in Figure 1.

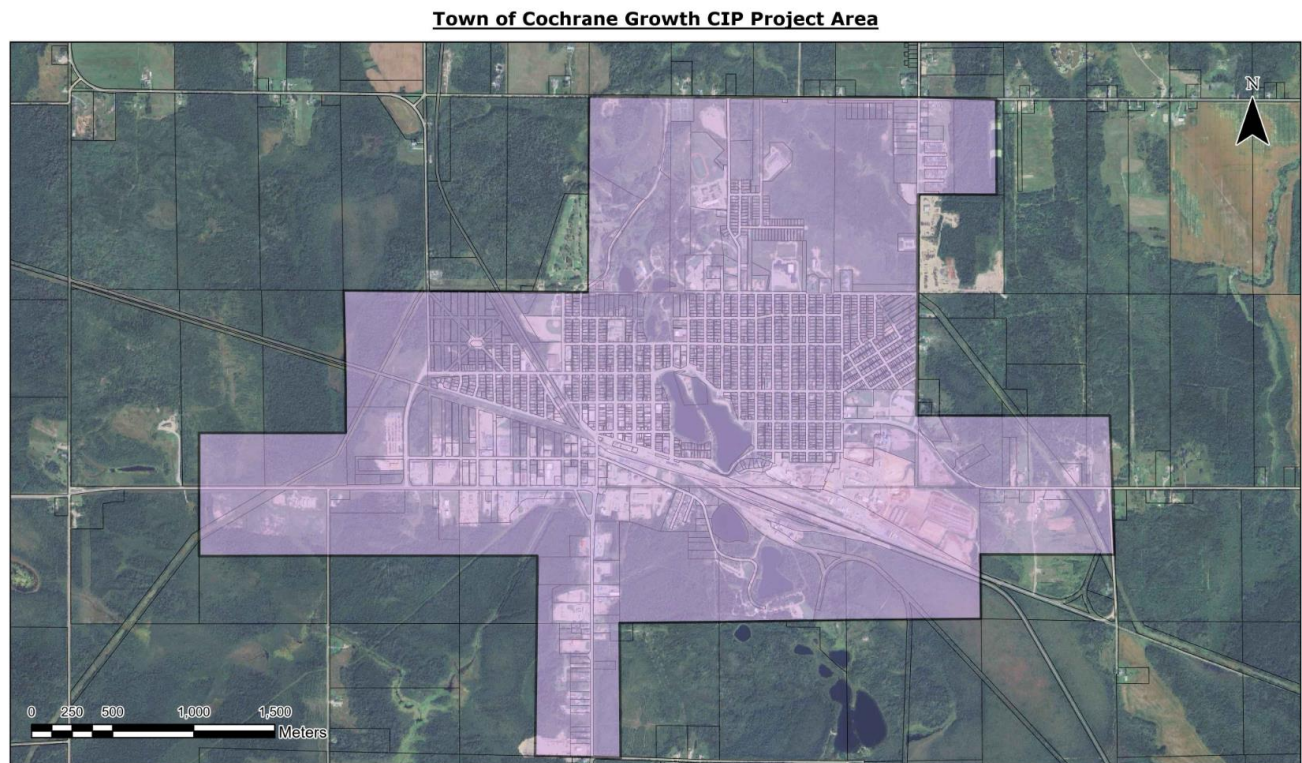


Figure 1. Town of Cochrane Growth CIP Project Area – matches the boundaries of the settlement area of the Town of Cochrane.

2.2 Projected employment, population, and housing growth

The Town of Cochrane retained Watson to prepare a Population, Employment and Housing Projections Study. The study provides a long term (i.e., 2021 to 2051) population, housing and employment growth forecast and a corresponding land needs assessment. The study has assisted in the creation of the Growth CIP as it was developed with the intention to guide decision-making and policy development in relation to planning, growth management, housing, as well as long-range master planning for municipal services. This section summarizes key conclusions of this study as it relates to the Growth CIP.

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- The Town of Cochrane's population base is forecast to grow from 5,700 in 2024 to approximately 8,000 by 2051. This represents an average annual population growth rate of approximately 1.3% during this period, significantly higher than the historical average growth rate for the Town. Net migration is anticipated to represent the largest component of forecast population growth in Cochrane. This is a result of diminishing population growth from natural increase due to the aging of the population.
- Over the 2024 to 2051 forecast, it is expected that the number of new housing units will expand significantly, totalling 1,075 new units (or an average of 38 new units per year). Housing growth is anticipated to be strongest over the next 10 years and to moderate thereafter. It is likely that 52% of housing growth will encompass low-density forms (i.e., single detached and semi-detached units), followed by high density (i.e., apartment units) at 33% and medium density (townhouses and duplexes) at 15%. While there is strong demand for low-density housing forms in Cochrane, increasing demand is also anticipated for medium- and high-density housing forms to provide a greater choice in housing options by type and tenure across a diverse mix of residents by age and income.
- Cochrane's employment base of 3,570 jobs in 2024 is forecast to increase to 5,030 jobs by 2051, an increase of 41% (1,460 jobs) over the period. Over the long term, the Town of Cochrane's employment activity rate (ratio of jobs to population) is anticipated to increase from approximately 63% in 2024 to 66% by 2031 and to moderate downward to 63% by 2051. This increase is anticipated to be largely driven by direct and indirect employment impacts from the local and regional mine projects. Cochrane's employment base is forecast to grow across all major employment sectors.
- Over the 2024 to 2051 period, the primary sector, driven by mining and forestry, is expected to account for 27% of employment growth, the largest share of employment growth. Commercial/population-related employment (which includes the retail and food and accommodation sectors) will account for 21% of total employment growth while the industrial sector will account for 17%, and the institutional sector, 16%. Work at home and no fixed place of work employment are anticipated to account for 7% and 12% of the employment growth over the period, respectively.

2.3 Land Supply

The Watson Report also speaks to the Town's residential land supply. The report estimates that the Town has 2,387 lots, which exceeds the Provincial minimum 25-year land supply requirement. The Town's residential land supply includes lots in various states of 'development readiness'. Some lots are vacant, zoned and fully serviced and can be developed subject to building permit approval. Other lots are larger, vacant lots that may need to be re-zoned or subdivided prior to development. In both cases, some lots are owned by the Town, while others are privately held. The Town is developing a phasing strategy that will identify these lots and describe any pre-development requirements. The phasing strategy is intended to identify lots that may be developed by an individual versus those developed by a builder/developer, lots where development can occur within the existing infrastructure (to make most efficient use of that

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infrastructure and minimize operation and maintenance costs) versus those that will require new infrastructure investment.

2.4 Hard Infrastructure Capacities

The Town of Cochrane settlement area is served by full municipal services (water and wastewater) and a municipal landfill.

2.4.1 Water and Wastewater Infrastructure Capacity

The most recent information regarding the modelled capacity of the Town's water and sanitary plants is outlined in The Greer Galloway Group Inc.'s 2012 *D-5 for Planning Water and Wastewater Services Report*.

- In terms of water plant capacity, the report concludes that the water system has an additional capacity of 2,102 m³/day, which is equivalent to 464 residential dwelling units assuming 2.5 persons/unit. Since this time, the Town has issued building permits for 188 residential dwelling units on full services. This suggests that the Town's water system has residual capacity to accommodate 276 additional residential dwelling units. This number should not be considered as the absolute remaining capacity since reductions in water demand associated with large industrial users and improvements undertaken by the Town since this time will affect the remaining available capacity.

In terms of sanitary capacity, the report concludes that the sanitary sewer system has the capacity for development of 2,695 m³/day. Since this time, the Town has issued building permits for 188 fully serviced residential units. Taking this into account and assuming 1.8 persons/household and 0.95 m³/person/day use (2012 actual), the sanitary system appears to have the capacity to support 1,376 additional lots at a minimum. If 0.45 m³/person/day is used, per the Ministry of Environment and Parks Guidelines are used, the capacity increases to 3,116 lots. Similar to the water system, this number should not be considered as the absolute remaining capacity since the Town has undertaken several initiatives since this time which will affect this number.

The 2012 estimates, building permit activity since 2012, water and wastewater system improvements undertaken since 2012 and changes in large industrial users suggest that the Town has water and wastewater capacity to support new residential growth. The Town should undertake a new D-5-1 study to confirm current reserve capacity for both water and wastewater plants.

2.4.2 Landfill Capacity

In 2023, the Town retained EXP Services Inc. (EXP) to prepare an estimate of volume remaining in the landfill facility. EXP's report states that the remaining capacity of the landfill site, taking into account the final 1 m clay cap, is 111,114.62 m³. The total landfill filling rate for 2021-2022 is 4,565m³/year. Based on this filling rate the remaining life expectancy for the Town's landfill is approximately 24 years.

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This report indicates that the Town's landfill has capacity to support new residential growth.

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3.0 Goals Objectives and Target Areas

3.1 Goals and Objectives

The Town has identified the development of a Growth CIP as an opportunity to stimulate growth and residential development, conforming with its Official Plan and other strategic documents. The Growth CIP will serve as a framework that will direct and guide community improvements through financial incentive programs and municipal projects.

The goals and objectives of the Town's Growth CIP are as follows:

Goal # 1: To stimulate growth in the Town by incentivizing the creation of new housing in the Growth CIP Project Area.

- **Objective 1:** To retain and grow the population of the Town.
- **Objective 2:** To provide a full range and mix of affordable and attainable housing opportunities.
- **Objective 3:** To promote efficient land use development patterns.
- **Objective 4:** To promote the efficient use and optimization of existing services and minimize new servicing costs.
- **Objective 4:** To encourage community improvement and economic growth.
- **Objective 5:** To grow the Town's residential property assessment and tax revenues base.

Goal #2: To improve access to healthcare for the Town's residents by recruiting physicians to practice in the community.

- **Objective 1:** To be strategic about the Town's growth and development.
- **Objective 2:** To grow the community while maintaining resident's physical health.
- **Objective 3:** To improve overall quality of life of the Town's residents.

These goals and objectives align with the Council's Strategic Plan and the Official Plan, as well as relevant provincial land use planning policy direction and plans.

3.2 Eligibility

A project must be located within the Growth CIP Project Area described in Section 2, consistent with the goals and objectives in Section 3.1, represent an eligible cost as defined in Section 3.3, and meet the requirements outlined in Section 3.4.5 to be eligible to participate in the Growth CIP.

3.3 Eligible Costs

Generally, the total amount of incentives provided under this CIP shall not exceed eligible costs (i.e. costs related to development, redevelopment, construction, and reconstruction of lands and buildings for the creation of new residential dwellings, rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements, or facilities). With respect to the physician return of service incentive program, the total amount of incentives under this CIP shall not exceed the incentive program guidelines, unless in accordance with Section 3.4.5.

3.4 Incentive Programs

3.4.1 Sale of Land Below Market Value (\$10/lot program)

3.4.1.1 Purpose

To stimulate private development of new residences by selling vacant municipally owned properties for less than market value.

3.4.1.2 Description

Council will consider the sale of municipally owned residential property at \$10 “per lot” to applicants who meet the program requirements.

For example, an applicant who is approved under this CIP intends to build a single detached home on a single detached lot will purchase the lot at fair market value (e.g. \$5,000) and, provided the applicant achieves occupancy of the new single detached home within a two-year period and meet the terms and conditions within this CIP, the difference between the fair market value and \$10 will be reimbursed to the applicant (e.g. \$4,990).

To ensure that the CIP stimulates a full range and mix of housing types, the \$10/lot will be calculated on a per unit basis. For example, an applicant who is approved under this CIP intends to build a four-unit multiple dwelling on a lot will purchase the lot at fair market value (e.g. \$10,000) and, provided the applicant achieves occupancy of the multiple dwelling within a two-year period and meets the conditions in this CIP, the different between (\$10,000) and \$40 will be reimbursed (e.g. \$9,960).

3.4.1.3 Program Requirements

- In order for a lot to be eligible it must be a municipally owned lot proposed for residential development and located within the Growth CIP Project Area.
- Sale of Land Below Market Value program applications must be filed prior to the start of any activity that would constitute an eligible cost and to which the proposed grant would apply. Purchases of municipal lots made prior to the submission of an application will not be eligible.
- Sale of Land Below Market Value program applications where approved, shall be approved by Council, by by-law.
- As a condition of approval, Council may require the applicant of the approved eligible property enter into an agreement with the Town respecting the terms, duration, default and termination provisions of the grant. Council may also apply other conditions to the approval where appropriate and warranted.

- The agreement will define the obligations of both parties, reimbursement by the Town upon occupancy being achieved, responsibilities of both parties if the project is not complete for any reason. The Town will retain a right of first refusal if the applicant fails to achieve the project within the timeframe approved by Council or sells the lot to a third party prior to construction. In either event, the applicant will restore the lot to its original condition.
- The purchase price paid by applicants will be placed in a reserve fund established for such purposes. Any reimbursement provided by the Town will be provided without interest.
- The applicant will have two years from Council's passing of the by-law to approve the incentives for the project to achieve final occupancy for the project.
- The applicant has the right to request one, one year extension to the original two-year term. Any requests for extension will be submitted at least 6 months before the original two-year term expires. Council, in its sole discretion, may or may not decide to grant such an extension.

3.4.2 Tax Increment Equivalent Grant (TIEG)

3.4.2.1 Purpose

To encourage the development and redevelopment of eligible properties by providing grants equivalent to the incremental increase in municipal property tax assessment and revenue resulting from property improvements such as, but not limited to, new construction, redevelopment, expansion, and rehabilitation.

3.4.2.2 Description

Council may provide grants to the owner or tenant (applicant) of an eligible property to help offset costs associated with its development, redevelopment, expansion and/or rehabilitation of the property, provided that these improvements would result in an increase in property assessment and taxation.

The value of the grant will thus be equal to the incremental increase in property assessment and the municipal portion of the property tax resulting from improvements. It does not include the education portion of the tax.

If successful, the applicant will receive the grant after the improvement and/or development of the property is complete and after the reassessment of the property by the Municipal Property Assessment

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Town of Cochrane, ON, Growth CIP

Corporation has demonstrated an increase in the assessed value of the property. The pre and post improvement assessment and tax values will be used to calculate the incremental increase in municipal property tax revenue and therefore the total value of the grant.

3.4.2.3 Program Requirements

- Tax Increment Equivalent Grant (TIEG) program applications must be filed prior to the start of any activity that would constitute an eligible cost and to which the proposed grant would apply. Improvements made prior to the submission and approval of a TIEG application will not be eligible.
- TIEG applications must detail existing site conditions (e.g. assessment, taxation, improvements) and the proposed development, redevelopment, expansion and/or rehabilitation.
- TIEG applications where approved, shall be approved by Council, by by-law.
- As a condition of approval, Council may require the owner or tenant of the approved eligible property to enter into an agreement with the Town respecting the terms, duration, default and termination provisions of the grant. Council may also apply other conditions to the approval where appropriate and warranted.
- The approved grant will follow the below annual/percentage structure:

Year	% of incremental increase in municipal portion of property tax
1	100%
2	80%
3	60%
4	40%
5	20%
6	0%

- The approved grant will only apply to the municipal portion of the property tax rate. Any increase to the educational portion of the tax rate, which is set by the provincial government will still apply, unless the application property constitutes a brownfield site, and the applicant proposes to remediate the site of contaminants on and falls under the policies (see Appendix A) of Section 365.1 of the *Municipal Act*.

- Should the applicant of the eligible property default on any condition in the by-law or agreement, the grants, plus interest, will become payable to the Town in full.

3.4.3 Planning and Building Permit Fee Grants

3.4.3.1 Purpose

To encourage the development and redevelopment of eligible properties by rebating application fees associated with *Planning Act* and *Ontario Building Code* applications in the form of a grant.

3.4.3.2 Description

The Town may rebate fees for *Planning Act* and *Ontario Building Code* applications associated with improvements to eligible properties within the Growth CIP Project Area.

3.4.3.3 Program Requirements

- Planning and Building Permit Fee Grant Program applications must be filed prior to the start of any activity that would constitute an eligible cost and to which the proposed grant would apply.
- Any required planning and building permit fees shall be paid per the Town's regular business practices and may be reimbursed upon successful completion of the required approval (e.g. zoning by-law amendment or building permit).
- The total amount of incentive provided under this program shall not exceed the cost of the required land use planning application fees and/or building permit application fees, as applicable.
- Any fee required by an outside public agency is not subject to this CIP.
- This fees-rebate program does not apply to any required performance securities (i.e., letters of Credit) posted by the proponent, required professional studies, to expenses incurred by the applicant as a result of an Ontario Land Tribunal Hearing.

3.4.4 Physician Return of Service Incentive Program

3.4.4.1 Purpose

To attract and retain physicians to the Town in order to provide primary care medical services to the Town's current and future residents by offering a financial incentive package for physicians who agree to relocate

to the Town for the specified period of time outlined in the program requirements.

3.4.4.2 Description

The Town may provide a Physician Return of Service Program as a financial incentive included in the Growth CIP.

In exchange for a five-year return of service agreement between the physician and the Town, Council may offer physicians the following incentives:

- Relocation grant - \$15,000
- Grant - \$50,000 to be paid equally over five years, at the beginning of each year.
- Interest Free Loan - \$100,000 (repayable after 5 years)
- Free fitness and pool membership, public skating, and polar bear habitat membership for physician and family, and for the service team.

3.4.4.3 Program Requirements

- Physician Return of Service Incentive Program applications must be filed prior to the physician relocating to the Town or any other activity that would constitute an eligible cost and to which the proposed grants/loan would apply.
- Physician already located within the Town are not eligible to receive the financial incentive package or apply to the program, unless otherwise approved by Council, in its sole discretion.
- As a condition of approval, Council will require the prospective physician to enter into a Return of Service agreement with the Town respecting the terms, duration, default and termination provisions of the grant. Council may also apply other conditions to the approval where appropriate and warranted.

3.4.5 General Terms and Conditions

All financial incentive programs described herein are subject to the following general requirements. These requirements are not intended to be exhaustive. The Town reserves the right to include other reasonable requirements and conditions on a project-specific basis.

1. Works commenced prior to submitting an application are ineligible. Works commenced after submitting an application but prior to application approval do so at the applicant's risk.

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2. The financial incentives described herein may be used in combination with any other municipal financial incentive program.
3. The financial incentives described herein may be used in combination with any other program offered by the Town and/or any other level of government and/or association and/or third party.
4. Approved grants are applicable to the registered owner or assessed owner or tenants of land and buildings within the community improvement plan area and are assignable to any third party to whom such an owner or tenant has assigned the right to receive a grant.
5. Council may consider phasing incentives for large, multi-phase redevelopment projects, where it can be clearly demonstrated that the provision of the phased incentive does not exceed the eligible costs associated with any particular phase of development and/or redevelopment.
6. The Town may receive applications that exceed the maximum program amounts outlined in this Community Improvement Plan. At its sole discretion, Council may provide incentives that are greater than the amounts outlined herein, provided that all other applicable criteria are met and, in Council's opinion, is in the Town's best interest.
7. All approved works and improvements shall conform to all relevant provincial legislation and local policies and regulations. An approval under this CIP does not relieve a proponent from the need to obtain any required approvals.
8. Town staff, officials and/or agents of the Town may inspect any approved eligible property that is subject of a financial incentive program application.
9. The Town reserves the right to peer review/audit any studies and/or works approved under a financial incentive program, at the expense of the applicant.
10. The Town is not responsible for any costs incurred by an applicant in relation to any of the above financial incentive programs.
11. The eligible property will not be in a position of tax arrears at the time of application or approval.
12. If the applicant is in default of any program requirement, or any other requirement of the Town, the Town may delay, reduce or cancel its financial incentive program approval.
13. Outstanding work orders and/or orders or requests to comply, and/or other charges from the Town (including tax arrears) must be satisfactorily addressed prior to the issuing of any financial incentive.
14. The Town may discontinue any financial incentive program at any time. Notwithstanding this, approved eligible properties will continue to receive

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Town of Cochrane, ON, Growth CIP

approved municipal financial incentives, subject to compliance with the requirements set out herein and any associated by-law and/or agreement.

15. Council retains the right, in its sole and absolute discretion, to fund, extend, revise, or alter this CIP at any time for any reason.

3.5 Other Community Improvement Activities and Actions

In addition to the financial incentive programs outlined in this CIP, the *Planning Act* also permits the municipality to undertake the following community improvement activities:

- Acquire, hold, clear, grade or otherwise prepare land for community improvement.
 - Construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the community improvement plan; and,
 - Sell, lease, or otherwise dispose of any land and buildings acquired or held by it in conformity with the Community Improvement Plan.
1. The Town may receive applications to undertake such activities. At its sole discretion Council may authorize such activities provided that the goals and objectives of this CIP are met and, in Council's opinion, is in the Town's best interest.

4.0 Monitoring and Amendments

Town staff will conduct periodic reviews of the CIP programs and activities relating to community improvement to determine their effectiveness and provide an update to Council. Council may amend the CIP as is necessary to ensure that the goals and objectives outlined in the CIP are achieved. Any increase in program financing permitted under Section 28 of the *Planning Act* will not require an amendment. Following the first year of the program, the Town should evaluate the effectiveness of the organizational and funding structure of the CIP application process, the evaluation process, and the amount of staff resources to administer, monitor, and market the CIP.

The following measures are recommended for monitoring the CIP incentive programs:

1. **Annual Report:** An annual CIP report to Town Council should be produced and presented to Council. The reports should reflect the following program specific information:
 - Number of applications.
 - Number and type of new residences constructed.
 - Increase in assessed value of participating properties.
 - Estimated and actual amount of grants provided.
 - Hectares/square metres of land developed or redeveloped.
 - Value of private sector investment leveraged.
 - Number of program defaults and reasons for default.
2. **Post-Project Evaluation Report:** Following the completion of a CIP-assisted project, Town staff should complete a project close-out checklist with detailed descriptions of the work completed with any issues that may have arisen during the application and/or development/improvement process. This information can be used in the preparation of the annual CIP report to Town Council.
 - Before/after project photos.
 - Description of project.
 - CIP incentive program(s) utilized.
 - Benefit created to the Town through the successful completion of the project.
 - Total grant amount.
 - Total construction value.

Application Database: A database of past CIP applications should be used to assess the effectiveness of various CIP incentive programs with amendments to the CIP made where appropriate.

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Town of Cochrane, ON, Growth CIP

Appendix A. Legislative and Policy Basis

The legislative and policy framework for the Growth CIP is formed by the *Municipal Act*, the *Planning Act*, the Provincial Policy Statement 2020, the Growth Plan for Northern Ontario and the Official Plan for Cochrane and Suburban Planning Area.

The Municipal Act

The *Municipal Act* is a piece of provincial legislation governing the powers, duties, and organization of municipalities in Ontario.

Section 106 'Assistance prohibited' of the *Municipal Act* under economic development services outlines what municipalities can and cannot do with regard to promoting private investment. This section forms the basis for the 'bonusing rule' which prohibits municipalities from the following:

106 (1) *Despite any Act, a municipality shall not assist directly or indirectly any manufacturing business or other industrial or commercial enterprise through the granting of bonuses for that purpose.* 2001, c. 25, s. 106 (1).

106 (2) *Without limiting subsection (1), the municipality shall not grant assistance by,*
a) *giving or lending any property of the municipality, including money;*
b) *guaranteeing borrowing;*
c) *leasing or selling any property of the municipality at below fair market value; or*
d) *giving a total or partial exemption from any levy, charge or fee.* 2001, c. 25, s. 106 (2).

However, these restrictions do not apply when Council is exercising its authority under sections 28 (6), (7), and (7.2) of the *Planning Act*, as outlined in section 106 (3) of the *Municipal Act*.

106 (3) *Subsection (1) does not apply to a council exercising its authority under subsection 28 (6), (7) or (7.2) of the Planning Act or under section 365.1 of this Act.* 2001, c. 25, s. 106 (3); 2002, c. 17, Sched. A, s. 23; 2006, c. 23, s. 34.

The *Municipal Act* in addition to outlining the above policies enables municipalities to provide tax incentives relating to the development, redevelopment and rehabilitation of land. Section 365.1 of the *Municipal Act* operates within the CIP framework outlined in section 28 of the *Planning Act* but relates directly to the creation of a by-law to cancel the educational portion of taxes levied on a property during the property's rehabilitation and development period. This section of the Act is also known as the Brownfield Financial Tax Incentive Program (BFTIP) as the section enables municipalities to provide municipal tax assistance to encourage brownfield rehabilitation:

365.1(2) *Subject to subsection (6), a local municipality may pass by-laws providing for the cancellation of all or a portion of the taxes for municipal and school purposes levied during the assistance period on one or more specified eligible properties, on such conditions as the municipality may determine.* 2021, c. 40, Sched. 16, s. 2 (3).

Draft CIP

Town of Cochrane, ON, Growth CIP

Properties must be located within a CIP Project Area in order to be eligible to receive this assistance. Under subsection 365.1(6) municipalities must apply to the provincial minister of Finance to provide education portion of municipal property tax assistance:

365.1 (6) *Except in the circumstances prescribed by the Minister of Finance, a by-law passed under subsection (2) is of no effect with respect to taxes for school purposes unless the Minister of Finance has, in writing, approved its application to taxes for school purposes.* 2021, c. 40, Sched. 16, s. 2 (5).

The Planning Act

Part IV of the *Planning Act* outlines policies related to Community Improvement. Subsection 28(1) provides definitions for community improvement, community improvement plan, and community improvement project area, as follows:

“community improvement” means the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefor, as may be appropriate or necessary;

“community improvement plan” means a plan for the community improvement of a community improvement project area;

“community improvement project area” means a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason. (R.S.O. 1990, c. P.13, s. 28 (1); 2001, c. 17, s. 7 (1, 2); 2006, c. 23, s. 14 (1).

Under subsection 28 (2) municipalities can designate Community Improvement Project Areas (CIP project areas) by by-law, this area can include the whole or any part of an area covered by the Official Plan as a CIP project area. However, the municipality's in-effect Official Plan needs to contain policies relating to community improvement in the municipality.

28 (2) *Where there is an official plan in effect in a local municipality or in a prescribed upper-tier municipality that contains provisions relating to community improvement in the municipality, the council may, by by-law, designate the whole or any part of an area covered by such an official plan as a community improvement project area.* R.S.O. 1990, c. P.13, s. 28 (2); 2006, c. 23, s. 14 (3).

Once a municipality has designated a CIP project area the Act gives the municipality the ability to do the following in said project area,

- 28 (3) *When a by-law has been passed under subsection (2), the municipality may,*
- a) *acquire land within the community improvement project area;*
 - b) *hold land acquired before or after the passing of the by-law within the community improvement project area; and*

Draft CIP

Town of Cochrane, ON, Growth CIP

- c) *clear, grade or otherwise prepare the land for community improvement.* R.S.O. 1990, c. P.13, s. 28 (3); 2001, c. 17, s. 7 (3); 2015, c. 26, s. 25.

Further after the by-law has been passed designating the CIP project area the municipality can begin preparing the CIP under subsection 28(4),

28 (4) When a by-law has been passed under subsection (2), the council may provide for the preparation of a plan suitable for adoption as a community improvement plan for the community improvement project area and the plan may be adopted and come into effect in accordance with subsections (5) and (5.1). 2006, c. 32, Sched. C, s. 47 (1).

Subsection 28 (6) also provides Council with the following powers under a CIP,

28 (6) For the purpose of carrying out a community improvement plan that has come into effect, the municipality may,

- a) construct, repair, rehabilitate or improve buildings on land acquired or held by it in the community improvement project area in conformity with the community improvement plan, and sell, lease or otherwise dispose of any such buildings and the land appurtenant thereto;*
- b) sell, lease or otherwise dispose of any land acquired or held by it in the community improvement project area to any person or governmental authority for use in conformity with the community improvement plan. R.S.O. 1990, c. P.13, s. 28 (6); 2001, c. 17, s. 7 (6).*

Subsection 28(7) enables the municipality to provide financial incentives including grants and loans for eligible costs for properties in the CIP project area,

28 (7) For the purpose of carrying out a municipality's community improvement plan that has come into effect, the municipality may make grants or loans, in conformity with the community improvement plan, to registered owners, assessed owners and tenants of lands and buildings within the community improvement project area, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole or any part of the eligible costs of the community improvement plan. 2006, c. 23, s. 14 (8)

Under subsection 28 (7.1) eligible costs can include the following:

28 (7.1) For the purposes of subsection (7), the eligible costs of a community improvement plan may include costs related to environmental site assessment, environmental remediation, development, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities. 2006, c. 23, s. 14 (8).

Important to note is that under subsection 28 (7.3) the *Planning Act* specifies that the total grants and loans made in respect to a particular property as well as the tax assistance provided under section 365.1 of the *Municipal Act* cannot exceed the eligible costs of the CIP with respect to those lands and buildings. Essentially total assistance (i.e. loans and grants) cannot exceed eligible costs.

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Town of Cochrane, ON, Growth CIP

The Provincial Policy Statement 2020

The Provincial Policy Statement (PPS) outlines the provincial government's policies on land use planning. Issued under Section 3 of the *Planning Act* and provides municipalities across Ontario with provincial policy direction when making plans and decisions on land use planning issues that affect communities. The current PPS came into effect on May 1st, 2020, and applies to all planning decisions made after that date and until a new PPS is released by the province.

Section 1.3 of the PPS provides policies related to employment. Section 1.3.1 of the PPS requires that municipalities promote economic development and competitiveness by "... providing for an appropriate mix and range of employment uses ... to meet long term needs; providing opportunities for a diversified economic base ...; facilitate conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market ready sites, and seeking to address potential barriers to investment; ...".

Section 1.4 of the PPS outlines policies related to housing in Ontario. Section 1.4.1 outlines that municipalities are to "...provide for an appropriate range and mix of housing options and densities to meet projected requirements of current and future residents of the regional market area..." in order to support the creation of complete communities, offering a variety of housing option to meet a variety of needs residents may require.

Section 1.7 of the PPS addresses Long-Term Economic Prosperity. Section 1.7.1 of the PPS outlines that long term economic prosperity should be supported by "... promoting opportunities for economic development and community investment readiness; ... optimizing the long-term availability and use of land, resources, infrastructure and public service facilities; ...".

The Town's Growth CIP is consistent with the policies contained in the PPS.

The Growth Plan for Northern Ontario, 2011

The *Growth Plan for Northern Ontario* (Growth Plan) (2011) is a 25-year plan that provides policies to align economic and population growth in the north with provincial decision-making and investment. The plan was prepared by the province under the authority of the *Places to Grow Act* – which enables the province to designate geographic regions as growth areas. The Town of Cochrane falls within the Northern Ontario Growth Plan Area. As the Growth Plan is a provincial plan all municipal-level decisions and plans on land-use planning matters must conform to/not conflict with the policies contained in the Growth Plan.

Section 2 of the Growth Plan addresses the economic policies for Northern Ontario. Section 2.2.1 calls on stakeholders, including municipalities, to collaborate on and contribute to economic and development strategies for their respective communities. With section 2.2.3 outlining that economic development strategies for existing and emerging sectors seek to attract investment among other priorities as well as find ways to integrate sector considerations into labour market and infrastructure planning. Section 3.4.3 encourages municipalities to support and promote healthy living by providing for communities with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open spaces, and easy access to local stores and services.

Draft CIP

Town of Cochrane, ON, Growth CIP

The Town's Growth CIP conforms to/does not conflict with these policies.

Official Plan Cochrane and Suburban Planning Area, 2014

Section 2.7 Objectives of the Plan

Section 2.7 of the OP outlines the following objectives that align with the goals and objectives outlined in section 3.1 of this Draft CIP. They are as follows:

2.7.1 To promote logical, orderly, attractive, cost-effective and efficient land use and development patterns in the Planning Area, which minimize land consumption and servicing costs. The Cochrane Settlement Area will be the focus of growth...

2.7.2 To encourage economic growth and development in the Planning Area, including resource development, resource-based tourism and recreational development, commercial, industrial, institutional and residential development.

2.7.11 To encourage community improvement.

2.7.13 To provide policies for evaluating development proposals.

These objectives reinforce that new development and growth should be focused in the settlement area of the Town in order to make most efficient use of the Town's infrastructure and services. As such, the objectives of the OP support the development of the Town's Growth CIP.

Section 3.3 Municipal Role in Land Development

Like many other municipalities Council seeks to encourage and play an active role in development and growth of the Town in order to maintain a high quality of life for the Town's residents. The OP outlines the following in Section 3.3:

"Council shall encourage the development of privately and publicly owned land in accordance with the policies of this Plan...Council will implement a phased approach to new development, while pursuing the redevelopment and intensification of existing lots where this can be accommodated."

Aligned with what is outlined in this section, Council is encouraging the development of land in accordance with the policies contained in the OP, pursuing development where it can be best accommodated.

Section 3.4 – 3.6 Affordable Housing, Secondary Dwelling Units and Garden Suites

Section 3.4 of the OP details policies related to the provision of affordable housing in the Town. Citing that,

"Affordable housing shall be encouraged through residential infilling, residential intensification and by encouraging a mix of housing types and densities."

Draft CIP

Town of Cochrane, ON, Growth CIP

The incentive programs contained in the Growth CIP aim to help reduce the costs associated with residential development and as a result thus contribute to affordable housing within the Town. Housing types can also include additional dwelling units as outlined in section 3.5 of the OP, and garden suites as outlined in Section 3.6 of the OP.

Section 8 Community Improvement

Section 8 of the Town's OP outlines the Town's policies related to community improvement. This section specifies that community improvement is a priority of Council and defines it as:

“ Community improvement may be generally defined to include public and private activities that maintain, rehabilitate and redevelop the existing physical environment to accommodate the social and economic priorities within the community. The Community Improvement provisions of the Planning Act allow municipalities to prepare Community Improvement Plans for designated Community Improvement Project Areas as the result of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.”

How community improvement is defined in the OP is important as it enables the Town to include incentives aimed to improve not only the economic wellbeing of the community but also the social wellbeing of the community. This thus enables the Town to create an incentive geared towards the recruitment of physicians as part of the CIP. It goes on to identify the Town's Settlement Area and the Hamlets of Clute and Genier as Community Improvement Areas. Outlining that Council may designate CIP project areas to address the following issues:

- a) deficiencies in water or sewerage systems;
- b) substandard road conditions;
- c) poor housing and/or building conditions;
- d) conflicting land uses;
- e) inadequate public parks, recreational or community facilities;
- f) poor drainage conditions, safety and/or health hazards;
- g) deficiencies in street lighting and/or sidewalks;
- h) inadequate off-street parking;
- i) ecological deficiencies in local lakes;
- j) improvement of community energy efficiency; or
- k) creation of affordable housing.

These policies generally support the creation of a comprehensive Growth CIP that would encourage improvements/expansions of the local housing stock, investment and economic development and improved social and health outcomes through a Physician Return of Service Incentive Program.

Draft CIP

Town of Cochrane, ON, Growth CIP

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