

CITY OF PORT COLBORNE EAST WATERFRONT COMMUNITY IMPROVEMENT PLAN GENERAL INCENTIVE PROGRAM REQUIREMENTS

All of the financial incentive programs contained in the Port Colborne East Waterfront Community Improvement Plan (East Waterfront CIP) are subject to the following requirements as well as the individual requirements specified under each program. The general and program specific requirements contained in the East Waterfront CIP are not necessarily exhaustive and the City reserves the right to include other requirements and conditions as deemed necessary on a program specific or property specific basis.

Further Information:

For more information regarding the East Waterfront Community Improvement Plan Program please contact:

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All of the financial incentive programs contained in the Port Colborne East Waterfront CIP are subject to the following general program requirements as well as the individual requirements specified under each program. The general and program specific requirements contained in the East Waterfront CIP are not necessarily exhaustive and the City reserves the right to include other requirements and conditions as deemed necessary on a property specific basis:

- a) Application for any of the incentive programs contained in the CIP can be made only for properties within the East Waterfront Community Improvement Project Area (see attached map);
- b) With the exception of the Planning and Building Fees Grant Program, an application for any financial incentive program contained in this CIP must be submitted to the City prior to the commencement of any works to which the financial incentive program will apply and prior to application for building permit;
- c) If the applicant is not the owner of the property, the applicant must provide written consent from the owner of the property to make the application;
- d) An application for any financial incentive program contained in the CIP must include plans, estimates, contracts, reports and other details as required by the City to satisfy the City with respect to costs of the project and conformity of the project with the CIP;
- e) As a condition of grant application, the City may require the applicant to submit for approval:
 - i) A Business Plan, with said plan to the Municipality's satisfaction;
 - ii) Professional urban design studies/architectural drawing(s) which shall be in conformity with the Region of Niagara's Urban Design Guidelines;
 - iii) Impact studies such as but not necessarily limited to traffic studies and studies of microclimatic conditions (sun, shadow, wind);
- f) Review and evaluation of an application and supporting materials against program eligibility requirements will be done by City staff, who will then make a recommendation to City Council or Council's designate. The application is subject to approval by City Council or Council's designate;
- g) Each program in the CIP is considered active if Council has approved implementation of the program, and Council has approved a budget allocation for the program (as applicable);
- h) As a condition of application approval, the applicant may be required to enter into a loan or grant agreement with the City. This Agreement will specify the terms, duration and default provisions of the incentive to be provided;
- i) Where other sources of government and/or non-profit organization funding (Federal, Provincial, Municipal, CMHC, Federation of Canadian Municipalities, etc...) that can be applied against the eligible costs are anticipated or have been secured, these must be declared as part of the application. Accordingly, the grant/loan may be reduced on a pro-rated basis;

- j) The City reserves the right to audit the cost of any and all works that have been approved under any of the financial incentive programs, at the expense of the applicant;
- k) The City is not responsible for any costs incurred by an applicant in relation to any of the programs, including without limitation, costs incurred in anticipation of a grant and/or loan;
- l) If the applicant is in default of any of the general or program specific requirements, or any other requirements of the City, the City may delay, reduce or cancel the approved grant and/or loan, and require repayment of the approved grant and/or loan;
- m) The City may discontinue any of the programs contained in this CIP at any time, but applicants with approved grants and/or loans will still receive said grant and/or loan, subject to meeting the general and program specific requirements, and applicants with approved loans will still be required to repay their loans in full;
- n) All proposed works approved under the financial incentive programs and associated improvements to buildings and/or land must conform to any Façade Design Guidelines put in place by the City, and all other City guidelines, by-laws, policies, procedures, and standards;
- o) All works completed must comply with the description of the works as provided in the application form and contained in the program agreement, with any amendments as approved by the City;
- p) Existing and proposed land uses must be in conformity with applicable Official Plan(s), Zoning By-law and other planning requirements and approvals at both the local and regional level;
- q) All improvements made to buildings and/or land shall be made pursuant to a Building Permit, and/or other required permits, and constructed in accordance with the Ontario Building Code and all applicable zoning requirements and planning approvals;
- r) When required by the City, outstanding work orders, and/or orders or requests to comply, and/or other charges from the City must be satisfactorily addressed prior to grant and/or loan approval/payment;
- s) Property taxes must be in good standing at the time of program application and throughout the entire length of the grant/loan commitment;
- t) City staff, officials, and/or agents of the City may inspect any property that is the subject of an application for any of the financial incentive programs offered by the City;
- u) Eligible applicants can apply for one, more or all of the incentive programs contained in the East Waterfront CIP, but no two programs may be used to pay for the same eligible cost. Also, the total of all grants and loans provided in respect of the particular property for which an applicant is making application under the programs contained in the Downtown CBD CIP and any other CIPs, shall not exceed the eligible cost of the improvements to that property under all applicable CIPs;



- v) Eligible applicants can apply for one, more or all of the incentive programs contained in the East Waterfront CIP and incentive programs contained in other applicable CIPs, e.g., the Brownfield CIP. However, no “double dipping” will be permitted, i.e., no two incentive programs may be used to pay for the same eligible cost;
- w) In order to avoid double dipping between the Revitalization (Tax Increment) Grant Program contained in the East Waterfront CIP and the Brownfield Rehabilitation Grant (Tax Increment) Grant Program available under the Brownfield CIP, application can be made for only one of these grant programs, per property, site or project.
- x) The total of all grants and loans provided in respect of the particular lands and buildings of an applicant under the programs contained in this CIP and any other applicable CIPs shall not exceed the cost of rehabilitating said lands and buildings.