



City of Hamilton

BUSINESS IMPROVEMENT AREA ADVISORY SUB-COMMITTEE ADDENDUM

Meeting #: 18-003
Date: March 13, 2018
Time: 8:00 a.m.
Location: Room 264, 2nd Floor, City Hall
71 Main Street West

Angela McRae, Legislative Coordinator (905) 546-2424 ext. 5987

	Pages
5. CONSENT ITEMS	
*5.1 Programs Available to Assist Businesses in the City Affected by Acts of Violence and Graffiti (Referred for information from the March 8th Special Meeting of Council)	3
8. DISCUSSION ITEMS	
*8.4 Discussion Respecting Recent Vandalism (no copy)	

5.1

CITY COUNCIL FOLLOW-UP

9:30 a.m.

Thursday, March 8, 2018

Council Chamber

Hamilton City Hall

71 Main Street West

Please be advised that at its Special meeting of March 8, 2018, Council approved the following Items:

5.2 Zero Tolerance for Violence in Hamilton

WHEREAS, Hamilton businesses, on Locke Street and in other areas of the City, have become targets of unprovoked assaults by Anarchists;

WHEREAS, this violence has outraged law-abiding citizens across our community;

WHEREAS, Hamilton residents and businesses have the right to live and work in a City free of threat and violence; and,

WHEREAS, the City of Hamilton recognizes there is no grey area when it comes to unprovoked assaults on our law-abiding citizens;

THEREFORE IT BE RESOLVED:

- (a) That the City of Hamilton stands united, publicly condemning the recent acts of violence against its citizens; including the attacks on Locke Street, Kenilworth Avenue, Barton Street, Ottawa Street, Main Street and the Durand and Kirkendall Neighbourhoods, and other areas of our downtown core or anywhere else in the City of Hamilton;
- (b) That the City of Hamilton will work with police and the community to identify the perpetrators of this recent violence;
- (c) That the City of Hamilton will support the women and men who work hard and play by the rules in hopes of building a strong local economy; and,
- (d) That the City of Hamilton recognizes that taking an unwavering stand against violence ensures that our City continues to be the best place to raise a child and age successfully.

5.3 Programs Available to Assist Businesses in the City Affected by Acts of Violence and Graffiti

That a copy of the Motion respecting Zero Tolerance in the City of Hamilton be sent to the BIA Sub-Committee and to all BIA's within the City of Hamilton, with a copy of information respecting the appropriate programs available to assist those businesses who have been affected by acts of violence and/or graffiti.



Planning and Economic Development Department
 Urban Renewal Section
 71 Main Street West, 7th Floor
 Hamilton, Ontario L8P 4Y5
 Phone: (905) 546- 2424 Ext. 2755
 Fax: (905) 546-2693

\$96.05 Administration Fee for Grants of \$5,000 or less

\$259.90 Administration Fee for grants less than or equal to \$12,500 & Greater than \$5,000

\$406.80 Administration Fee for grants greater than \$12,500 to accompany Application

ACTIVE BUSINESS IMPROVEMENT AREAS COMMERCIAL PROPERTY IMPROVEMENT GRANT PROGRAM
--

APPLICANT INFORMATION

Name of Applicant:		
Contact Name:		
Mailing Address:		
City & Postal Code:		
Telephone Number:		Fax Number:
Cell Phone Number:		
Email:		
Is applicant the owner?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
	<i>If "No", please complete the "Owner Information Section"</i>	
If Corporation or Partnership, Date of Incorporation/Registration of Business:		
Name of Registered Shareholders/Partners (include percentages of Ownership)		

OWNER INFORMATION

Name of Owner:		
Contact Name:		
Mailing Address:		
City & Postal Code:		
Telephone Number:		Fax Number:
Cell Phone Number:		
Email:		
If Corporation or Partnership, Date of Incorporation/Registration of Business:		
Name of Registered Shareholders/Partners (include percentages of Ownership)		

OTHER INFORMATION (TO BE COMPLETED BY ALL APPLICANTS)

Addresses of other properties in the City of Hamilton Boundary owned by the Applicant. If the application is from a Partnership or Corporation include addresses of properties owned by the Partnership or Corporation.

Note: This information is being collected to determine if there are any outstanding taxes owed to the City of Hamilton.

Applicant/Partnership/ Corporation Name	Street Number and Name	City (i.e. Hamilton, Stoney Creek, Waterdown, Dundas, Binbrook)

**SIGNATURE OF OWNER/AUTHORIZED AGENT AFFIDAVIT OR SWORN
DECLARATION
DATE OF APPLICATION SUBMISSION AND PERMISSION TO UTILIZE
PHOTOGRAPHS OF THE PROPERTY IN THE CITY OF HAMILTON'S
PROMOTIONAL MATERIAL**

I, _____, solemnly declare that the information contained in this application is true, and that the information contained in the documents that accompany this application is true. I also give permission to the City of Hamilton to utilize photographs of the property in the City of Hamilton's promotional material.

Applicant's Signature **Date**

Authorization:

If the applicant is not the owner of the land that is the subject of this application, written authorization of the Owner that the applicant is authorized to make the application must be included with this application.

The personal information on this form is collected under the legal authority of the Planning Act, Section 28. The personal information will be used for determining your eligibility for a grant. If you have any questions about the collection, please contact the Co-ordinator of Municipal Incentives, Urban Renewal Section, City of Hamilton Planning and Economic Development Department, 71 Main Street West, 7th Floor, Hamilton, Ontario L8P 4Y5, 905-546-2424 x2755.

CONSENT OF THE OWNER

Complete the consent of the owner concerning personal information set out below.

**CONSENT OF THE OWNER TO THE USE AND DISCLOSURE OF PERSONAL
INFORMATION**

I, _____, am the owner of the land that is the subject of this application and for the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the *Planning Act* for the purposes of processing this application. I also give permission to the City of Hamilton to utilize photographs of the property in their promotional material.

Name of Owner (please print)

Signature of Owner

Date

Owner's Contact Information:	
Mailing Address:	
City:	
Postal Code:	
Telephone (Home):	Telephone (Business):
Cell Phone:	Fax:

PLEASE RETAIN FOR YOUR RECORDS



Planning and Economic Development Department
 Urban Renewal Section
 71 Main Street West, 7th Floor
 Hamilton, Ontario L8P 4Y5
 Phone: (905)546-2424 Ext. 2755
 Fax: (905) 546-2693



ACTIVE BUSINESS IMPROVEMENT AREAS COMMERCIAL PROPERTY IMPROVEMENT GRANT PROGRAM TERMS AND CONDITIONS OF THE GRANT

PURPOSE OF THE GRANT

This grant may only be used for the purposes of commercial façade/internal improvements as indicated on the application form. The improvements must also be eligible for grant approval under the terms of the program. Grant allocations are made subject to the General Manager of the Planning and Economic Development Department's approval.

The grant assignment is non-transferable between properties, property owners, authorized tenants or another individual or corporation.

MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

Applications made under the terms of this program for which funding decisions are made are publicly available.

PAYMENT OF THE GRANT

Applications for which grants have been approved will be made available by notifying the applicant in writing, and will be disbursed by cheque made payable to the owner/tenant (named applicant) following:

- Completion of the proposed improvements to the satisfaction of the City;
- Proof of payment of all invoices (copies stamped paid);
- Confirmation from the City that all taxes are paid current;
- Compliance with all terms and conditions of the application procedure, inspection procedures and completion of work within the prescribed time frame that is generally one year from the acceptance and approval date of the application.
- At the sole discretion of the Manager of Urban Renewal, the grant cheque can be made jointly payable to the applicant and the contractor if such a request has been received from the applicant.

REVIEW PROCESS

The City will employ appropriate expertise in the review and approval of the application as may be required to ascertain the validity of the work proposed, and estimates for the work proposed.

PLEASE RETAIN FOR YOUR RECORDS*Terms and Conditions of Grant**Page 2 of 2***LIMITATIONS OF LIABILITY AND INDEMNIFICATION, FURTHER CONDITIONS**

City staff, officers and agents shall be saved harmless arising out of any actions or approvals granted, or any building code infractions associated with the completed work.

The City shall be entitled to at any time impose such additional terms and conditions on the use of the grant which, in its sole discretion, it deems appropriate.

GRANT REPAYMENT

The grant recipient (applicant) must repay to the City the whole or any portion of the grant, as determined by the City, if the recipient (applicant):

- ◇ Ceases operation within one year of the application approval date.
- ◇ Dissolves as a company or business.
- ◇ Merges or amalgamates with another business, corporation or individual.
- ◇ Commences or has commenced proceedings in bankruptcy.
- ◇ Knowingly provides false information on the application form, or throughout the process of the application.
- ◇ Uses grant monies for anything other than approved works forming part of the application.
- ◇ Breaches any terms or conditions of the grant.

UNUSED PORTIONS OF THE APPROVED GRANT

Unused portions of the grant remain the property of the City. Any surplus money which may result from the approved grant will be paid back immediately to the City. The City may also withhold any portion of the grant above the final construction costs if the final cost differs from the estimates provided with the application. The City requests that proper accounting procedures be used in relation to the payment of invoices for improvements and works conducted under the terms of the grant.

LETTER OF AGREEMENT/UNDERSTANDING

A detailed Letter of Understanding will be executed and returned to the appropriate agent of the City if a grant is approved and prior to any disbursement of funding under the terms of the grant.

Please refer to the following pages for a description of the terms which frequently appear in the Letters of Understanding.

**DESCRIPTION OF TERMS AND CONDITIONS WHICH FREQUENTLY
APPEAR IN THE LETTERS OF UNDERSTANDING**

If the grant application is approved, the applicant will receive a Letter of Understanding detailing the terms and conditions of the grant and listing permits etc. that may be required.

Requirements that frequently appear in the Letters of Understanding

Building Permits are required for various types of construction/ renovation to facades i.e. stucco. Building Permits may also be required for awnings or replacing windows and/or doors.*

Sign Permits are required for various types of signs including awnings with lettering.*

*If you are not sure if a Building Permit or Sign Permit is required for your project or what documents are needed in addition to the completed Building Permit application, please contact the Building Services Division at 905-546-2720.

Signs must also be in conformity with the current Sign By-Law. Contact Municipal Law Enforcement at (905) 546-2782 with questions pertaining to the Sign By-Law.

Road Occupancy Permits are often required to temporarily close access to municipal sidewalks or laneways in order to provide safety to the public. Contact the Public Works Department, Traffic Section at (905) 546-2424, Ext. 6381 with questions pertaining to Road Occupancy Permits.

Encroachment Agreements If an improvement to a property is located entirely or partly in, on under or above the City's property, an Encroachment Agreement may be required. Examples may include building resurfacing, a sign, or an awning. An Encroachment Application form must be submitted to Public Works along with a drawing showing the property line and where the encroachment is. If the application is approved, an Encroachment Agreement must be completed and registered on title by a solicitor. For information on Encroachment Agreements contact the Public Works Department, Operations and Waste Management Division at (905) 546-2424 ext 4298.

Surveillance Cameras affixed to exterior facade Surveillance cameras must comply with Fortification By-law. They must not be designed or operated to view land beyond the perimeter of the land actually owned, leased or rented. For further details, please refer to By-law 10-122.

Note: Building Permits, Sign Permits, Road Occupancy Permits, and Encroachment Agreements must be obtained prior to the commencement of work.

Who can complete the renovations?

Many repairs and renovations to buildings - including stucco, siding, masonry work, framing, replacement of windows, etc.- must be completed by a contractor/contracting business that has their Building Repair Contractor's Trade Licence and Building Repair Master's Trade Licence for Hamilton. The Building Repair Contractor's Trade Licence

grants the business legal permission to engage in the business of carrying out repairs or renovations of buildings.

The Building Repair Master's Trade Licence licences the person who plans and completes or supervises the work. Please note the Building Repair Contractor's Trade Licence and Master's Licence are specific to Hamilton. Outside contractors will require licences from Hamilton as well. Please contact Municipal Law Enforcement at 905-546-2782 to ensure your contractor has their Building Repair Contractor's Trade Licence.

Where a project *"has been designed by **and** is under supervision of a Professional Engineer or an Architect licenced to practice in Ontario"* a Building Repair Contractor's Trade Licence is not required. Periodic and Final Field Reviews from the Engineer or Architect must be submitted to the Building Services Department.

Building Exterior Cleaner's Licence

In general, cleaning of building exteriors or other structures utilizing chemicals, pressurized air, water, steam or other abrasives must be carried out by persons who have a Building Exterior Cleaners's Licence.

ESA (Electrical Safety Authority) Licence Most electrical work requires the services of a licenced electrical contractor.

Heritage Listed Properties The Letter of Understanding may include recommendations from the Cultural Heritage Planner regarding the proposed work if the property is Heritage Listed or falls within a Heritage Character Zone.

Due Diligence Each application for Urban Renewal's Financial Incentives must undergo several due diligence examinations by Staff. Some of those checks have been listed below.

Staff will:

- 1) Ensure that zoning is in conformity with the Program requirements
- 2) Check to see if the property is Heritage Listed or Designated
- 3) Check the status of the property taxes.
- 4) Check to ensure there are no Property Standards Orders, Building Code Violations, or Fire Orders on the property.
- 5) Check to see that the estimates submitted have been prepared by contractors that have their Building Repair Contractor's Trade Licence or that the work has been designed and will be supervised by a Professional Engineer or Architect licenced to practice in Ontario.
- 6) Check on other items noted on the Certificate of Zoning Verification such as requirements for Municipal Licences.

The Letter of Understanding may indicate outstanding Building Permits that have not been closed or Property Standards Orders or Fire Orders that have not been rectified. Please note that Building Code, Fire Code, or Property Standards Violations must be rectified and property taxes must be paid in full prior to grant monies being advanced for completed work and that no grant funds will be paid out until the condition is met.

Requirements for Building Permits and Building Repair Contractor's Trade Licensing

Activity	Building permit required	Sign permit required	Building repair contractor trade license required
Replacing doors with or without frames	Maybe- depending on the work proposed		Yes
Replacing windows with or without frames	Maybe- depending on the work proposed		Yes
New awning	Yes		No
New awnings with lettering		Yes	No
Replacing the awning fabric - leaving the frame intact	Maybe-depending upon whether a permit was obtained for the awning when erected		No
Replacing the awning fabric with lettering - leaving the frame intact		Yes-refer to City of Hamilton Plans Examiner	No
Erecting New signage		Yes	No
Install new electrical signage		Yes	No - it requires ESA Licence
Window tinting	No		No
Installing window wraps		No- But must be compliant with the Sign By-Law	No
Installing new lighting	Maybe- depending on the work proposed		No - it requires ESA Licence
Stucco	Yes		Yes
Painting of Building	No		No
Cleaning brick with water	No		No it must be completed by a Licenced Building Exterior Cleaner
Cleaning brick with chemicals	No		No it must be completed by a Licenced Building Exterior Cleaner
Sandblasting brick- not eligible for Commercial Property Improvement Grant	No		No it must be completed by a Licenced Building Exterior Cleaner

Activity	Building permit required	Sign permit required	Building repair contractor trade license required
Mural	No		No
New storefront façade	Yes		Yes
Siding	Maybe- depending on the work proposed		Yes
Tuck pointing	Yes - but not if minor		Yes
Plastering	Yes - but not if minor		Yes
Drywall	Yes - but not if minor		Yes
Repair walkway	No		No
Repairing wood trim	No		No

Additional Information on Window Replacement

Activity	Building permit required	Sign permit required	Building repair contractor trade license required
Windows require a permit if the window replacement falls into the following category:			
1. Windows are in a fire separation	Yes		Yes
2. When window sizes are changed or windows are relocated	Yes		Yes
3. When the building is a high rise building	Yes		Yes
4. If the building is a Part 3 building (a professional review is also required).	Yes		Work must be completed under direction & supervision of Professional Engineer or Architect
For Part 9 Single Family, Two Family and Three Family dwellings and townhouses replacement of the window does not require a permit.	No		
Replacement of a window means installing an entire exterior window assembly, including glass, sashes and frame into an existing window opening where the size and shape of such openings has not been altered in any way.			

Note: Where a project "has been designed by and is under supervision of a Professional Engineer or an Architect licenced to practice in Ontario" a Building Repair Contractor's Trade License is not required.



Planning and Economic Development Department

Urban Renewal Section
 71 Main Street West, 7th Floor
 Hamilton, Ontario L8P 4Y5
 Phone: (905) 546- 2424 Ext. 2755
 Fax: (905) 546-2693

\$96.05 Application Fee for Grants of \$5,000 or less
\$259.90 Application Fee for Grants Greater than \$5,000

COMMERCIAL PROPERTY IMPROVEMENT GRANT PROGRAM

APPLICANT INFORMATION

Name of Applicant:		
Contact Name:		
Mailing Address:		
City & Postal Code:		
Telephone Number:		Fax Number:
Cell Phone Number:		
Email:		
Is applicant the owner?	Yes <input type="checkbox"/> No <input type="checkbox"/> <i>If "No", please complete the "Owner Information Section"</i>	
If Corporation or Partnership, Date of Incorporation/Registration of Business:		
Name of Registered Shareholders/Partners (include percentages of Ownership)		

OWNER INFORMATION

Name of Owner:		
Contact Name:		
Mailing Address:		
City & Postal Code:		
Telephone Number:		Fax Number:
Cell Phone Number:		
Email:		
If Corporation or Partnership, Date of Incorporation/Registration of Business:		
Name of Registered Shareholders/Partners (include percentages of Ownership)		

OTHER INFORMATION (TO BE COMPLETED BY ALL APPLICANTS)

Addresses of other properties in the City of Hamilton Boundary owned by the Applicant. If the application is from a Partnership or Corporation include addresses of properties owned by the Partnership or Corporation.

Note: This information is being collected to determine if there are any outstanding taxes owed to the City of Hamilton.

Applicant/Partnership/ Corporation Name	Street Number and Name	City (i.e. Hamilton, Stoney Creek, Waterdown, Dundas, Binbrook)

**SIGNATURE OF OWNER/AUTHORIZED AGENT
AFFIDAVIT OR SWORN DECLARATION
DATE OF APPLICATION SUBMISSION AND PERMISSION TO UTILIZE
PHOTOGRAPHS OF THE PROPERTY IN THE CITY OF HAMILTON'S
PROMOTIONAL MATERIAL**

I, _____, solemnly declare that the information contained in this application is true, and that the information contained in the documents that accompany this application is true. I also give permission to the City of Hamilton to utilize photographs of the property in the City of Hamilton's promotional material.

Applicant's Signature

Date

Authorization:

If the applicant is not the owner of the land that is the subject of this application, written authorization of the Owner that the applicant is authorized to make the application must be included with this application.

The personal information on this form is collected under the legal authority of the Planning Act, Section 28. The personal information will be used for determining your eligibility for a grant. If you have any questions about the collection, please contact the Co-ordinator of Urban Renewal Incentives, Urban Renewal Section, City of Hamilton Planning and Economic Development Department, 71 Main Street West, 7th Floor, Hamilton, Ontario L8P 4Y5, 905-546-2424 x2755.

CONSENT OF THE OWNER

Complete the consent of the owner concerning personal information set out below.

**CONSENT OF THE OWNER TO THE USE AND
DISCLOSURE OF PERSONAL INFORMATION**

I, _____, am the owner of the land that is the subject of this application and for the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application. I also give permission to the City of Hamilton to utilize photographs of the property in their promotional material.

Name of Owner (please print)

Signature of Owner

Date

Owner's Contact Information:	
Mailing Address:	
City:	
Postal Code:	
Telephone (Home):	Telephone (Business):
Cell Phone:	Fax:

PLEASE RETAIN FOR YOUR RECORDS

Planning and Economic Development Department
 Urban Renewal Section
 71 Main Street West, 7th Floor
 Hamilton, Ontario L8P 4Y5
 Phone: (905) 546- 2424 Ext. 2755
 Fax: (905) 546-2693



HAMILTON DOWNTOWN COMMERCIAL FAÇADE PROPERTY IMPROVEMENT GRANT PROGRAM

PURPOSE OF THE GRANT

This grant may only be used for the purposes of commercial façade improvements as indicated on the application form. The improvements must also be eligible for grant approval under the terms of the program. Grant allocations are made subject to the General Manager of the Planning and Economic Development Department's approval.

The grant assignment is non-transferable between properties, property owners, authorized tenants or another individual or corporation.

MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

Applications made under the terms of this program for which funding decisions are made are publicly available.

PAYMENT OF THE GRANT

Applications for which grants have been approved will be made available by notifying the applicant in writing, and will be disbursed by cheque made payable to the owner/tenant (named applicant) following:

- ◇ Completion of the proposed improvements to the satisfaction of the City;
- ◇ Proof of payment of all invoices (copies stamped paid);
- ◇ Confirmation from the City that all taxes are paid current;
- ◇ Compliance with all terms and conditions of the application procedure, inspection procedures and completion of work within the proscribed time frame that is generally one year from the acceptance and approval date of the application.
- ◇ At the sole discretion of the Manager of Urban Renewal, the grant cheque can be made jointly payable to the applicant and the contractor if such a request has been received from the applicant.

REVIEW PROCESS

The City will employ appropriate expertise in the review and approval of the application as may be required to ascertain the validity of the work proposed, and estimates for the work proposed.

PLEASE RETAIN FOR YOUR RECORDS*Terms and Conditions of Grant**Page 2 of 2***LIMITATIONS OF LIABILITY AND INDEMNIFICATION, FURTHER CONDITIONS**

City staff, officers and agents shall be saved harmless arising out of any actions or approvals granted, or any building code infractions associated with the completed work.

The City shall be entitled to at any time impose such additional terms and conditions on the use of the grant which, in its sole discretion, it deems appropriate.

GRANT REPAYMENT

The grant recipient (applicant) must repay to the City the whole or any portion of the grant, as determined by the City, if the recipient (applicant):

- ◇ Ceases operation within one year of the application approval date.
- ◇ Dissolves as a company or business.
- ◇ Merges or amalgamates with another business, corporation or individual.
- ◇ Commences or has commenced proceedings in bankruptcy.
- ◇ Knowingly provides false information on the application form, or throughout the process of the application.
- ◇ Uses grant monies for anything other than approved works forming part of the application.
- ◇ Breaches any terms or conditions of the grant.

UNUSED PORTIONS OF THE APPROVED GRANT

Unused portions of the grant remain the property of the City. Any surplus money which may result from the approved grant will be paid back immediately to the City. The City may also withhold any portion of the grant above the final construction costs if the final cost differs from the estimates provided with the application. The City requests that proper accounting procedures be used in relation to the payment of invoices for improvements and works conducted under the terms of the grant.

LETTER OF AGREEMENT/UNDERSTANDING

A detailed Letter of Understanding will be executed and returned to the appropriate agent of the City if a grant is approved and prior to any disbursement of funding under the terms of the grant.

Please refer to the following pages for a description of the terms which frequently appear in the Letters of Understanding.

DESCRIPTION OF TERMS AND CONDITIONS WHICH FREQUENTLY APPEAR IN THE LETTERS OF UNDERSTANDING
--

If the grant application is approved, the applicant will receive a Letter of Understanding detailing the terms and conditions of the grant and listing permits etc. that may be required.

Requirements that frequently appear in the Letters of Understanding

Building Permits are required for various types of construction/ renovation to facades i.e. stucco. Building Permits may also be required for awnings or replacing windows and/or doors.*

Sign Permits are required for various types of signs including awnings with lettering.*

**If you are not sure if a Building Permit or Sign Permit is required for your project or what documents are needed in addition to the completed Building Permit application, please contact the Building Services Division at 905-546-2720.*

Signs must also be in conformity with the current Sign By-Law. Contact Municipal Law Enforcement at (905) 546-2782 with questions pertaining to the Sign By-Law.

Road Occupancy Permits are often required to temporarily close access to municipal sidewalks or laneways in order to provide safety to the public. Contact the Public Works Department, Traffic Section at (905) 546-2424, Ext. 6381 with questions pertaining to Road Occupancy Permits.

Encroachment Agreements If an improvement to a property is located entirely or partly in, on under or above the City's property, an Encroachment Agreement may be required. Examples may include building resurfacing, a sign, or an awning. An Encroachment Application form must be submitted to Public Works along with a drawing showing the property line and where the encroachment is. If the application is approved, an Encroachment Agreement must be completed and registered on title by a solicitor. For information on Encroachment Agreements contact the Public Works Department, Operations and Waste Management Division at (905) 546-2424 ext 4298.

Surveillance Cameras affixed to exterior facade Surveillance cameras must comply with Fortification By-law. They must not be designed or operated to view land beyond the perimeter of the land actually owned, leased or rented. For further details, please refer to By-law 10-122.

Note: Building Permits, Sign Permits, Road Occupancy Permits, and Encroachment Agreements must be obtained prior to the commencement of work.

Who can complete the renovations?

Many repairs and renovations to buildings – including stucco, siding, masonry work, framing, replacement of windows, etc.- must be completed by a contractor/contracting business that has their Building Repair Contractor's Trade Licence and Building Repair Master's Trade Licence for Hamilton. The Building Repair Contractor's Trade Licence

grants the business legal permission to engage in the business of carrying out repairs or renovations of buildings.

The Building Repair Master's Trade Licence licences the person who plans and completes or supervises the work. Please note the Building Repair Contractor's Trade Licence and Master's Licence are specific to Hamilton. Outside contractors will require licences from Hamilton as well. Please contact Municipal Law Enforcement at 905-546-2782 to ensure your contractor has their Building Repair Contractor's Trade Licence.

Where a project "*has been designed by **and** is under supervision of a Professional Engineer or an Architect licenced to practice in Ontario*" a Building Repair Contractor's Trade Licence is not required. Periodic and Final Field Reviews from the Engineer or Architect must be submitted to the Building Services Department.

Building Exterior Cleaner's Licence

In general, cleaning of building exteriors or other structures utilizing chemicals, pressurized air, water, steam or other abrasives must be carried out by persons who have a Building Exterior Cleaners's Licence.

ESA (Electrical Safety Authority) Licence Most electrical work requires the services of a licenced electrical contractor.

Heritage Listed Properties The Letter of Understanding may include recommendations from the Cultural Heritage Planner regarding the proposed work if the property is Heritage Listed or falls within a Heritage Character Zone.

Due Diligence Each application for Urban Renewal's Financial Incentives must undergo several due diligence examinations by Staff. Some of those checks have been listed below.

Staff will:

- 1) Ensure that zoning is in conformity with the Program requirements
- 2) Check to see if the property is Heritage Listed or Designated
- 3) Check the status of the property taxes.
- 4) Check to ensure there are no Property Standards Orders, Building Code Violations, or Fire Orders on the property.
- 5) Check to see that the estimates submitted have been prepared by contractors that have their Building Repair Contractor's Trade Licence or that the work has been designed and will be supervised by a Professional Engineer or Architect licenced to practice in Ontario.
- 6) Check on other items noted on the Certificate of Zoning Verification such as requirements for Municipal Licences.

The Letter of Understanding may indicate outstanding Building Permits that have not been closed or Property Standards Orders or Fire Orders that have not been rectified. Please note that Building Code, Fire Code, or Property Standards Violations must be rectified and property taxes must be paid in full prior to grant monies being advanced for completed work and that no grant funds will be paid out until the condition is met.

Requirements for Building Permits and Building Repair Contractor's Trade Licensing

Activity	Building permit required	Sign permit required	Building repair contractor trade license required
Replacing doors with or without frames	Maybe- depending on the work proposed		Yes
Replacing windows with or without frames	Maybe- depending on the work proposed		Yes
New awning	Yes		No
New awnings with lettering		Yes	No
Replacing the awning fabric - leaving the frame intact	Maybe- depending upon whether a permit was obtained for the awning when erected		No
Replacing the awning fabric with lettering - leaving the frame intact		Yes-refer to City of Hamilton Plans Examiner	No
Erecting New signage		Yes	No
Install new electrical signage		Yes	No - it requires ESA Licence
Window tinting	No		No
Installing window wraps		No- But must be compliant with the Sign By- Law	No
Installing new lighting	Maybe- depending on the work proposed		No - it requires ESA Licence
Stucco	Yes		Yes
Painting of Building	No		No
Cleaning brick with water	No		No it must be completed by a Licenced Building Exterior Cleaner
Cleaning brick with chemicals	No		No it must be completed by a Licenced Building Exterior Cleaner

Sandblasting brick- not eligible for Commercial Property Improvement Grant	No		No it must be completed by a Licenced Building Exterior Cleaner
--	----	--	---

Activity	Building permit required	Sign permit required	Building repair contractor trade license required
Mural	No		No
New storefront façade	Yes		Yes
Siding	Maybe- depending on the work proposed		Yes
Tuck pointing	Yes - but not if minor		Yes
Plastering	Yes - but not if minor		Yes
Drywall	Yes - but not if minor		Yes
Repair walkway	No		No
Repairing wood trim	No		No

Additional Information on Window Replacement

Activity	Building permit required	Sign permit required	Building repair contractor trade license required
Windows require a permit if the window replacement falls into the following category:			
1. Windows are in a fire separation	Yes		Yes
2. when window sizes are changed or windows are relocated	Yes		Yes
3. when the building is a high rise building	Yes		Yes
4. if the building is a Part 3 building (a professional review is also required).	Yes		Work must be completed under direction & supervision of Professional Engineer or Architect
for Part 9 Single Family, Two Family and Three Family dwellings and townhouses replacement of the window does not require a permit.	No		
Replacement of a window means installing an entire exterior window assembly, including glass, sashes and frame into an existing window opening where the size and shape of such openings has not been altered in any way.			

Note: Where a project "has been designed by **and** is under supervision of a Professional Engineer or an Architect licenced to practice in Ontario" a Building Repair Contractor's Trade License is not required.



Planning and Economic Development Department
 Urban Renewal Section
 71 Main Street West, 7th Floor
 Hamilton, Ontario L8P 4Y5
 Phone: (905) 546-2424 Ext. 2755
 Fax: (905) 546-2693

BUSINESS IMPROVEMENT AREA COMMERCIAL PROPERTY IMPROVEMENT GRANT PROGRAM

PROGRAM DESCRIPTION

The Business Improvement Area Commercial Property Improvement Grant Program is intended to provide financial assistance for commercial property owners / authorized tenants within active* City-wide Business Improvement Areas as identified within the Downtown and Community Renewal Community Improvement Project Area By-law. The Program aims to improve upon the appearance of commercial properties, support commercial property / business owners with limited rehabilitation of interior space and assist in creating a barrier free and accessible environment. It is understood that smaller scale commercial activities contribute greatly to the economic vitality and health of the commercial sector within the City of Hamilton. This Program seeks to build upon these successes, resulting in long lasting physical improvements to the assets of commercial property owners / authorized tenants, to assist business development within the commercial areas as defined by the Business Improvement Areas, and to broadly improve commerce within the entire City.

*An active BIA is not considered dormant as defined by the Dormant Business Improvement Area Status Procedure as approved by City Council at its meeting held November 11, 2009.

PROGRAM TERMS

1. Commercial property owners / authorized tenants are eligible for a maximum grant per property during a five-year period (i.e. multiple applications or one application could be submitted however the sum of the grant amounts approved will be no more than the maximum amount allowed for each property). Exceptions may be made at the sole discretion of the General Manager of Planning and Economic Development if:
 - i) a new tenant / owner is occupying the property and applies for new signage; or
 - ii) the property has been damaged due to fire, vandalism or a natural disaster such as a flood, earthquake or hurricane.

Eligible items under the Program when a property has been damaged for one of the aforementioned reasons shall be capital costs only as follows:

Façade Improvements: windows, doors, storefronts, awnings, signage, surveillance cameras or other items deemed eligible at the sole discretion of the General Manager of Planning and Economic Development.

Limited Interior Improvements: barrier-free washrooms or commercial kitchen cooking exhaust / ventilation systems (the grant will be no more than 50% of the maximum grant per property for interior improvements).

Fees: Architectural, engineering, lawyer's, BCIN designer, building permit, sign permit, site plan application, road occupancy permit, street occupancy permit and encroachment agreement application fees are eligible up to 100% of the cost to a maximum of \$3,000 per application as part of the total grant awarded for completed construction.

Ineligible items shall be: business interruption expenses, equipment, sewer/drain repair and other items deemed ineligible at the sole discretion of the General Manager of Planning and Economic Development.

Assisting commercial property owners / authorized tenants to repair property damage due to fire, vandalism or a natural disaster such as a flood, earthquake or hurricane will help mitigate some of the capital improvements costs involved during the recovery phase. The grant is not intended to replace property insurance claims, rather, it is to assist a property owner / authorized tenant with eligible costs under the CPIG that are not covered by their insurer due to the deductible amount or due to limits set by their insurance policy.

In recognition that a property owner / authorized tenant may have work completed within hours or days of the damage to the property for safety reasons or in order to prevent further damage to the property i.e. replacement of broken windows, an exception to the requirement that applications be submitted prior to works commencing will be allowed only in the instance when a property has been damaged due to fire, vandalism or a natural disaster such as a flood, earthquake or hurricane. If the work has commenced or has been completed, applications must be submitted within seven days of the date the damage to the property occurred. Completed works must meet the requirements of the City of Hamilton By-law 07-170 being a by-law to license and regulate various businesses dictating when a contractor must be licensed with the City of Hamilton to complete works i.e. a contractor must hold a valid Building Repair license with the City of Hamilton to replace a window with a window frame however if the glazing only is being replaced the contractor is not required to be licensed with the City of Hamilton. All quotes / invoices submitted

with the application will be reviewed by a Building Inspector to ensure the cost is at the industry standard.

All grants are subject to the availability of funding.

Where funding is requested for property that has been damaged due to fire, vandalism or a natural disaster such as a flood, earthquake or hurricane earthquake or hurricane, each applicant shall provide the following documentation to support the application:

- a) Evidence of property insurance coverage for the subject property in force as of the date of the damage. Evidence shall be provided by way of a copy of the Declaration Page of the property insurance policy or a Certificate of Insurance. Evidence shall include the following information: subject property address, deductible amount.
 - b) Copy of Proof of Loss (or other proof of settlement) from the applicant's Insurer, along with supporting damage estimate / invoices to support their application.
 - c) At the City's discretion, a police report may also be required.
2. Buildings that have a linear foot street frontage greater than twenty-five feet (25'), grants will be paid on a matching basis of \$400 per linear foot of street frontage up to a maximum of \$20,000 for eligible work under the Program.
 3. Buildings that have a linear foot street frontage of 25 feet or less, grant amounts will be paid on a matching basis to a maximum of \$10,000 for eligible work under the Program.
 4. As a further incentive for corner properties the City will increase the maximum grant amount to \$25,000, on a similar matching basis for eligible work under the Program to recognize the importance of flankage facades. The grant amount will be determined by the measurement of the street frontage and the measurement of the corner / exposed wall multiplied by \$400 per linear foot.
 5. Commercial properties are to be identified by municipal address to identify multiple and separate commercial units with separate ground floor street entrances.
 6. Commercial uses must be in conformity with applicable policy documents of the City including but not limited to Official Plans, the provisions of the applicable Zoning By-law and any other applicable City by-laws.
 7. Performance measures are to be applied to the payment of grants.

8. Eligibility requirements for the Program relating to the work to be funded will be specifically identified. Two separate cost estimates for the work are to be provided. Please note a contractor licensed with the City of Hamilton may be required to undertake the work. For more information on work that requires a licensed contractor please refer to the Application Form or contact Building Department at (905) 546-2424 Ext. 2720.

An owner who is proposing to undertake the work and not hire a contractor may present an estimate based on material only.

Grants will be calculated based upon lowest cost estimate.

In the case where the applicant is the owner of a contracting company and wishes to utilize their company to undertake the improvements on their property, one (1) cost estimate from an arms-length contractor will also be required.

A Building Inspector will review all estimates provided for the purpose of ensuring competitiveness.

9. Restoration / conservation of heritage features on commercial properties designated under the *Ontario Heritage Act* are not eligible under this grant program, however, improvements other than those on heritage features are eligible subject to the approval of a City heritage permit. Urban Renewal staff will work closely with Development Planning staff on all applications received that are designated under the *Ontario Heritage Act*.
10. Relative to the proposed improvements, a building inspector will perform an initial and final inspection / investigation to confirm compliance with various Acts, Regulations and City Bylaws including the Ontario Building Code, Property Standards By-Law, Trade Licencing By-Law, Sign By-law etc.
11. Approval of the grant is at the sole discretion of the General Manager of Planning and Economic Development and subject to the availability of funds.
12. Proposed improvements to be completed within one year to be eligible for payment. A one year extension can be authorized by the Manager of Urban Renewal if an applicant has extenuating circumstances which would warrant an extension.
13. Work completed must be consistent with estimates, and work proposed and identified within the application unless previously discussed and approved by the Urban Renewal Section.

14. At the sole discretion of the Manager of Urban Renewal, partial payments for works completed can be processed consistent with the payment process described above.
15. At the sole discretion of the Manager of Urban Renewal, the grant cheque can be made jointly payable to the applicant and the contractor if such a request has been received from the applicant.
16. An application fee of \$406.80 for grants greater than \$12,500, \$259.90 for grants less than or equal to \$12,500 but greater than \$5,000, and \$96.05 for grants \$5,000 or less, must be submitted at the time of application. The fee will be authorized through a by-law passed by City Council. The rate of the fee may be changed from time to time as approved by City Council.
17. Approval of the grant application is at the absolute discretion of the City and subject to the availability of funds.
18. Without limiting the discretion as set out in paragraph 17 herein, the City, Council, may reject any application received from an applicant, whether or not an Applicant satisfies the requirements of the Program, where, in the opinion of Council, the commercial relationship between the City and the Applicant has been impaired by, but not limited to, the applicant being involved in litigation with the City. Applicants shall include but not be limited to the following: the Applicant identified on the application form and if a corporation any person or entity with an interest in the corporation as determined by the City in its sole, absolute and unfettered discretion.
19. Without limiting the discretion as set out in paragraph 17 herein, the City Council, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where there are property tax arrears owed on the subject property or on other properties owned by the Applicant within the City of Hamilton.
20. Works commenced prior to submitting an application are ineligible for funding under the Program. Works commenced after submitting an application but prior to approval of an application may be eligible for funding under the Program and eligibility will be determined by the GM in his sole, absolute and unfettered discretion. An applicant shall assume the risk of paying for work commenced after an application has been submitted but prior to approval.
21. A successful applicant will enter into an agreement with the City containing the terms and conditions (but not limited to) set out in the program description.

22. The grant shall exclude any damage that is caused by the property owner or occupant (i.e. a tenant) of that property. For example, costs incurred because of self-inflicted damage such as vandalism or arson would not be covered by this Program.

A refund of any grant under this Program to the City of Hamilton would be required if it is determined after the grant has been paid that the damage was caused by the property owner and/or the tenant(s) of the property.

23. The grant cannot be used to pay the costs resulting from any damage or vandalism where those costs are also reimbursed to the tenant or owner because such costs are covered under any insurance policy. A refund of any grant under this Program to the City of Hamilton would be required if it is determined after the grant has been paid that such a reimbursement has been received.

ARTS COMPONENT:

An additional matching grant to a maximum of \$10,000 may be available for artfully designed façade improvements or art pieces placed on private property that can be viewed by the public.

The applicant will provide an adequate brief and rendering of the proposed art piece.

A jury will be established and may comprise a selection of the following: Urban Renewal Section, urban designer, Business Improvement Area member. The Director of Culture or representative will be on the jury.

The selection jury will review, evaluate and approve all proposed art projects.

The jury will reserve the right to deem what is eligible for funding under the arts component.

Note: Murals must be appropriate for public display; must not fall under the definition of a “sign”; and, must not be subject to royalty rights.

ELIGIBILITY REQUIREMENTS

- Property owners and authorized tenants are eligible;
- Property taxes must be paid current;
- The proposed work to be pre-inspected by the City Building Inspector;
- The improvements shall be in accordance with Property Standards and the Ontario Building Code and in compliance with all applicable City by-laws, official plans, zoning regulations, design guidelines and site plan approvals;

- Commercial properties must be located within one of the City's active Business Improvement Areas and be within the corresponding Community Improvement Project Area; and,
- Existing use must be in conformity with the applicable Zoning By-law regulations, and other relevant planning controls.

ELIGIBLE IMPROVEMENTS

Exterior Improvements:

- Replacement or repairing of storefronts;
- Improvements / replacement to doors, cornices, parapets, soffit, fascia;
- Addition of new lighting and upgrading of existing fixtures, on exterior of the façade and within the storefront area normally associated with the display area;
- Awning replacements and / or additions;
- Brick repairs and / or pointing;
- Painting and façade treatments;
- Installation or improvement of signage (Signage must comply with Sign By-law 10-197);
- Barrier free entrance to property (ramps, doors and automatic door openers);
- Permanent landscape features only such as flagstone and natural stones / rocks, statuary, irrigation, containers ;
- Permanent Fencing;
- Front-yard decks / patios or side yard decks / patios that abut a street; and,
- Surveillance cameras affixed to the exterior of the property (must comply to the Fortification By-law 10-122).

Interior Improvements:

Note: The maximum grant for interior improvements is 50% of the maximum grant per property

- Barrier-free washrooms;
- Ramps to access barrier-free washrooms;
- Interior signage to meet *Accessibility for Ontarians with Disabilities Act* (AODA) requirements;
- Commercial kitchen cooking exhaust / ventilation systems;
- Sprinkler systems; and,
- Widening of doors to meet AODA requirements.

Fees:

- Architectural, engineering, lawyer's, BCIN designer, building permit, site plan application, road occupancy permit, street occupancy permit and encroachment agreement application fees may be eligible for up to 100% of the cost to a maximum of \$3,000 per application as part of the total grant awarded for completed construction.

Other improvements deemed health, safety and accessible issues eligible at the sole discretion of the General Manager of Planning and Economic Development.

In-Eligible: (this list is not intended to be exclusive)

- Trees, shrubbery, perennials, annuals, soil, mulch, grass;
- Roofing (apart from mansard roofs above the eligible frontage);
- Sandblasting;
- Paving of parking lots;
- Interior furniture, display cases, equipment;
- Outdoor patio furniture; and,
- Tools.



Planning and Economic Development Department
 Urban Renewal Section
 71 Main Street West, 7th Floor
 Hamilton, Ontario L8P 4Y5
 Phone: (905) 546-2424 Ext. 2755
 Fax: (905) 546-2693

COMMERCIAL PROPERTY IMPROVEMENT GRANT PROGRAM

PROGRAM DESCRIPTION

The Commercial Property Improvement Grant Program (CPIGP) is intended to provide financial assistance for commercial property owners authorized tenants within Downtown Hamilton, Community Downtowns, the Mount Hope/Airport Gateway and the commercial corridors as identified in the Downtown and Community Renewal Community Improvement Project Area. The Program aims to improve upon the physical appearance of properties within the areas, achieve quality façade improvements, support commercial property / business owners with limited rehabilitation of interior space and assist in creating a barrier-free and accessible environment. Spurring the preservation, revitalization and reinvestment of commercial properties within these areas will assist in creating a welcoming environment for people to live, work, play and learn.

PROGRAM TERMS

1. Commercial property owners / authorized tenants are eligible for a maximum grant per property during a five-year period (i.e. multiple applications or one application could be submitted however the sum of the grant amounts approved will be no more than the maximum amount allowed for each property). Exceptions may be made at the sole discretion of the General Manager of Planning and Economic Development if:
 - i) a new tenant / owner is occupying the property and applies for new signage; *or*
 - ii) the property has been damaged due to fire, vandalism or a natural disaster such as a flood, earthquake or hurricane.

Eligible items under the Program when a property has been damaged for one of the aforementioned reasons shall be capital costs only as follows:

Façade Improvements: windows, doors, storefronts, awnings, signage, surveillance cameras or other items deemed eligible at the sole discretion of the General Manager of Planning and Economic Development.

Limited Interior Improvements: barrier-free washrooms or commercial kitchen cooking exhaust / ventilation systems (the grant will be no more than 50% of the maximum grant per property for interior improvements).

Fees: Architectural, engineering, lawyer's, BCIN designer, building permit, site plan application, road occupancy permit, street occupancy permit and encroachment agreement application fees are eligible up to 100% of the cost to a maximum of \$3,000 per application as part of the total grant awarded for completed construction.

Ineligible items shall be: business interruption expenses, equipment, sewer/drain repair and other items deemed ineligible at the sole discretion of the General Manager of Planning and Economic Development.

Assisting commercial property owners / authorized tenants to repair property damage due to fire, vandalism or a natural disaster such as a flood, earthquake or hurricane will help mitigate some of the capital improvements costs involved during the recovery phase. The grant is not intended to replace property insurance claims, rather, it is to assist a property owner / authorized tenant with eligible costs under the CPIG that are not covered by their insurer due to the deductible amount or due to limits set by their insurance policy.

In recognition that a property owner / authorized tenant may have work completed within hours or days of the damage to the property for safety reasons or in order to prevent further damage to the property i.e. replacement of broken windows, an exception to the requirement that applications be submitted prior to works commencing will be allowed only in the instance when a property has been damaged due to fire, vandalism or a natural disaster such as a flood, earthquake or hurricane. If the work has commenced or has been completed, applications must be submitted within seven days of the date the damage to the property occurred. Completed works must meet the requirements of the City of Hamilton By-law 07-170 being a by-law to license and regulate various businesses dictating when a contractor must be licensed with the City of Hamilton to complete works i.e. a contractor must hold a valid Building Repair license with the City of Hamilton to replace a window with a window frame however if the glazing only is being replaced the contractor is not required to be licensed with the City of Hamilton. All quotes / invoices submitted with the application will be reviewed by a Building Inspector to ensure the cost is at the industry standard.

All grants are subject to the availability of funding.

Where funding is requested for property that has been damaged due to fire, vandalism or a natural disaster such as a flood, earthquake or

hurricane earthquake or hurricane, each applicant shall provide the following documentation to support the application:

- a) Evidence of property insurance coverage for the subject property in force as of the date of the damage. Evidence shall be provided by way of a copy of the Declaration Page of the property insurance policy or a Certificate of Insurance. Evidence shall include the following information: subject property address, deductible amount.
 - b) Copy of Proof of Loss (or other proof of settlement) from the applicant's Insurer, along with supporting damage estimate / invoices to support their application.
 - c) At the City's discretion, a police report may also be required.
2. Maximum grant amount will be paid on a matching basis (50%-50%) to a maximum of \$10,000 per property for eligible work under the Program. As a further incentive for corner properties, the City will increase the maximum grant amount to \$12,500 on a similar matching basis for eligible work under the Program to recognize the importance of flankage facades.
 3. Commercial property owners and tenants authorized in writing by the owner, are eligible to apply for a grant under the Program.
 4. Commercial properties are to be identified by municipal address to identify multiple and separate commercial units with separate ground floor street entrances.
 5. Commercial uses must be in conformity with: all policy documents of the City including but not limited to official plans; the provisions of the Zoning By-laws; and any other City by-laws.
 6. Performance measures are to be applied to the payment of grants.
 7. Eligibility requirements for the Program relating to the work to be funded will be specifically identified. Two separate cost estimates for the work are to be provided. Please note a contractor licensed with the City of Hamilton may be required to undertake the work. For more information on work that requires a licensed contractor please refer to the Application Form or contact Building Department at (905) 546-2424 Ext. 2720.

An owner may present an estimate based on material only.

In the case where the applicant is the owner of a contracting company and wishes to utilize their company to undertake the improvements, one cost estimate from an arms-length contractor will also be required.

Grants will be calculated based upon lowest cost estimate.

- A Building Inspector will review all estimates provided for the purpose of ensuring competitiveness.
8. Restoration / conservation of heritage features on commercial properties designated under the *Ontario Heritage Act* are not eligible under this grant program, however, improvements other than those on heritage features are eligible subject to the approval of a City heritage permit. Urban Renewal staff will work closely with Development Planning staff on all applications received that are designated under the *Ontario Heritage Act*.
 9. Relative to the proposed improvements, a building inspector will perform an initial and final inspection / investigation to confirm compliance with various Acts, Regulations and City By-laws, but not limited to including the Ontario Building Code, Property Standards By-Law, Trade Licencing By-Law and Sign By-law.
 10. Approval of the grant is at the sole discretion of the General Manager of Planning and Economic Development Department and subject to the availability of funds.
 11. Proposed improvements to be completed within one year to be eligible for payment. A one-year extension can be authorized by the Manager of Urban Renewal if an applicant has extenuating circumstances which would warrant an extension.
 12. Work completed must be consistent with estimates, and work proposed and identified within the application unless previously discussed and approved by the Urban Renewal Section.
 13. The Applicant shall provide to the City's Urban Renewal Section copies of paid invoices for all work undertaken on the property for which the grant is applicable. This documentation is to be provided prior to the final inspection.
 14. A City Building Inspector's final inspection report confirming all works have been carried out satisfactorily must be provided prior to release of any grant monies.
 15. At the sole discretion of the Manager of Urban Renewal, partial payments for works completed can be processed consistent with the payment process described above.
 16. At the sole discretion of the Manager of Urban Renewal, the grant cheque can be made jointly payable to the applicant and the contractor if such a request has been received from the applicant.
 17. An application fee of \$259.90 is payable upon submission of application for grants greater than \$5,000 or \$96.05 for grants \$5,000 or less. The

- fee will be authorized through a by-law passed by City Council. The rate of the fee may be changed from time to time as approved by City Council.
18. The grant may also be received by an owner in conjunction with any other available City program in support of the redevelopment / development of the property with the exception of the BIA Commercial Property Improvement Grant Program available within Business Improvement Areas.
 19. Without limiting the discretion as set out in paragraph 10 herein, City Council, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where, in the opinion of Council, the commercial relationship between the City and the Applicant has been impaired by, but not limited to, the applicant being involved in litigation with the City. Applicants shall include but not be limited to the following: the Applicant identified on the application form and if a corporation any person or entity with an interest in the corporation as determined by the City in its sole, absolute and unfettered discretion.
 20. Without limiting the discretion as set out in paragraph 10 herein, City Council, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where there are property tax arrears owed on the subject property or on other properties owned by the Applicant within the City of Hamilton.
 21. Works commenced prior to submitting an application are ineligible for funding under the Program. Works commenced after submitting an application but prior to approval of an application may be eligible for funding under the Program and eligibility will be determined by the GM in his sole, absolute and unfettered discretion. An applicant shall assume the risk of paying for work commenced after an application has been submitted but prior to approval.
 22. A successful applicant will enter into an agreement with the City containing the terms and conditions (but not limited to) set out in the program description.
 23. The grant shall exclude any damage that is caused by the property owner or occupant (i.e. a tenant) of that property. For example, costs incurred because of self-inflicted damage such as vandalism or arson would not be covered by this Program.

A refund of any grant under this Program to the City of Hamilton would be required if it is determined after the grant has been paid that the damage was caused by the property owner and/or the tenant(s) of the property.

24. The grant cannot be used to pay the costs resulting from any damage or vandalism where those costs are also reimbursed to the tenant or owner because such costs are covered under any insurance policy. A refund of any grant under this Program to the City of Hamilton would be required if it is determined after the grant has been paid that such a reimbursement has been received.

ELIGIBILITY REQUIREMENTS

- Property owners and authorized tenants are eligible;
- Property taxes must be paid current;
- Pre-inspection by the City Building Inspector;
- Commercial properties must be located within Downtown Hamilton, Community Downtowns, the Mount Hope / Airport Gateway or, a commercial corridor as identified in the Downtown and Community Renewal Community Improvement Project Area By-law; and,
- The improvements shall be in accordance with Property Standards and the Ontario Building Code and in compliance with all applicable City by-laws, official plans, zoning regulations, design guidelines and site plan approvals.

ELIGIBLE IMPROVEMENTS

- Replacement or repairing of storefronts;
- Improvements and or upgrades to windows, doors, cornices and parapets;
- Barrier-free entrances to property (ramps, doors and automatic door openers);
- Addition of new lighting and upgrading of existing fixtures, on exterior of the façade;
- Awning replacements and / or additions;
- Brick repairs and / or pointing;
- Painting and façade treatments;
- Installation or improvement of signage (signage must comply to Sign By-law 10-197, as amended or replaced);
- Paving of parking lots;
- Permanent landscape features such as flagstone and natural stones/rocks, statuary, irrigation, containers;
- Fencing;
- Front-yard decks / patios or side-yard decks/patios that abut a street; and,
- Surveillance cameras affixed to the exterior of the property (must comply to the Fortification By-law 10-122).

ELIGIBLE INTERIOR IMPROVEMENTS:

Note: The maximum grant for interior improvements is \$5 K

- Barrier-free washrooms;
- Ramps to access barrier-free washrooms;
- Widening of doors to meet *Accessibility for Ontarians with Disabilities Act (AODA)* requirements;
- Interior signage to meet *AODA* requirements;
- Commercial kitchen cooking exhaust / ventilation systems; and,
- Sprinkler systems.

Fees:

- Architectural, engineering, lawyer's, BCIN designer, building permit, site plan application, road occupancy permit, street occupancy permit and encroachment agreement application fees may be eligible for up to 100% of the cost to a maximum of \$3,000 per application as part of the total grant awarded for completed construction.

Other improvements deemed health, safety and accessible issues eligible at the sole discretion of the General Manager of Planning and Economic Development.

IN-ELIGIBLE IMPROVEMENTS:

- Trees, shrubbery, perennials, annuals, soil, mulch, grass;
- Roofing (apart from mansard roofs above the eligible frontage);
- Sandblasting;
- Interior furniture, display cases equipment;
- Outdoor patio furniture; and,
- Tools.