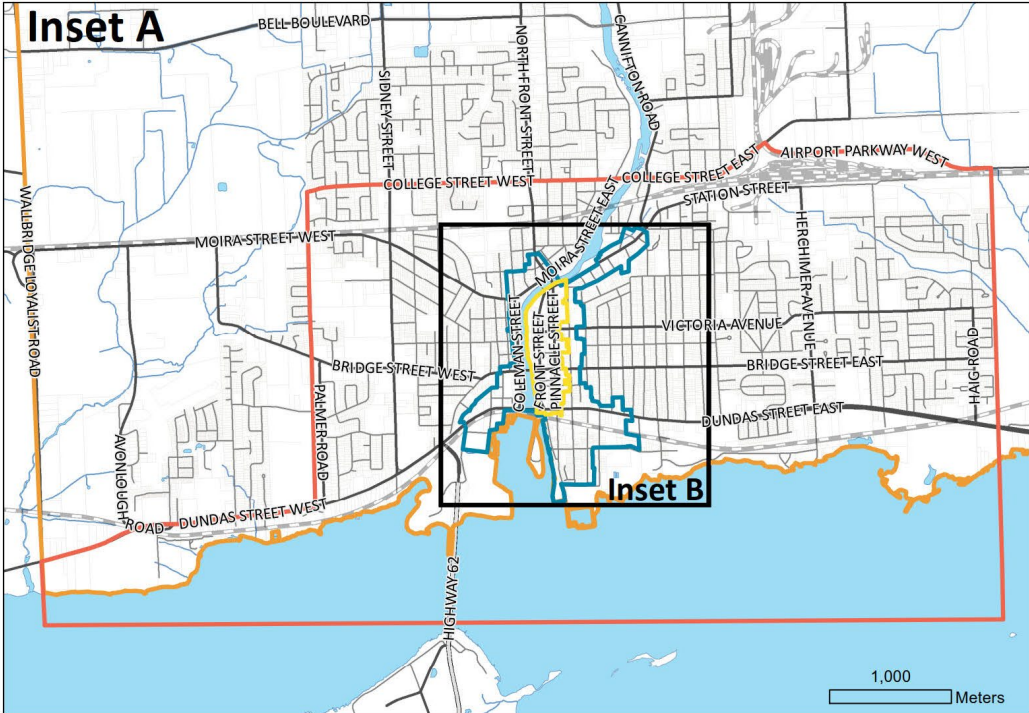
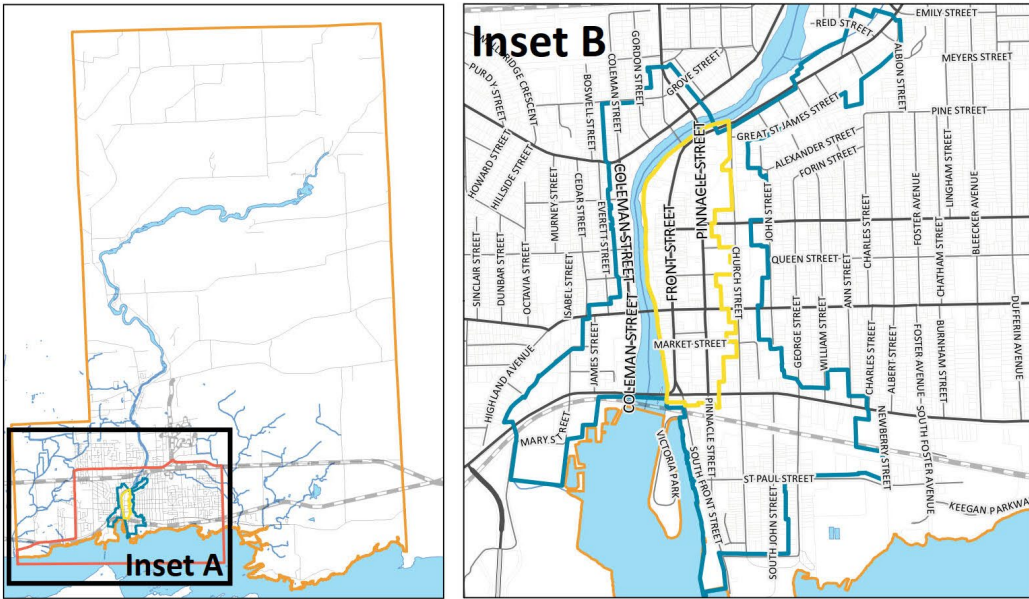




Map 1: Program Areas



CITY OF BELLEVILLE Community Improvement Plan Community Improvement Plan Area Final Draft DATE: December 2020	Municipal Boundary	Parcels	Minor Road
	Brownfield Priority Area	Highway	Ramp
	Downtown	Major Road	Watercourse
	Facade Improvement Area		

NOTE:
 MAP DRAWING INFORMATION:
 DATA PROVIDED BY MNR, CITY OF BELLEVILLE
 MAP PROJECTION: NAD 1983 UTM Zone 18N

PART 4 GENERAL CONDITIONS

This section provides the conditions which apply to all the C.I.P. programs contained herein (Section 4.1), and the additional conditions which apply to programs which are contingent upon the creation of affordable rental units (4.2). Section 4.3 provides guidance on making an application to the City for a C.I.P. program.

4.1 CONDITIONS APPLICABLE TO ALL C.I.P. PROGRAMS

- 1) Eligible program participants include registered owners, assessed owners, tenants and assignees as identified in Section 28(7) of the *Planning Act*.
- 2) All proposed development shall conform to the Official Plan, Zoning By-law, Council approved design guidelines, and other planning requirements.
- 3) All improvements shall be made pursuant to a building permit, and constructed in accordance with the *Ontario Building Code* where required.
- 4) Property taxes shall be in good standing at the time of application and throughout the length of any incentive or grant commitment. Where arrears exist, an application will not be approved and/or grants will not be advanced until arrears are eliminated.
- 5) There shall be no outstanding work orders issued by the City against the property. Outstanding work orders or requests against the property must be complied with prior to the consideration of any application or must be rectified through the proposed improvements.
- 6) During preparation of its annual budget City Council will determine the contribution to be made available to the various programs under this C.I.P. for the following year. The financial incentive programs available under this C.I.P. will be administered by City staff within the budget established by Council. Projects will not be approved that result in over-expenditure to what has been allocated to the C.I.P.'s program(s) by City Council.
- 7) The City is not responsible for any costs incurred by an applicant in relation to applying for any of the incentive programs.

- 8) Incentive programs will not apply to any required performance securities (i.e. Letter of Credit) posted by the proponent, to expenses incurred by the applicant because of a Local Planning Appeal Tribunal or Court proceedings, or to required professional studies (unless these professional studies are specifically identified as eligible for funding under a program, for example, the Phase II E.S.A. for the Brownfield E.S.A. Rebate).
- 9) The City reserves the right to audit any studies and/or works approved under an incentive program.
- 10) If the applicant is in default of any program requirement, or any other requirement of the City, the City may delay, suspend, cancel, or reduce the amount of its program approval and/or the financial incentive(s).
- 11) The City may, at its discretion, and without further amendment to the C.I.P., extend or discontinue any program when and as it deems appropriate. Notwithstanding this, participants in various programs prior to their discontinuation may continue to receive approved incentives/grants after the closing of the program as determined through individual agreement with the City and subject to available funding approved by the City.
- 12) No application is guaranteed an approval, the City has full authority over all decisions, and final decisions with respect to applications and the allocation of funds shall be made in accordance with Appendix B, Table 2: Approval Authority by Program.
- 13) As a condition of approval, the applicant and/or owner of the property may be required to enter into agreements with the City. Depending on the nature of the program applied for, these agreements may be registered on the title of the applicable property. The agreement may be made with respect to terms, duration, default, penalty, and termination provisions of the financial incentive.
- 14) Funding will only be provided until after agreement is executed, if required, and once all other conditions have been met.
- 15) If the funding is recurring over multiple years, then funding will only be issued if appropriate documentation is provided and accepted by the City each year, as required.

16) Works commenced after submitting an application but prior to application approval are done at the applicant’s risk.

17) In accordance with Section 28(7.3) of the *Planning Act*, the total amount of all financial incentives (including any tax assistance) given by the City to a specific development shall not exceed the eligible cost with respect to those lands and buildings.

If you are an applicant:

I have read and acknowledged conditions 1-17 above.

Signature: _____ Date: _____

4.2 SPECIFIC CONDITIONS FOR INCENTIVES RELATED TO THE PROVISION OF AFFORDABLE HOUSING UNITS

The C.I.P. programs which incentivize the development of affordable rental units have a specific set of conditions. These conditions help ensure that these units will remain affordable rather than turning over into “unaffordable” market rate housing stock, thereby returning long-term affordable housing benefits to the community.

In addition to the conditions outlined in Section 4.1, the following conditions apply to applicants who apply for incentives related to the provision of affordable housing units (i.e., Programs 1, 2, and 3 in this C.I.P.).

1. With respect to incentives related to the provision of affordable rental housing, in order to receive the benefits eligible applicants will be required to enter into an agreement with the City made with the following considerations:
 - a) Every development which receives a benefit through the program(s) shall have units that meet the program’s Guideline on Affordable Rental Rates, as amended from time to time;
 - b) The agreement must be registered on title, and the cost of doing so is the applicant’s responsibility or property owner’s responsibility;
 - c) The agreement will be binding on the owner’s heirs, successors and assigns, as well as binding on a transferee if the property changes hands;

- d) The housing provider must annually provide a statement to the City of Belleville Policy Planning & Approvals Planning section confirming that each unit remains affordable;
 - e) If the housing provider does not carry out its obligations under the agreement, the housing provider shall pay to the City the entire amount of benefits conveyed under the agreement, together with any applicable costs and interest;
 - f) The agreement will contain such other contractual provisions which are required to be inserted based on fundamental contractual drafting principles satisfactory to the City of Belleville; and,
 - g) Other reasonable requirements and conditions will be included in the agreement on a project-specific basis.
2. Each year the applicant is expected to provide unequivocal proof that each rental unit is provided in accordance with the definition of **affordable rental unit** in order to receive the rebate. This unequivocal proof may take the form of a signed lease agreement showing the name of the lessee and the affordable rental rate, along with copies of cleared cheques from the lessee proving that the rent paid matches the affordable rental rate on the lease. If multiple **affordable rental units** are approved for the financial incentive, then unequivocal proof must be provided for each unit.

If you are an applicant:

I have read and acknowledged the condition above.

Signature: _____ Date: _____

4.3 MAKING AN APPLICATION

4.3.1 APPLICATION PROCESS

The steps for making an application to an incentive program are as follows:

1. **Pre-application consultation:** Schedule a meeting with City staff to review any preliminary plans and factors such as program eligibility, scope of work and project timing.
2. **Submission of a complete application:** Submit the completed application form and required supporting materials such as detailed work plans, cost estimates and reports, where applicable (see 4.3.2 for more details). If approved, a letter and/or agreement will be provided and project work may begin. City Staff shall review the application based on the criteria contained herein, and may require a visual inspection of the subject property in order to fully assess the application.
3. **Undertake project work:** Obtain relevant permits from the City during the project. All costs will be borne by the applicant, unless otherwise stated within the detailed program descriptions. Depending on the nature of the work, it may be required to be undertaken in accordance with a commitment agreement made with the City.
4. **Payment:** Submit evidence of paid invoices and other supporting documentation, as required. The Chief Building Official (C.B.O.) may inspect the completed project to ensure compliance with the requirements of the program. The C.B.O. may obtain assistance from the City staff as necessary. Once all program requirements have been met, the payment of the approved incentive will be issued as a cheque, in accordance with the general and specific program eligibility requirements. If actual costs are less than what were approved under the letter and/or agreement, the dollar amount of the payment may be reduced; however, if costs are higher, the payment shall not be increased without the approval of City Council.

4.3.2 COMPLETE APPLICATION

At the discretion of the City, applicants to C.I.P. programs may be required to submit, as part of a complete application, the following:

- 1) Completed application form;
- 2) A signed copy of Section 4.1 of this document;

- 3) A signed copy of Section 4.2 of this document, if applicable ;
- 4) Copy of the parcel register for the subject property (available from the Land Registry Office) showing name of current owner and legal description; and,
- 5) Other relevant documentation, as indicated within the individual program requirements, such as evidence of current condition of eligible property via photos or video, a Site Plan or Conceptual Plan, or other reports or drawings which provide information on the proposed development to ensure conformity with the Official Plan, conformity with the objectives of the C.I.P., compliance with all relevant City By-laws, and adherence to all applicable law.

4.3.3 APPLICATION INTAKE PERIODS

There are two intake periods for applications, the Spring Intake and the Fall Intake, as described below.

Spring Intake

Applications received before March 31st of a given year will be evaluated at the City's discretion to the limit of the available funding, provided all eligible criteria and conditions are met for each program. Where it is deemed that an application is not complete, staff may return the application to the applicant with advice on how to remedy any deficiency. The resubmission of a previously incomplete application will not be back-dated; rather, it will be re-dated to the date that the complete application was received.

Applicants who require Site Plan Approval (S.P.A.), may apply for that outside of the C.I.P. intake period and will remain eligible as long as their S.P.A. has not been approved (i.e., the S.P.A. agreement has not been signed).

Fall Intake

Should there be available funding remaining following the evaluation of the applications received during the spring intake, a second intake period will occur to evaluate applications received before September 1st of a given year, at the City's discretion.

4.3.4 FREQUENTLY ASKED QUESTIONS

The frequently asked questions below are intended to assist with understanding eligibility; while the questions are posed in the voice of the layperson, the guidance offered in the answers serve as policy to assist with determining eligibility under these circumstances.

1. **What if my project is eligible for multiple programs?**

Many of the programs can be bundled together where eligibility requirements for different financial incentive programs can be met. However, incentive programs cannot be bundled to “double dip” – which means that a property which is eligible for a tax rebate, for example, will only be eligible to receive the rebate under one program, and cannot have the same taxes rebated under multiple programs. Further, multi-year tax rebate programs cannot be bundled to increase their duration, for instance two 10-year T.I.E.R. programs cannot be used consecutively to receive tax benefits over a 20-year period.

Similarly, each type of incentive is only permitted one time, per property, during the life of the C.I.P. For example, if a property goes through two major renovations, the building permit fee will not be rebated both times even if all eligibility criteria are met; the property only gets a rebate once.

In all situations, it is important to note that the total of all incentives cannot exceed the eligible costs.

2. **Is my affordable housing project eligible for incentives if I am already receiving incentives from other non-municipal funding source (e.g., funding from C.M.H.C.)?**

The City encourages proponents of eligible projects to seek out other incentives, and as a result will not limit eligibility to C.I.P. programs or reduce support on the basis of receiving assistance from other sources.

3. **What if I received planning and building approvals before submitting my complete application for an incentive program – can I still be approved to receive incentives from the programs?**

No, the purpose of the programs is to incentivize construction, rehabilitation and other upgrades which would otherwise not be undertaken.

Applicants are encouraged to schedule a pre-application consultation with City staff to discuss the timing of their project.

4. What if I have previously received funding under the old façade improvement program (C.I.P. dated 2001)?

Programs 10, 11, and 12 will be open to all eligible properties. If a property was approved under the old program and an agreement has been signed with the City, a new application may not be made until the conditions have been fulfilled, or the term of the agreement has elapsed.

Applicants are encouraged to schedule a pre-application consultation with City staff to discuss the merits of their project if they have previously received funding.