

**DOWNTOWN HAMILTON/WEST HARBOURFRONT
REMEDICATION LOAN PROGRAM (RLP)
APPLICATION FORM**

Application Fee of \$355.00 to Accompany Application

PLEASE PRINT

**Application No
(Office use only)** _____

Section A General Information and Instructions

- 1) An application for the Downtown Hamilton/West Harbourfront Remediation Loan Program (RLP) must be submitted to the Economic Development Department prior to the commencement of any works and prior to application for building permit;
- 2) Such application shall include reports, plans, estimates, contracts and other details as may be required to satisfy the City with respect to the eligible costs of the project and conformity of the project with the Community Improvement Plan;
- 3) The applicant shall obtain and submit to the City a Phase II ESA and/or risk assessment undertaken by a qualified person that:
 - a) identifies the extent and provides a cost estimate for the environmental remediation of the eligible property; and,
 - b) contains a detailed work plan and budget for the environmental remediation;
- 4) As a condition of the Loan application, the City may require the applicant to submit a Business Plan, with said Plan to the City's satisfaction;
- 5) The property shall be redeveloped such that the amount of work undertaken is sufficient to at a minimum result in an increase in the assessed value of the property;
- 6) The total value of the Loan provided under this program shall not exceed the total value of work done under eligible program costs;
- 7) Eligible program costs include the costs (see page 8 for definition of Areas):
 - a) environmental remediation, i.e., the cost of any action taken to reduce the concentration of contaminants on, in or under the eligible property to permit a record of site condition (RSC) to be filed for the proposed use by a qualified person, including costs of preparing the RSC;
 - b) Phase II and ESA's, risk assessments or remedial work plans not covered by the Study Grant Program;
 - c) installing environmental and/or engineering controls/works, as specified in the Remedial Work Plan and/or Risk Assessment and/or Certificate of Property Use
 - d) monitoring, maintaining and operating environmental and/or engineering controls/works, as specified in the Remedial Work Plan and/or Risk Assessment and/or Certificate of Property Use

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- e) the following Leadership in Energy and Environmental Design (LEED) Program components up to a maximum of 50% as per the City of Hamilton's LEED Grant Program (LGP) to achieve LEED certification under the LEED rating system by the Canadian Green Building Council (CaGBC).
 - i) incremental construction costs,
 - ii) consultation costs,
 - iii) energy modeling, and
 - iv) certification fees
 - f) demolition not covered by demolition charge credits (Areas 2 and 3 only);
 - g) removal of existing on-site infrastructure prior to replacement up to a minimum of 25% of construction/improvement costs for of on-site public works (water services, sanitary sewers and storm sewers) (Areas 2 and 3 only);
 - h) certain relocation/removal costs for existing and operating industrial manufacturing and transportation uses, where such costs relate to or contribute directly to the actual remediation and rehabilitation of the site (Area 3 only)
- 8) The total of the Loan provided under this program and the Study Grant Program, and the tax assistance provided under the Tax Assistance Program (TAP) and grants or loans provided under any other applicable Community Improvement Plan shall not exceed the total cost of rehabilitating the land and buildings;
- 9) Actual costs for any or all of the items in eligible program costs above may be subject to audit by the City, at the expense of the property owner;
- 10) All property owners participating in this program will be required to enter into an agreement with the City which will specify the terms and conditions of the Loan;
- 11) All RLP applications and agreements must be approved by City Council or City Council's designate;
- 12) The owner shall submit to the Environmental Site Registry under section 168.4 of the *Environmental Protection Act*, a record of site condition prepared by a qualified person. The owner shall notify the City when the record of site condition has been submitted;
- 13) The City reserves the right to require the submission to the City's satisfaction, of environmental reports and documentation showing the subject property has been remediated to the appropriate levels for the proposed use;
- 14) If a building(s) erected on a property participating in this program is demolished before the Loan period expires, the remainder of the monies to be paid out under the Loan shall be forfeited;

City of Hamilton
Planning and Economic Development Department
Urban Renewal Section, Economic Development Division
71 Main Street West, 7th Floor
Hamilton, Ontario L8P 4Y5
Attention: Phil Caldwell, Senior Project Manager

If you have any questions about this program, please contact:

Phone: 905-546-2424, ext. 2359
E-mail: Phil.Caldwell@hamilton.ca

Section B Applicant / Agent Information

Name of Registered Property Owner

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Mailing Address of Property Owner

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Phone:

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Fax:

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Email:

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Agent Information (if any)/Applicant/Tenant

Name of Agent

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Mailing Address

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Phone:

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Fax:

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Email:

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CRIMINAL OFFENCE:

Have you been convicted of any criminal offence for which you have not been granted a record suspension or pardon? Yes No

For applicants that are Corporations, this question must be answered for all principals of the Corporation.

Please note that if the answer is “**yes**”, submission of a criminal conviction record check may be required.

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

I, _____, certify that answers and information I have provided in this application are true and complete, including my answer to the question of whether or not I (or the principal(s) of the Corporation) have been convicted of any criminal offence for which a record suspension or pardon has not been granted.

I also give permission to the City of Hamilton to utilize photographs of the property in the City of Hamilton's promotional material.

Section C Property Information

Municipal Address(es) of Property for which this Application is being submitted

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Roll Number(s) _____

Legal Description of Property (Lot and Plan Numbers)

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Existing Property Use _____

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Is property designated under Part IV of the Ontario Heritage Act? Yes _____ No _____

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Are there any outstanding work orders on this property? Yes _____ No _____

Size of Property _____ acres

Existing Buildings on Property? Yes _____ (if yes, specify building size below) No _____

Building 1 _____ sq. ft.

Building 2 _____ sq. ft.

Building 3 _____ sq. ft.

(Please list all additional buildings on a separate sheet)

Section D Property Tax Information

Current property taxes paid annually \$ _____

Is this property in tax arrears? Yes _____ No _____

If yes, specify value of tax arrears \$ _____

Have tax arrears been cancelled (in whole or in part) on this property under any City program? Yes _____ No _____

Has or will this property receive grants/loans or other financial assistance from the City under any other City program?

Yes _____ No _____

If yes, please specify program and amount of financial assistance received from the City

Section E Environmental Information

Describe environmental contamination issues (soil, groundwater) affecting the site, including type of contaminants, extent, causes (brief site use history), underground storage tanks, aboveground storage tanks, etc... **(Attach Phase II ESA)**

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Provide an estimate of eligible remediation and other costs as shown below. **(Attach Phase III ESA/Remedial Action Plan and /or other consultant reports and/or work plan/budget that provides estimates of these costs)**

1. Environmental Remediation	\$	
2. Any costs of Phase II and ESA's, risk assessments or remedial work plans not covered by ERASE Study Grant Program	\$	
3. LEED Component Costs (include breakdown)	\$	
4. Building Demolition (Areas 2 and 3 only)	\$	
5. On-site infrastructure upgrading (on-site main sanitary and storm sewer lines and water lines) (Areas 2 and 3 only)	\$	
Total Eligible Costs (sum costs 1-4 above)	\$	

Section F Development Information

Provide a detailed description (building size/type, number of stories, construction materials, etc...) of the proposed development to take place on the site once this site has been environmentally remediated (please attach detailed construction drawings)

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Estimated construction value of the proposed development \$ _____

Estimated construction start date (Month/Year) _____

Estimated construction end date (Month/Year) _____

Estimated jobs upon project completion (FT/PT) FT PT

Section G Other Sources and Funds

Have you applied for or will you be obtaining any other sources of government funding? (includes Federal, Provincial, Federation of Canadian Municipalities, etc...)

Yes _____ No _____ Approval Date: _____ Approval No: _____

Yes _____ No _____ Approval Date: _____ Approval No: _____

If yes, please list other sources and amounts of government funding (if/once approved provide confirmation of approval with fund contact information):

Program _____ \$ _____

Program _____ \$ _____

Section H Authorization

I, _____ am the owner of the land that is subject of this application, and I hereby authorize our agent / solicitor _____ to make this application and to act on my behalf in regard to this application.

Dated at the _____, this _____ of _____, _____
(City/Town of...) Day Month Year

Name of Owner

Signature of Owner

Section I Sworn Declarations

I/WE HEREBY APPLY for a loan under this program.

I/WE HEREBY AGREE to abide by the terms and conditions of the Downtown Hamilton/West Harbourfront Remediation Loan Program specified in this application and in the City of Hamilton ERASE Community Improvement Plan (please refer to Plan for additional details).

I/WE HEREBY AGREE to enter into a Downtown Hamilton/West Harbourfront Remediation Loan Agreement with the City of Hamilton that specifies the terms and conditions of the loan.

I/WE HEREBY AGREE to abide by the terms and conditions of Downtown Hamilton/West Harbourfront Remediation Loan Program.

I/WE HEREBY CERTIFY that the information contained in this application is true, correct and complete in every respect and may be verified by the City of Hamilton by such inquiry as it deems appropriate, including inspection of the property for which this application is being made.

I/WE HEREBY GRANT PERMISSION to the City, or its agents, to inspect my/our property prior to, during, and after environmental remediation, site rehabilitation and project construction.

I/WE HEREBY AGREE that the program for which application has been made herein is subject to cancellation and/or change at any time by the City in its sole discretion, subject to the terms and conditions specified in the Program. Participants in the program whose application has been approved and who has entered into the Downtown Hamilton/West Harbourfront Remediation Loan Agreement with the City will continue to receive loan payments, subject to their Downtown Hamilton/West Harbourfront Remediation Loan Agreement.

I/WE HEREBY AGREE that all loans will be calculated and awarded in the sole discretion of the City. Notwithstanding any representation by or on behalf of the City, or any statement contained in the program, no right to any loan arises until it has been duly authorized, subject to the applicant meeting the terms and conditions of the Downtown Hamilton/West Harbourfront Remediation Loan Program. The City is not responsible for any costs incurred by the Owner/Applicant in any way relating to the program, including, without limitation, costs incurred in anticipation of a loan.

Dated at the _____, this _____ of _____, _____
(City/Town of...) Day Month Year

Name of Owner or Authorized Agent
(Please print)

Title

Signature of Owner or Authorized Agent

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