



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

\$275.00 Administration Fee for grants less than or equal to \$12,500
\$430.00 Administration Fee for grants greater than \$12,500 to accompany Application
NOTE: TO BE ELIGIBLE FOR THE GRANT, IMPROVEMENTS MUST APPLY WITH THE
BARTON / KENILWORTH URBAN DESIGN GUIDELINES (IF APPLICABLE)

**THE BARTON / KENILWORTH COMMERCIAL CORRIDOR BUILDING
 IMPROVEMENT GRANT PROGRAM**

IMPORTANT PROGRAM INFORMATION

- 1) Where a site contains existing, occupied residential rental units at the time an application under this program is submitted to the City, please be advised that notification will be provided, by the City, to the occupied units that an application has been made under this program. Where an application is subsequently approved, occupied units will be further notified of the value of any incentive to be provided by the City and the nature of improvements/work that the incentives are intended to facilitate, where applicable.

- 2) An approval under this program may be subject to requirements which limit potential Above Guideline Increase requests to the Landlord and Tenant Board for residential rental units occupied at the time an application is submitted to the City. Please see the Program Description for more information.

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)	
PROPERTY 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)	
THE PROPERTY	
Property Address:	
Name of Business:	
Nature of Business:	
Number of Dedicated parking spaces if applicable (including breakdown for each use if mixed use property):	
Please state how many feet the front of the building measures:	
At the time of submission of this application to the City, are there existing and occupied residential rental units on any property that is the subject of this application? If yes, please identify the address and unit numbers of the occupied units.	

WORK ESTIMATES

Please attach two (2) independent contractor estimates for each component of the proposed improvement. Grant to be awarded based upon the lowest bid.

Note: If applicant is the owner of a contracting company and will be utilizing their company to undertake the improvements, only one estimate is required.

Preferred Contractor:

Building Repair Contractor Trade Licence Number:

Expiry Date:

Estimated Cost:

Second Contractor:

Building Repair Contractor Trade Licence Number:

Expiry Date:

Estimated Cost:

Total Construction Cost:

Total Grant Requested:

***Note if an applicant wishes to change contractors following Grant application submission the applicant must first notify staff from the Commercial Districts and Small Business Section and submit the required estimates to request approval for the change. Work must not commence prior to approval of the changes.**

DESCRIPTION OF IMPROVEMENTS

Please provide a written description of the proposed improvements. Attach at least one (1) copy of architectural or design plan prepared by a professional (if available) or prepare a sketch showing proposed improvements.

BUSINESS CASE FOR IMPROVEMENTS

Please identify how the improvements will improve the marketability of the property for prospective tenants and/or improve the business vitality and/or utilize formerly under-utilized upper floors.

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.

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 Commercial Districts and Small Business Section, 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
Commercial Districts and Small Business Section
71 Main Street West, 7th Floor
Hamilton, Ontario L8P 4Y5
Phone: (905) 546- 2424 Ext. 2755
Fax: (905) 546-2693



THE BARTON / KENILWORTH COMMERCIAL CORRIDOR BUILDING 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 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 Commercial Districts and Small Business, 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.

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

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.

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 Masters 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' 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 City 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.