

LEED (TAX INCREMENT) GRANT PROGRAM (LGP) APPLICATION FORM

APPLICATION FEE OF \$1,005.00 TO ACCOMPANY APPLICATION

PRIOR TO SUBMITTING THIS APPLICATION:

- CONTACT CITY STAFF TO DISCUSS ELIGIBILITY
- REVIEW THE PROGRAM DESCRIPTION FOR DETAILED PROGRAM TERMS AND CONDITIONS
- NOTE THAT SITES WHICH WILL BE LEED CERTIFIED AND SUBJECT TO ENVIRONMENTAL REMEDIATION SHOULD APPLY UNDER THE ERASE REDEVELOPMENT GRANT (ERG) PROGRAM

FOR OFFICE USE ONLY

Application No.: _____

Date Submitted: _____

SECTION A – GENERAL PROGRAM GUIDELINES AND INSTRUCTIONS

- 1) An application to the LEED (Tax Increment) Grant Program (LGP) must be submitted to the Economic Development Department prior to the commencement of any works and prior to application for a 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 and provincial environmental regulations;
- 3) An estimate of the post-development assessment for the planned redevelopment, prepared by the Municipal Property Assessment Corporation (MPAC), undertaken at the applicant's expense, must be provided **except** where the planned development is one of the following:
 - a) a residential rental building containing six (6) or less units;
 - b) a residential-only condominium development of any scale; or
 - c) a mixed-use building containing a residential condominiums and commercial uses provided the commercial uses are limited to the first two (2) storeys of the building; and

NOTE: Applicants must contact MPAC directly (products@mpac.ca) to obtain the estimate, when required. Applicants must advise MPAC that the estimate will be provided to the City of Hamilton and as such must contain any necessary disclaimers to ensure the estimate can be provided to, and used by, the City for the purposes of this application, including in public reports to City Council.

- 4) Eligible costs under this Program include the following which are required to achieve LEED certification under the LEED rating system by the Canadian Green Building Council (CaGBC):
 - a) A 50/50 share of incremental construction costs (calculated as per Table 1 of the LEED Grant Program Description and Terms);
 - b) consultation fees;

- c) energy modeling; and
 - d) certification fees; and
- 5) The grant shall not exceed 75% of the municipal property tax increase during the first five (5) years following the official certification of the building by the CaGBC;
 - 6) The grant shall not exceed total construction costs;
 - 7) The grant shall terminate following the five-year period (five grant payments) **or** when the actual eligible costs have been granted in full, whichever comes first;
 - 8) The grant does not preclude the applicant from applying for any other available municipal programs with the exception of any other tax increment-based program which shall not be permitted;
 - 9) The grant may be assigned by the registered owner, assessed owners, and tenants, to any person to whom such owner or tenant has assigned the right to receive the grant;
 - 10) This application must include reports, plans, estimates, assessment records, contracts, confirmation that realty taxes are current and other details as may be required to satisfy the City with respect to the eligible costs of the project and conformity with the *LEEDing the Way Community Improvement Plan*;
 - 11) 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;
 - 12) Actual costs for any or all of the eligible costs above shall be subject to audit by the City, which may include an independent third-party review/audit which, if required, shall be at the expense of the property owner;
 - 13) 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 grant;
 - 14) If a building(s) erected on a property participating in this program is demolished before the grant period expires, the remainder of the monies to be paid out under the grant shall be forfeited;
 - 15) Approval of grant applications and agreements is at the absolute discretion of City Council, or its delegate where applicable, and subject to availability of funds; and
 - 16) Without limiting the discretion as set in paragraph 15, herein, the City Council or its delegate, whether or not an Applicant satisfies the requirements of the Program, may reject any application received from an applicant where there is credible information that an applicant has been involved recently or repeatedly in illegal activity, or is in active litigation with the City, supporting the conclusion that he or she will not conduct himself or herself with honesty and integrity in undertaking the activity, operation or business for which the grant is sought. For corporate applicants, it will be the corporation and the principals of the corporation whose illegal activity will be considered.

FOR QUESTIONS ABOUT THE PROGRAM OR TO SUBMIT A COMPLETE APPLICATION CONTACT:

Phillip Caldwell, RPP MCIP
Senior Project Manager
(905) 546-2424 x2359
phil.caldwell@hamilton.ca

City of Hamilton – Attention: Phil Caldwell
Planning & Economic Development Dept.
Economic Development Division
Commercial Districts and Small Business
Section
71 Main Street West, 7th Floor
Hamilton ON, L8P 4Y5

COMPLETE APPLICATION CHECKLIST:

- Completed and signed application form
- A Business Plan for the proposed development
- Planning and/or architectural drawings of the proposed development
- A formal estimate of total construction costs, LEED specific incremental construction costs and a work plan outlining the intended LEED certification level to be achieved
- An MPAC post-development assessment estimate for the proposed development (if required - see Section A, 3) for more info)
- A cheque in the amount of the application fee
Made payable to the 'City of Hamilton'

SECTION B – OWNER APPLICANT/AGENT INFORMATION

Name of Registered Property

Owner:

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Mailing Address of Property

Owner:

.....

.....

Phone:

.....

Email:

.....

If an Agent is acting on behalf of the Registered Property Owner please provide the following:

Name of Agent:

.....

Mailing Address of Agent:

.....

.....

Phone:

.....

Email:

.....

CRIMINAL OFFENCES

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.
- If the answer is "Yes", submission of a criminal conviction record check may be required.

SIGNATURE OF OWNER/AUTHORIZED AGENT CERTIFYING DATE OF APPLICATION SUBMISSION AND TO PROVIDE PERMISSION FOR THE CITY OF HAMILTON TO UTILIZE PHOTOGRAPHS OF THE PROPERTY IN 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 of Property(s) for which this Application is being submitted:

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.....

Property Roll
Number(s):

.....

Property Legal
Description(s):

.....

Total Size of Site: Hectares/Acres

Existing Use of
Property(s):

.....

Current Zoning of the property(s):

Are there any buildings designated under Part IV of
the Ontario Heritage Act on the property(s)?

Yes No

Are there any outstanding work orders on the
property(s)?

Yes No

Are there existing buildings on the property(s)?

Yes No

If yes, please identify the total floor area

.....

SECTION D – PROPERTY TAX/FINANCIAL ASSISTANCE INFORMATION

Current Property taxes paid annually for all properties? \$ _____

Are any of the property(s) in tax arrears? Yes _____ No _____

If yes, specify value of the arrears? \$ _____

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

Has any property received grants/loans or any other financial assistance from the City of Hamilton? Yes _____ No _____

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

.....

Will the development be the subject of any other sources of government funding? (including Federal, Provincial, Federation of Canadian Municipalities etc.) Yes _____ No _____

Approval Date	Approval #	Program Name	Value (\$)

SECTION E – LEED CERTIFICATION

Name of Consultant: _____

Mailing Address of Consultant: _____

Phone: _____ Email: _____

What level of LEED certification will be sought for the development? (please circle)

BRONZE / SILVER / GOLD / PLATINUM

Provide the following details regarding the planned LEED Certification:

1. Site Development:

2. Water Efficiency:

3. Energy Efficiency:

4. Material Selection:

5. Indoor Environmental Quality:

6. Innovation in Design:

1. Estimated Incremental Construction Costs \$

2. Consultation Costs \$

3. Energy Modeling \$

4. Certification Fees \$

TOTAL COSTS (sum of items 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 plans)

Estimated Construction Value of the Proposed Development

\$

Estimated Construction Start Date (Month/Year)

Estimated Construction End Date (Month/Year)

SECTION G – 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 H – SWORN DECLARATION

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

I/WE HEREBY AGREE to abide by the terms and conditions of the LEED (Tax Increment) Grant Program as specified in this application and in the City of Hamilton LEEDing the Way Community Improvement Plan (please refer to Plan for additional details).

I/WE HEREBY AGREE to enter into an LEED Grant Agreement with the City of Hamilton that specifies the terms and conditions of the grant.

I/WE HEREBY AGREE to abide by the terms and conditions of the LEED (Tax Increment) Grant 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 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 have entered into the LEED Grant Agreement with the City, will continue to receive grant payments, subject to their LEED Grant Agreement.

I/WE HEREBY AGREE that all grants 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 grant arises until it has been duly authorized, subject to the applicant meeting the terms and conditions of the LEED (Tax Increment) Grant Program and the LEED Grant Agreement. 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 grant.

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

Date