

ERASE COMMERCIAL DISTRICT REMEDICATION LOAN (ECDRL) PROGRAM



APPLICATION FORM

APPLICATION FEE	PROGRAM CONTACT	FOR CITY STAFF USE ONLY	
<p style="text-align: center;">\$391.00</p> <p>(Payable by Cheque to The City of Hamilton)</p>	<p>Phil Caldwell, RPP MCIP Senior Project Manager phil.caldwell@hamilton.ca 905-546.2424 x2359</p>	Application File #	
		Date Submitted	

SUBMISSION INSTRUCTIONS	COMPLETE APPLICATION CHECKLIST
<p>Submit complete application to: phil.caldwell@hamilton.ca</p> <p>For mailing or in-person delivery of application fee: City of Hamilton – Attention: Phil Caldwell Economic Development Division Commercial Districts and Small Business Section 71 Main Street West, 7th Floor Hamilton ON, L8P 4Y5</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Completed and signed application form <input type="checkbox"/> A Remedial Action Plan Prepared by a Qualified Person <input type="checkbox"/> A Business Plan for the planned development <input type="checkbox"/> Site Plan and architectural drawings for the planned development <input type="checkbox"/> Digital copies of all previous environmental studies for the site <input type="checkbox"/> An MPAC post-development assessment estimate for the planned development Where required - see Section A, 7) <input type="checkbox"/> Application fee

SECTION A: IMPORTANT INFORMATION BEFORE SUBMITTING THIS APPLICATION
<ol style="list-style-type: none"> 1) Arrange a pre-consultation meeting with the Program Contact prior to submitting an application in order to determine potential eligibility. 2) An application to the ECDRL Program must be submitted to the City prior to incurring eligible costs. 3) All applicants are required to review the detailed City Council approved ECDRL Program description and terms (including details of eligible and ineligible costs) available at: https://investinhamilton.ca/tools-data/financial-incentives/municipal-programs/erase-remediation-loan-program/

- 4) Confirm that the site subject to the application is located within the “Sub-Area 2 – Strategic Commercial Districts and Corridors” area in which this Program is made available. Sub-Area 2 is defined through the ERASE Community Improvement Project Area By-law 23-106 available at: <https://www.hamilton.ca/sites/default/files/2023-06/23-106.pdf>
- 5) A loan under this Program is intended to serve as a ‘bridge’ until such time as grant payments commence under either the ERASE Redevelopment Grant (ERG) or Revitalizing Hamilton Tax Increment Grant (RHTIG) Programs. As such, eligibility under this Program is contingent on, among other requirements, that the site has been the subject of an approved application under either the ERG or RHTIG Programs.
- 6) Applications shall include reports, plans, estimates, contracts and other details as may be required to satisfy the City with respect to the eligible costs and conformity of the project with the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan and Province of Ontario environmental regulations.
- 7) As part of a complete application, the applicant shall be required to submit an estimate of the post-development assessment for the planned development, prepared by the Municipal Property Assessment Corporation (MPAC) and undertaken at the applicant’s expense, **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.

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.

- 8) Ensure all required information and supporting documentation is provided as per the checklist contained herein.
- 9) For the purposes of the ECDRL Program and this application:
 - a) a ‘site’ shall mean all properties forming part of the planned development;
 - b) a ‘Qualified Person’ shall have the same meaning as defined under Ontario Regulation 153/04, as amended; and
 - c) a ‘not-for-profit housing development’ shall mean the development of a building or structure intended for use as a residential rental premise or a residential premise for the homeless to be owned and developed by:
 - i) a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under that *Act* and whose primary object is to provide housing;
 - ii) a corporation without share capital to which the *Canada Not-for-profit Corporations Act* applies, that is in good standing under that *Act* and whose primary object is to provide housing;
 - iii) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act, 2022*, c. 21, Sched. 3, s. 4; or
 - iv) CityHousing Hamilton Corporation.

SECTION B: APPLICANT INFORMATION (SITE OWNER)

Name of Registered Property Owner					
Shareholders of Registered Property Owner (including % ownership)					
Mailing Address of Property Owner	Street				
	City	Province		Postal Code	
Primary Contact for Property Owner	Name				
	Email	Phone			
Agent for Owner (If Applicable)	Name				
	Email	Phone			
Criminal Offences	<p>Has the applicant been convicted of any criminal offence for which a record suspension or pardon has not been granted? (For applicants that are Corporations, this question must be answered on behalf of all principals of the Corporation)</p> <p align="center">Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p align="center">If Yes, submission of a criminal conviction record check may be required.</p> <p>I, _____, certify that my answer is true 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.</p> <p>Signature: _____</p>				

SECTION C: SITE/PROPERTY INFORMATION

All Property's Subject to this Application (the Site)	Municipal Address(s)	
	Legal Description(s)	
	Roll Number(s)	
	Zoning	
	Total Site Area	_____ ha. (_____ ac.)
Designated Heritage Buildings	Are there any buildings designated under Part IV or V of the <i>Ontario Heritage Act</i> located on the site?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Work Orders	Are there any outstanding Municipal, Provincial or Federal Government orders on the site? If Yes, please describe:	Yes <input type="checkbox"/> No <input type="checkbox"/>
Existing Buildings	Are there any existing buildings on the site? If Yes, please describe (including existing floor area):	Yes <input type="checkbox"/> No <input type="checkbox"/>
Existing Uses on the Site		

SECTION D: FINANCIAL DETAILS

Property Taxes	Current Property Taxes paid annually for all properties? \$ _____ Are any of the properties in tax arrears? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, what is the value of the arrears? \$ _____	
Other Government Grants and Loans	Has, or will, the planned development be the subject of any other financial assistance from the City of Hamilton, Provincial/Federal Governments or related agencies? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, please provide details including value of assistance:	
Other Financial Assistance	Will site remediation costs be partially or wholly funded by an entity other than the registered property owner, such as but not limited to, a previous property owner? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, please provide details including the value of assistance:	

SECTION E: PLANNED DEVELOPMENT DETAILS

Planned Development	Provide a detailed description of the planned development including uses, storeys, number of units, floor area, etc. Please include detailed plans.				
Not-for-Profit Housing Development	Is this a 'not-for-profit housing development' for the purposes of this Program? (see Section A, 9) c) for details				Yes <input type="checkbox"/> No <input type="checkbox"/>
Anticipated Development Timeframe	Remediation Works Start Date:		Above Grade Construction Start Date:		Development Completion Date:
Estimated Construction Costs	\$ _____				

SECTION F: ENVIRONMENTAL DETAILS

Name of Environmental Consultant:					
Environmental Consultant Mailing Address	Street				
	City		Province	Postal Code	
Qualified Person (QP) Contact Information	Name				
	Email		Phone		
Environmental Studies	<p>Has a Phase I Environmental Site Assessment (ESA) been conducted on the site? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Has a Phase II ESA ever been conducted on the site? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Has a Phase III ESA/Risk Assessment ever been conducted on the site? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Has a Remedial Action Plan/Risk Assessment ever been conducted on the site? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p align="center">If Yes to any of the above, please ensure a digital copy of the study(s) is provided as part of the application</p>				
Record of Site Condition (RSC)	<p>Is an RSC required under Ontario Regulation 153/04 for the planned development? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p align="center">If No, is an RSC planned to be filed for the site? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p align="center">If Yes, please describe the reasons for planning to file an RSC.</p>				

<p>Environmental Site Condition</p>	<p>Describe the known or suspected environmental contamination issues affecting the site, including type of contaminants, extent, causes (brief site use history), underground storage tanks, above-ground storage tanks, etc.</p>
<p>Estimated Costs</p>	<p>Estimated costs for soil/groundwater remediation? (Not including any costs which would have been required for the development regardless of the presence of contamination) \$ _____</p> <p>Estimated costs for environmental studies and environmental consultant fees? (Only those costs not already reimbursed under the ERASE Study Grant Program) \$ _____</p> <p>Estimated costs for the abatement/removal of designated substance and hazardous materials? (Only eligible for sites 1) containing current/closed institutional buildings 2) containing a building designated under Part IV or V of the <i>Ontario Heritage Act</i>, or 3) being developed for use as not-for-profit housing) \$ _____</p> <p style="text-align: right;">TOTAL ESTIMATED COSTS (Sum of items above) \$ _____</p>

SECTION G: SWORN DECLARATION

I/WE HEREBY APPLY for a loan under the ECDRL Program.

I/WE HEREBY AGREE to abide by the terms and conditions of the ECDRL Program as 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 an ECDRL 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 the ECDRL Loan Agreement.

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 AGREE that any work carried out prior to the submission of a complete application to the City is ineligible.

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 Description. Participants in the program whose application has been approved will continue to receive a loan, subject to their ECDRL Loan Agreement.

I/WE HEREBY AGREE that all loans will be calculated and awarded in the sole discretion of the City and that 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 ECDRL Program and ECDRL Loan 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 loan.

I/WE HEREBY GRANT PERMISSION for the City to utilize site and development photos in public reports and promotional materials.

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

Name (Owner) Title Signature Date (MM/DD/YY)

Name (Qualified Person) Title Signature Date (MM/DD/YY)

Name (Agent if applicable) Title Signature Date (MM/DD/YY)