



DOWNTOWN WINDSOR

ENHANCEMENT STRATEGY AND COMMUNITY IMPROVEMENT PLAN
GRANT PROGRAM APPLICATION GUIDE

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ENHANCEMENT STRATEGY AND COMMUNITY IMPROVEMENT PLAN GRANT APPLICATION PROGRAM GUIDE

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Words in *italics* are defined for the purposes of this guide in Appendix D: Definitions, starting on page 28.



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PROGRAM DESCRIPTIONS

The City of Windsor is offering financial incentives in the form of grants to stimulate the type of development that will enhance Downtown Windsor.

The following boxes briefly describe and summarize the different grant programs available in the Downtown Windsor Community Improvement Plan (CIP) project area.

Upper Storey Residential Conversion Grant Program

Property owners will be eligible to receive a grant of \$5,000 for every new *residential unit* created on the upper storey(s) of an existing *mixed use building*, up to a maximum of \$50,000 per property.

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New Residential Development Grant Program

Property owners will be eligible to receive a grant of \$2,500 for every new *residential unit*, up to a maximum of \$50,000 per property.

Page 9

Commercial/Mixed Use Building Facade Improvement Program

Grant for 50% of the *eligible costs* of the facade improvements, up to \$20,000 per property. Applicable projects can be eligible for a grant increase of up to \$10,000.

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Building/Property Improvement Tax Increment Grant Program

Annual grant equal to 100% of the increase in municipal property taxes for five (5) years, with the possibility of an extension up to a total of ten (10) years after the project is completed and reassessed.

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Retail Investment Grant Program

Grant up to 50% of *eligible costs* for improvements to a maximum amount of \$15,000 per *retail unit* in a building, up to a maximum of \$30,000 per property.

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This guide is for information purposes to assist *applicants* with applying for grants. Please reference the Downtown Windsor Enhancement Strategy and Community Improvement Plan (CIP) (September 29, 2017) for the complete program requirements and provisions. If there is a discrepancy, the Downtown Windsor Enhancement Strategy and Community Improvement Plan takes precedence.

For further information on these programs, please contact
Laura Strahl, Senior Planner – Special Projects, The Planning Department at
(519) 255-6543 or via email at lstrahl@citywindsor.ca.



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Study Area Boundary

No. There is no fee to apply.

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HOW DO I APPLY FOR A GRANT?

STEP 1

APPLICATION SUBMISSION

- Contact planning staff to set up a pre-application meeting
- During pre-application meeting staff will stipulate what documents are required for a complete application
- Applicant submits a complete application to the City describing in detail the development or redevelopment that is planned, including all required supporting documentation as indicated by city staff during pre-consultation meeting

STEP 2

APPLICATION REVIEW & EVALUATION

- Staff reviews application and supporting documentation for eligibility
- Staff may request clarification or additional supporting documentation
- Staff may perform an initial site visit and inspection of the property (if necessary)

STEP 3

APPLICATION APPROVAL

- A recommendation on the application is made by staff and forwarded to City Council
- If the application is approved, a Grant Agreement is then executed by the City. A copy of the executed agreement is then returned to the applicant for his or her records
- The project can now commence

STEP 4

PAYMENT OF FUNDS

- Contact City staff when the work/project is completed, so that staff can review the work and ensure contractors have been paid in full
- Payment of the grant is made to the grant recipient upon satisfaction of all terms and conditions of the procedures and completion of work within the prescribed time frame

Approval of grants is subject to availability of funds. Contact *City* staff to ensure funds are available for proposed project.




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APPENDIX: PROGRAM SPECIFIC REQUIREMENTS

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UPPER STOREY RESIDENTIAL CONVERSION GRANT PROGRAM

The Upper Storey Conversion Grant Program is aimed at attracting new investment and interest in converting currently non-residential *vacant* or *underutilized* upper storey space to *residential units* by providing a financial incentive that will be targeted at the costs of converting the space to new *residential units*. It is intended to stimulate the creation of new *residential units* on the upper storeys of existing *mixed use buildings*.

Program Details

- A minimum of **two (2)** new *residential units* must be created above the first (i.e. ground) floor of the building. The program is not eligible for reoccupying any unit or space that was already configured or used for residential use.
- Inspections of the building to review its condition and the proposed conversion plans may be required.
- Determination of compliance with the requirements of this program and the amount of the property's grant (within the permitted terms of this program) is at the discretion of and subject to *City Council* approval.

Eligible Costs

Upper Storey Residential Conversion Grants are only available for the "*eligible costs*" specified below:

- Construct new *residential units* that are in compliance with the Ontario Building Code, Property Standards By-law and the Fire Code, including, but not limited to the following:
 - a. Installation of safety and fire protection systems such as carbon monoxide detectors, smoke alarms, fire alarms, exit signs, etc.;
 - b. Installation of fire escapes;
 - c. Installation of new or reinforcement of floors, ceilings and/or walls;
 - d. Improvements to electrical, ventilation, heating and plumbing supply systems;
 - e. Improvements for barrier-free accessibility;
 - f. Construction or alteration of stairs, guard rails and/or hand rails; and,
 - g. Installation or alteration of required window openings and windows for upper storey *residential units*.
- Adaptive reuse, building rehabilitation and retrofit works;
- Other improvements, at the discretion of the *City Planner*, related to converting upper storey commercial space to residential uses; and



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UPPER STOREY RESIDENTIAL CONVERSION GRANT PROGRAM

- Development application fees and building permit fees (includes application for Official Plan Amendment, Zoning By-law Amendment, Minor Variance or Permission, Consent, Site Plan Approval/Amendment/ Modification/ Termination, Plan of Subdivision/Condominium, Condominium Conversion, Part Lot Control Exemption, Removal of the “H” Holding Symbol, Demolition Permit, and Building Permit). Any other permit issued by *The City* that is not listed above, but in the opinion of the *City Planner*, advances the objectives of the CIP.

Grant Calculation

The amount of the grant will be determined based upon the new number of *residential units* created as a result of the conversion of the upper storeys from a non-residential use. The grant will be for the amount of \$5,000 for every new *residential unit* created on the upper storeys of an existing *mixed use building*, up to a maximum of \$50,000 per property.

Other Funding

Projects that are eligible for the Upper Storey Residential Conversion Grant Program are permitted to combine the incentives from any other City of Windsor approved Community Improvement Plan provided that the total of all property tax assistance, grants and loans provided by *The City* in relation to the Downtown, or any other CIP, cannot exceed the approved *eligible costs* for all approved incentive programs.

Supporting Application Documents

The following documents/information may be required prior to the application being finalized, or at any point to verify prior to the grant being paid (*City* staff to indicate what is required at a pre-application meeting):

- Floor plans
- Photographs of the property
- Cost estimates including refined cost estimates (prepared by a bona fide contractor)
- Additional/ other documents as deemed necessary by *City* staff:
 - Incorporation Documents
 - Property Deed
 - Written Authorization from Owner to apply for the Grant
 - Reports
 - Business Plan
 - Site Plan and Survey
 - Architectural Drawings, Design Plans



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NEW RESIDENTIAL DEVELOPMENT GRANT PROGRAM

The New Residential Development Grant Program is intended to stimulate residential development within Downtown Windsor by providing a financial incentive to stimulate the *construction of new residential units through the development or redevelopment of a building or property, excluding creating new residential units on vacant land, and/or the expansion of an existing building.*

Program Details

- A minimum of four (4) new *residential units* must be created. The program is not eligible on any unit or space that was already configured and/or used for residential use.
- The program will only be offered until 100 new *residential units* have been funded by the New Residential Development Grant Program. *Council* can increase the number of units that can be funded at such time that the original 100 *residential units* have been constructed.
- Inspections of the building to review its condition and the proposed conversion plans may be required.
- Only one (1) New Residential Development Grant will be available per property.
- For projects that involve an existing building, only the *residential units* that are constructed as part of an addition to the existing building will be eligible for a New Residential Development Grant.
- Determination of compliance with the requirements of this program and the amount of the property's grant (within the permitted terms of this program) is at the discretion of and subject to *City Council* approval.

Eligible Costs

New Residential Development Grants are only available for the “*eligible costs*” specified below:

- Construct new *residential units* that are in compliance with the Ontario Building Code, Property Standards By-law and the Fire Code, including, but not limited to the following:
 - a. Installation of safety and fire protection systems such as carbon monoxide detectors, smoke alarms, fire alarms, exit signs, etc.;
 - b. Installation of fire escapes;
 - c. Installation of new or reinforcement of floors, ceilings and/or walls;
 - d. Improvements to electrical, ventilation, heating and plumbing supply systems;
 - e. Improvements for barrier-free accessibility;
 - f. *Construction or alteration of stairs, guard rails and/or hand rails; and,*
 - g. Installation or alteration of required window openings and windows for upper storey *residential units*.



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NEW RESIDENTIAL DEVELOPMENT GRANT PROGRAM

- *Adaptive reuse, building rehabilitation and retrofit works;*
- Other improvements, at the discretion of the *City Planner*, related to converting upper storey commercial space to residential uses;
- Development application fees and building permit fees (includes application for Official Plan Amendment, Zoning By-law Amendment, Minor Variance or Permission, Consent, SitePlan Approval/Amendment/ Modification/ Termination, Plan of Subdivision/ Condominium, Condominium Conversion, Part Lot Control Exemption, Removal of the “H” Holding Symbol, Demolition Permit, and Building Permit). Any other permit issued by *The City* that is not listed above, but in the opinion of the *City Planner*, advances the objectives of the CIP.
- Upgrading on-site infrastructure including water services, sanitary sewers and storm water management facilities; and,
- Constructing/upgrading of any off-site improvement that is required to fulfill any condition of a development/ planning approval (including Site Plan Control) for the *development, redevelopment, adaptive reuse or rehabilitation* of the building and/or property.

Grant Calculation

The amount of the grant will be determined based upon the new number of *residential units* created as a result of the *development* or *redevelopment* of a building or property. The grant will be for the amount of \$5,000 for every new *residential unit* created on the upper storeys of an existing *mixed use building*, up to a maximum of \$50,000 per property.

Other Funding

Projects that are eligible for the New Residential Development Grant Program are permitted to combine the incentives from any other City of Windsor approved Community Improvement Plan, with the exception of the Upper Storey Conversion Program, provided that the total of all property tax assistance, grants and loans provided by *The City* in relation to the Downtown, or any other CIP, cannot exceed the approved *eligible costs* for all approved incentive programs.

Supporting Application Documents

The following documents/information may be required prior to the application being finalized, or at any point to verify prior to the grant being paid (*City* staff to indicate what is required at a



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NEW RESIDENTIAL DEVELOPMENT GRANT PROGRAM

pre-application meeting):

- Site Plans
- Elevation Drawings
- Cost estimates (prepared by a bona fide contractor)
- Additional/ other documents as deemed necessary by *City* staff:
 - Incorporation Documents
 - Property Deed
 - Written Authorization from Owner to apply for the Grant
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COMMERCIAL/MIXED USE BUILDING FACADE IMPROVEMENT PROGRAM

The Commercial/Mixed Use Building Facade Improvement Program is intended to encourage the redesign, *renovation* or restoration of commercial and mixed-use building facades in Downtown Windsor by providing a financial incentive to offset some of the costs associated with the improvement of commercial facades.

Program Details

- In addition to a completed application form and details plans/drawings of the improvements to be undertaken, the *applicant* will be required to provide three (3) estimates of the cost of undertaking the proposed improvements to the Planning and Building Services Department.
- All work must be consistent with Downtown Windsor Urban Design Guidelines. The evaluation of the *applicant's* proposal will be based on the extent to which the project enhances building aesthetics and functionality with regard for the interface between building and adjacent street(s) and/or public spaces.
- Design advice and technical assistance may be offered through the Planning Department to assess the property and suggest facade improvements that confirm to the Downtown Windsor Urban Design Guidelines.
- This program encourages the restoration of façades to their original state using authentic or original materials. Products used in the restoration of a façade should contain materials that match the texture, colour, size, shape and detail of the original material where possible.
- This program encourages removal of materials such as vinyl or aluminum siding and the restoration of original brick, block or wood façades. Where it is not possible to restore the original materials of a façade, the use of natural materials is encouraged where the form and scale of the original façade is maintained.
- Fees (i.e. architects, engineers, permits, etc.) associated with the facade improvements are an eligible expense up to 10% of the total grant amount. Labour contributed by the *applicant* is not an eligible expense.
- All improvements must be maintained during the term of the Community Improvement Plan and all improvements must be completed within 18 months of the date on the signed agreement.

Eligible Costs

The following types of building façade restoration and improvement works on commercial, residential, institutional and *mixed use buildings* are considered eligible for a Commercial/Mixed Use Building Facade Improvement grant:

- Repair or replacement of storefront, including repair or replacement of storefront doors and windows;



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- Exterior and entrance modifications to provide barrier free accessibility;
- Repair or repointing of facade masonry and brickwork;
- Repair or replacement of cornices, parapets, eaves, soffits and other architectural details;
- Repair or replacement of awnings or canopies;
- Facade painting and cleaning/treatments;
- Addition of new lighting/upgrading of existing fixtures on exterior facade and in entrance and storefront display areas;
- Installation/improvement of signage (as permitted by the Sign By-law);
- Landscaping, including plant materials (to a maximum of 15% of the approved grant amount);
- Architectural/design fees required for *eligible works* (to maximum of 10% of the grant amount); and,
- Other improvements and repairs that may be necessary to implement the approved Community Improvement Plan also may be undertaken subject to the appropriate By-laws of The Corporation of The City of Windsor, as determined by the *City Planner*.

In addition to the *eligible costs* specified above, the following types of building façade restoration and improvement works on commercial, residential, institutional and *mixed use buildings* designated under the Ontario Heritage Act are also considered eligible for a grant/loan under this program:

- Works that conserve or enhance elements specified in the Reasons for Designation accompanying the designating by-law under the Ontario Heritage Act;
- Original siding and roofing materials including repair and replacement where necessary of wood clapboard or board-and-batten, repair and repointing of masonry buildings, stucco repair, repair or replacement of original roofing materials (slate, wood shingles, tile, etc.);
- Removal of modern materials and replacement with documented original materials;
- Reconstruction or *construction* of former and significant architectural features for which the appearance can be clearly determined from documentary sources (photographs, drawings, etc.);
- Cleaning of masonry buildings if it is necessary for the building's preservation;
- All final finishes, such as paint and masonry are eligible for funding subject to approval; and,
- Works required to maintain or preserve significant architectural features.



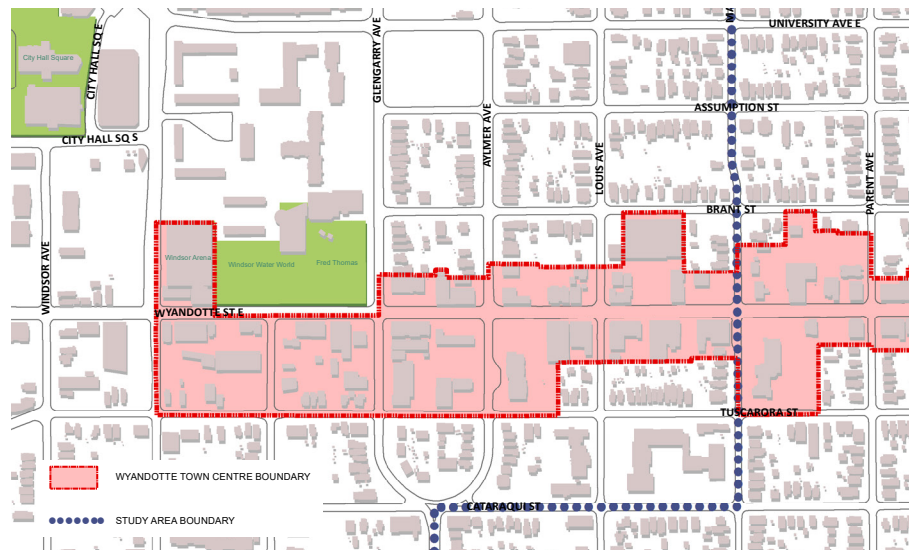
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COMMERCIAL/MIXED USE BUILDING FACADE IMPROVEMENT PROGRAM

Geographic Eligibility

The Commercial/Mixed Use Building Facade Improvement Program is applicable to the entire Community Improvement Project Area, excluding the lands that fall within the Wyandotte Town Centre BIA, for projects that meet the program requirements outlined above.



Lands excluded from the Commercial/Mixed Use Building Facade Improvement Program in red

Grant Calculation

The amount of the grant will be determined based upon the total cost of the facade improvements divided by two, with the amount of the grant capped at \$20,000 per property.

At the discretion of *Council*, the grant can be increased by up to \$10,000 per property/project for properties/projects:

- That also require side and/or rear façade improvement and restoration works where said rear and/or side facades are highly visible from an adjacent street or public right-of-way or park; or
- Designated under the Ontario Heritage Act or are on the *Municipal Heritage Register*.

Other Funding

Projects that are eligible for the Commercial/ Mixed Use Building Facade Improvement Grant Program are permitted to be combined with the incentives from any other City of Windsor approved Community Improvement Plan provided that the total of all property tax assistance, grants and loans provided by *The City* in relation to the Downtown, or any other CIP, cannot exceed the approved *eligible costs* for all approved incentive programs.



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COMMERCIAL/MIXED USE BUILDING FACADE IMPROVEMENT PROGRAM

Supporting Application Documents

The following documents/information may be required prior to the application being finalized, or at any point to verify prior to the grant being paid (*City* staff to indicate what is required at a pre-application meeting):

- Elevation drawings
- Details of the materials/ elements being removed
- Material samples
- Product details and specifications
- Current photographs of the property
- Cost estimates including refined cost estimates (three (3) quotes prepared by a bona fide contractor)
- Additional/ other documents as deemed necessary by *City* staff:
 - Incorporation Documents
 - Property Deed
 - Written Authorization from Owner to apply for the Grant
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BUILDING/PROPERTY IMPROVEMENT TAX INCREMENT GRANT PROGRAM

The Building/Property Improvement Tax Increment Grant Program is intended to provide economic incentive for the improvement of properties in Downtown Windsor by providing a financial incentive that reduces any tax increase that can result when a property is rehabilitated, redeveloped or developed and may provide assistance in securing project financing.

Program Details

- Projects eligible for the Building/Property Improvement Tax Increment Grant Program include existing commercial, residential and *mixed use buildings*, and *vacant properties* where the *development, redevelopment or rehabilitation* project results in an increase in the assessed value and taxes on the property.
- Registered property owners and/or *assignees* will be eligible to receive a grant for 100% of the municipal portion of the *tax increment* generated from the improvements made to the building or property for a defined period of time.
- The *development, redevelopment, adaptive reuse or rehabilitation* of the building and/or property must result in an annual grant (or *tax increment*) of at least \$500 for properties that are taxed at the “residential” tax rate, or \$1,000 for all other tax categories.
- Determination of compliance with the requirements of this program and the amount of the property’s grant (within the permitted terms of this program) is at the discretion of and subject to *City Council* approval.
- Grants will be made upon successful completion of the approved work and documentation of the *eligible costs* associated with the work. *The City* may undertake an audit of work done and *eligible costs* if it is deemed necessary, at the expense of the *applicant*.
- The Building/Property Improvement Rebate Grant Program may be passed on to subsequent owners, including individual *residential unit* owners, for the amount and time left in the original grant payback period with *City Council’s* approval. Subsequent owners will be required to enter into an agreement with *The City* that outlines the details of the remaining grant amount, eligibility and financial obligations.
- The grant will be forfeited and repaid to *The City* if the property is demolished or altered in a manner that does not comply with the CIP before the grant period elapses.

Eligible Costs

Building/Property Improvement Rebate Grants are only available for the “*eligible costs*” specified below:

- Any portion of the *eligible costs* that were not reimbursed as part of another CIP program
- Demolishing buildings for the purpose of preparing the site for *development or redevelopment* that is approved by *The City* (only an eligible cost as part of a *redevelopment* of the property);



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- *Development or redevelopment* of a building or property, including improvements and expansion to an existing building;
- *Adaptive reuse, building rehabilitation and retrofit works;*
- Development Feasibility and Support Studies;
- Development application fees and building permit fees (includes application for Official Plan Amendment, Zoning By-law Amendment, Minor Variance or Permission, Consent, Site Plan Approval/ Amendment/Modification, Plan of Subdivision/Condominium, Condominium Conversion, Part Lot Control Exemption, Removal of the “H” Holding Symbol, Demolition Permit, and Building Permit);
- Upgrading on-site infrastructure including water services, sanitary sewers and stormwater management facilities;
- Constructing/upgrading of any off-site improvement that is required to fulfill any condition of a development/ planning approval (including Site Plan Control) for the *development, redevelopment, adaptive reuse or rehabilitation* of the building and/or property.

In addition to the costs listed above, the following costs associated with the promotion of energy efficient *development* will also be considered *eligible costs* for the purposes of the Building/Property Improvement Rebate Grant Program:

- Base plan review by a certified LEED consultant;
- Preparing new working drawings to the LEED standard;
- Submitting and administering the constructed element testing and certification used to determine the LEED designation; and
- Increase in material/*construction* cost of LEED components over standard building code requirements.

Grant Calculation

The amount of the grant will be determined based upon the incremental increase in the *municipal taxes* that result from the eligible work being completed. The *tax increment* will be established after the final inspection of the improvements in accordance with the Ontario Building Code and when MPAC has established a new assessment value. The total amount of the grant provided cannot exceed the value of the eligible work that resulted in the *reassessment*.

The payment schedule for the Building/Property Improvement Rebate Grant Program will be as follows, or until the total of all grants that are provided in respect of the lands and buildings are equal to the approved *eligible costs*:



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BUILDING/PROPERTY IMPROVEMENT TAX INCREMENT GRANT PROGRAM

| Year of Grant | Increment Percentage Rebated | Amount of Taxes Payable |
|---------------|------------------------------|-------------------------|
| 1 | 100% | Base Rate |
| 2 | 100% | Base Rate |
| 3 | 100% | Base Rate |
| 4 | 100% | Base Rate |
| 5 | 100% | Base Rate |

The amount of the grant will be recalculated every year based on the *tax increment* for that particular year.

City Council, at its sole discretion, may approve an additional five (5) year extension for a *catalyst project*, a *designated heritage building*, projects where at least 20% of the units are *affordable housing units* and/or projects that achieve a LEED Bronze or higher certification. For *development or redevelopment* occurring in a *mixed use building*, the Building/Property Improvement Rebate Grant will be calculated using MPAC's method of apportioning the assessed value of mixed-use properties into different classes.

| Year of Grant | Increment Percentage Rebated | Amount of Taxes Payable |
|---------------|------------------------------|-------------------------|
| 6 | 100% | Base Rate |
| 7 | 100% | Base Rate |
| 8 | 100% | Base Rate |
| 9 | 100% | Base Rate |
| 10 | 100% | Base Rate |

Grant Payment

The *applicant* will be required to pay the full amount of property taxes owing for each year of the program's applicability and will receive a Building/Property Improvement Rebate Grant for the amount of the municipal *tax increment* after the final tax bills for each year have been collected, provided all other eligibility criteria and conditions continue to be met. Grants will not be applied as tax credits against property tax accounts. If the tax bill is not paid in full, *The City* will cancel all future grants and collect past grants made as part of this program.

In case of an assessment appeal, *The City* reserves the right to withhold any forthcoming Building/Property Improvement Rebate Grant payments pending final disposition of the appeal. If necessary, the grant will be adjusted and paid once a decision regarding the appeal is rendered.

This program does not exempt property owners from an increase in *municipal taxes* due to a general tax rate increase or a change in assessment for any other reason after the eligible work has been completed.



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BUILDING/PROPERTY IMPROVEMENT TAX INCREMENT GRANT PROGRAM

Grant Adjustments

The City of Windsor reserves the right to adjust the amount of the Building/Property Improvement Rebate Grant to:

- If it ceases to meet the objectives outlined in the CIP;
- Recover grant payments that were made under one or more of the other programs contained within the CIP where the *development* or *redevelopment* no longer complies with the Purpose or Program Details of the program for which the grant was made;
- Reflect the amount of all reductions to *municipal taxes* paid to the *applicant* following the commencement of the grant program, including property tax rebates to reflect vacancy, charitable status, heritage status, etc; and,
- Account for a reduction of *municipal taxes* payable resulting from a successful assessment appeal.

Other Funding

Projects that are eligible for the Building/Property Improvement Rebate Grant Program are permitted to combine the incentives from any other City of Windsor approved Community Improvement Plan provided that the total of all property tax assistance, grants and loans provided by *The City* in relation to the Downtown, or any other CIP, cannot exceed the approved *eligible costs* for all approved incentive programs.

In no instances can the application of the Downtown, or any other CIP program, exceed 100% of the Municipal *tax increment* generated by the approved *development* or *redevelopment*.

Supporting Application Documents

The following documents/information may be required prior to the application being finalized, or at any point to verify prior to the grant being paid (*City* staff to indicate what is required at a pre-application meeting):

- Site plans
- Floor plans
- Elevation drawings
- Written project description/report
- Cost estimates including refined cost estimates (prepared by a bona fide contractor)
- Additional/ other documents as deemed necessary by *City* staff:
 - Incorporation Documents
 - Property Deed
 - Written Authorization from Owner to apply for the Grant
 - Business Plan
 - Survey
 - Architectural Drawings



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RETAIL INVESTMENT GRANT PROGRAM

The Retail Reinvestment Grant Program aims to encourage business and property owners to invest in tenant and building improvements by offering matching grants up to \$15,000 to assist with the capital costs associated with renovating the interior of retail spaces occupied by retail businesses.

Program Details

- Registered property owners and/ or *assignees* will be eligible to receive a grant for 50% of *eligible costs* per retail unit for improvements that result in one or more new retail units.
- The *development* or *redevelopment* must result in new or refurbished ground floor retail units that have direct access from the adjacent street;
- New retail units being created in existing buildings must be taking over existing ground floor retail and commercial use storefront(s) that have been *vacant* for at least six (6) months immediately prior to application to the program.
- *Assignees* must be able to demonstrate that they have a five (5) year or longer lease in place to be an eligible *applicant* for the Retail Reinvestment Grant.
- Prior to the approval of an Commercial/Retail Reinvestment Grant, *City* staff may inspect the building to review its condition and the proposed conversion plans;
- Personal property (furniture, racks and shelves that can be easily removed and sold etc.) is not eligible for the Retail Reinvestment Grant Program and will not be counted toward the required matching contribution.
- Determination of compliance with the requirements of this program and the amount of the property's grant (within the permitted terms of this program) is at the discretion of and subject to *City Council* approval.
- *City Council* at its sole discretion can deny a Retail Reinvestment Grant to any category of retail store that it deems to be inappropriate, not in the public interest and/ or not contributing to the goals and objectives of the CIP.
- Exterior building improvements will be eligible for a grant under the current Commercial/ Mixed Use Building Facade Improvement Program.

Eligible Costs

Commercial/Retail Reinvestment Grants are only available for the "*eligible costs*" specified below:

- Construct new retail unit(s) that are in compliance with the Ontario Building Code, Property Standards By-law and the Fire Code, including, but not limited to the following:
 - a. Installation of safety and fire protection systems such as carbon monoxide detectors, smoke alarms, fire alarms, exit signs, etc.;
 - b. Installation of fire escapes;



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- c. Installation of new or reinforcement of floors, ceilings and/or walls;
- d. Improvements to electrical, ventilation, heating and plumbing supply systems;
- e. Improvements for barrier-free accessibility;
- f. *Construction* or alteration of stairs, guard rails and/or hand rails; and,
- g. HVAC, electrical, or plumbing improvements.
- *Adaptive reuse, building rehabilitation and retrofit works;*
- Design and architectural fees associated with the *construction*;
- Other improvements, at the discretion of the *City Planner*, related to *construction* of new *retail units*;
- Development application fees and building permit fees (includes application for Official Plan Amendment, Zoning By-law Amendment, Minor Variance or Permission, Consent, SitePlan Approval/Amendment/Modification/ Termination, Plan of Subdivision/ Condominium, Condominium Conversion, Part Lot Control Exemption, Removal of the “H” Holding Symbol, Demolition Permit, and Building Permit). Any other permit issued by *The City* that is not listed above, but in the opinion of the *City Planner*, advances the objectives of the CIP;

In addition to the costs listed above, the following costs associated with the promotion of interesting and dynamic retail concepts will also be considered *eligible costs* for the purposes of the Retail Reinvestment Grant Program. Such eligible interior improvements would include, but are not limited to, the following:

- Permanent fixtures and fittings;
- Installation or alteration of required window openings and windows for improved product visibility;
- HVAC, electrical, or plumbing improvements;
- AODA compliance improvements;
- The *construction* of customer restrooms;
- *Rehabilitation* of the space to basic “white-box conditions”, such as repairing or replacing cracked plaster walls, structural improvements or ceilings;
- New flooring, lighting, and/or doors;
- Restoration of deteriorated interior historic/ architectural elements;
- Loading dock, storage, store room repairs and *construction*; and,

Other build-out costs associated with customizing the space to the specific needs of the retailer provided that the items are not likely removed from the *retail unit* should the unit become *vacant*.

Geographic Eligibility

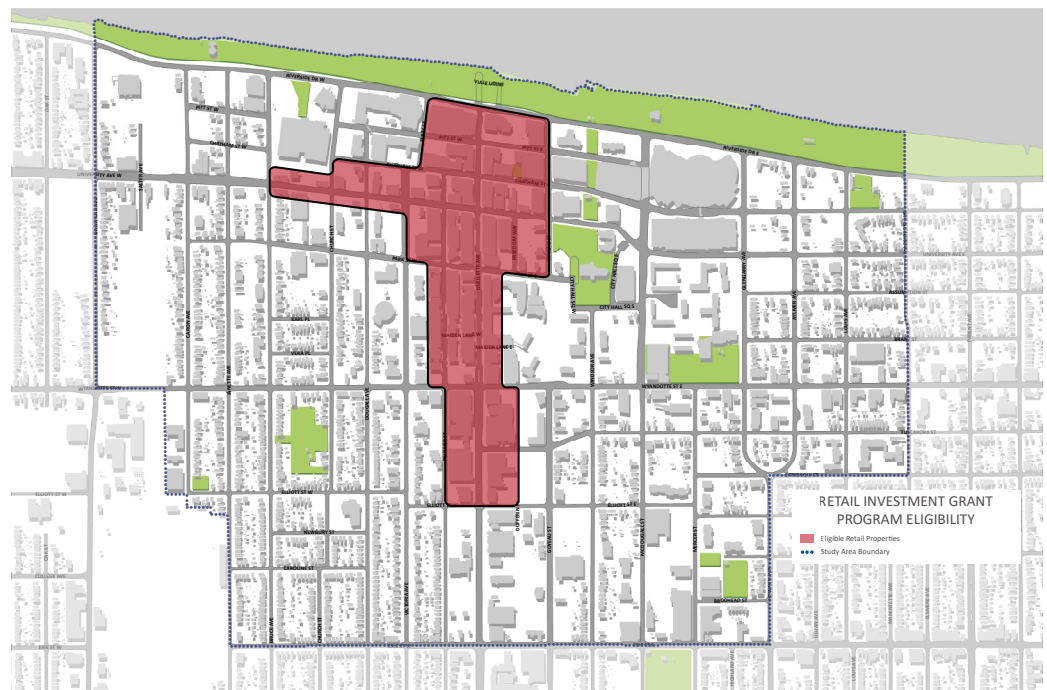


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In an effort to increase the geographic concentration of retail businesses in the core areas of downtown, the Retail Reinvestment Grant Program is applicable to the part of the Community Improvement Project Area that is defined by the map:



Grant Calculation

The amount of the grant will be determined based upon the new number of *retail units* created as a result of the *development* or *redevelopment* of a building or property. The grant will be for the amount of \$15,000 for every new *retail unit* created, up to a maximum of \$30,000 per property.

Grant Recovery

The City may recover any grants provided by the Retail Reinvestment Grant Program should the *retail units* created as part of this program become *vacant* for a period longer than six months within five years of the grant being approved by City Council. Recovery of grants provided by the Retail Reinvestment Grant Program may also include a partial or total reduction of a grant provided by the Building/Property Improvement Tax Increment Grant Program.

Other Funding

Projects that are eligible for the Retail Reinvestment Grant Program are permitted to combine



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the incentives from any other City of Windsor approved Community Improvement Plan provided that the total of all property tax assistance, grants and loans provided by *The City* in relation to the Downtown Windsor, or any other CIP, cannot exceed the approved *eligible costs* for all approved incentive programs.

Any exterior building improvements made as a result of creating the new *retail units* will be eligible for a grant under the current Commercial/Mixed Use Building Facade Improvement Program provided that the improvements comply with the requirements of the Commercial/Mixed Use Building Facade Improvement Program. Projects that are participating in the Downtown Windsor Business Improvement Association's (DWBIA) Commercial Rent Subsidy Program (CRSP) are also eligible to participate in the Retail Reinvestment Grant Program.

Supporting Application Documents

The following documents/information may be required prior to the application being finalized, or at any point to verify prior to the grant being paid (*City* staff to indicate what is required at a pre-application meeting):

- Floor plans
- Interior/ elevation drawings
- Material samples
- Current photographs of the existing property
- Cost estimates including refined cost estimates (prepared by a bona fide contractor)
- Additional/ other documents as deemed necessary by *City* staff:
 - Incorporation Documents
 - Property Deed
 - Written Authorization from Owner to apply for the Grant
 - Copy of the Lease
 - Reports
 - Business Plan
 - Site Plan and Survey
 - Architectural Drawings, Design Plans¹
 - Construction Drawings (including interior)

¹The following Architectural Drawings, Design Plans may be required:

1. Interior renderings;
2. Interior design storyboards;
3. Concept plans;
4. Product specifications; and/or
5. Other details to the satisfaction of the *City Planner*.



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APPENDIX: GENERAL INCENTIVE PROGRAM REQUIREMENTS

The general and program specific requirements are not necessarily exhaustive and *The City* reserves the right to include other requirements and conditions as deemed necessary on an application specific basis. All of the financial incentive programs contained in the CIP are subject to the following general requirements in addition to the individual requirements specified under each program.

1. If the *applicant* is not the owner, the *applicant* must provide written consent from the owner of the property on the application. The property owner may also be required to be a party to any agreements for the financial incentive programs.
2. *Applicants* approved for the programs contained in the CIP will be required to complete the *eligible works* and have the property reassessed by MPAC within specified timeframes.
3. The *applicant* must address all outstanding work orders and/or other fees from *The City* (including tax arrears) against the subject property to the satisfaction of the municipality prior to the grant being paid, or be addressed as part of the proposed work.
4. Any *applicant* that is purchasing owned property as part of the proposal must enter into a written agreement with *The City* stating that they will keep and maintain the land, building and the use in conformity with the Community Improvement Plan. The agreement will also include the specific details (amount, duration, performance expectations, legal remedies, etc) of the incentive programs that will be made available to *development*. The agreement entered into will be registered against the land to which it applies and *The City* will enforce the provisions of the agreement against any party to the agreement and all subsequent owners or tenants.



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APPENDIX: GENERAL INCENTIVE PROGRAM PROVISIONS

All projects that are approved for financial incentives are subject to the following terms and conditions, in addition to the individual provisions specified under each program.

1. Windsor *City Council* is the sole approval authority for all applications submitted under the financial incentive programs included in the CIP. *Council* may delegate to either a Committee of the Council or to an appointed officer of the municipality by position occupied the *Council's* authority to approve financial incentive applications subject to the requirements of the individual financial incentive programs.
2. As a condition of approval of an application for any of the financial incentive programs contained within the CIP, the *applicant* must enter into an agreement with *The City*. The agreement will be registered against the land to which it applies and will specify the terms, duration and default provisions of the grant.
3. Approved grants being received through one or more of the financial incentive programs contained within the CIP can be transferred to the new owners of the property or other *assignee* at the sole discretion of *The City* subject to the new owner entering into an agreement (where applicable) with *The City* that fulfills the requirements of the original agreement, plus any new requirements.
4. All proposed works approved under the incentive programs and associated improvements to buildings and/or land shall conform to all provincial laws, municipal by-laws, policies, procedures, standards and guidelines, including applicable Official Plan and zoning requirements and approvals.
5. The *applicant* will be required to submit a complete application to *The City* describing in detail the work that is planned. This may include reports, floor plans, conceptual site plans, business plans, estimates, contracts and other details as may be required to satisfy *The City* with respect to conformity of the project with the CIP. The application must be submitted to *The City* prior to *City Council's* approval of financial incentives for the project.
6. All studies, drawings, reports and/or materials submitted to and/or requested by *The City* to support a financial incentive program application shall be prepared by qualified professionals to the satisfaction of *The City*. The individual financial incentive programs may have specific requirements for information, as well as outline the specific professional qualifications necessary to complete the prescribed work.
7. *The City* may undertake an audit of work done and *eligible costs* if it is deemed necessary, at the expense of the *applicant*.
8. *City* staff, officials, and/or agents of *The City* may inspect any property that is the subject of an application for any of the financial incentive programs offered by *The City*.



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9. *The City* is not responsible for any costs incurred by an *applicant* in relation to any of the programs, including without limitation, costs incurred in anticipation of a grant.
10. The total of all grants provided in respect of the particular lands and buildings of an *applicant* under the programs contained in the CIP shall not exceed *eligible costs* with respect to these lands and buildings.
11. Grants will not apply to any portion of the personal property, inventory or land purchase value of the project.
12. The financial incentive programs approved by *City Council* will take effect as of the date of *City Council* adoption and will not be applied retroactively to any work that has taken place prior to the adoption of the CIP.
13. Approval of financial incentive program applications will not be applied retroactively to any work that has taken place prior to The *City Council's* or delegate's approval to participate in an incentive program. However, *Council* or its delegate may at its discretion approve including *eligible costs* incurred between the time that *The City* receives a complete application for a financial incentive program(s) and the date of the final approval to participate in the program. The *applicant* assumes all of the risks associated with beginning the *eligible works* prior to final approval, including the potential for denial of a financial incentive program application.
14. *City Council* at its discretion may at any time discontinue a program; however, any participants in the program prior to its discontinuance will continue to receive grants as approved for their property in accordance with the agreement signed with *The City of Windsor*.
15. If the *applicant* is in default of any of the general or program specific requirements, or any other requirements of *The City*, *The City* may delay, reduce or cancel the approved grant, and any grant amount paid will be recovered by *The City*.
16. If a building that was erected or improved with a program grant is demolished prior to the expiry of the grant period, the grant is terminated and will be recovered by *The City*.
17. *City* has the right to perform annual inspections to ensure compliance with the agreement and make adjustments to the incentive levels to reflect the current situation in relation to the agreement signed with *The City*.
18. Grants will be paid in accordance with the specific requirements and payment terms of each individual financial incentive program offered by this Community Improvement Plan.



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APPENDIX: GENERAL INCENTIVE PROGRAM PROVISIONS

19. Unless otherwise stated, the financial incentive programs described in the CIP are designed to be funded by a capital budget established for the purposes of implementing the financial incentive programs according to the payment conditions and schedule outlined for each program, and subject to the availability of funding as approved by *Council*.
20. The Building/Property Improvement Tax Increment Grant Program described in the CIP is designed to be funded by the *tax increment* generated by the *development, redevelopment, adaptive reuse or rehabilitation* according to the payment schedule outlined for the program.
21. *City Council*, at its sole discretion, may evaluate an incentive application and decide on a case-by-case basis to adjust the level of the incentives (not to exceed the *eligible costs*), provide for an alternative payment schedule, and/or identify and use alternative sources of funding to pay the grants. *Council* will prepare additional implementation criteria and/or policies to assist with determining when one or more of these options may be necessary and/or desirable. *Council* modified incentives must comply with the eligibility criteria of the individual incentive program.
22. Financial incentives are available for the *eligible costs* of the *development, redevelopment, adaptive reuse or rehabilitation* of a building and/or property, and are not based on occupancy or changes in occupancy.



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APPENDIX: DEFINITIONS

Adaptive Reuse: is the process of adapting old buildings or infrastructure by *development, redevelopment, rehabilitation, and/or construction* for the purposes of using them for new eligible uses.

Administration (or City Administration): includes the Chief Administrative Officer and all staff employed by The Corporation of The City of Windsor.

Affordable Housing Unit(s): means a *residential unit* that meets either the definition for *Affordability for Home Ownership or Rental Housing*.

Affordability for Home Ownership: means the least expensive of: 1) housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent gross annual household income for low and moderate income households; or 2) housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area.

Affordability of Rental Housing: means the least expensive of: 1) a unit for which the rent does not exceed 30 percent gross annual household income for low and moderate income households; or 2) a unit for which the rent is at least 20% below the average market rent of a unit in the regional market area.

Applicant (or Applicants): may include registered owners, assessed owners and tenants of land and buildings within the community improvement project area, and to any other person to whom such an owner or tenant has assigned the right to receive a grant.

Assignee (or Assignees): is a person to whom an owner or tenant has legally assigned the right to receive a grant and/or loan pursuant to the CIP.

Base Rate: is the total amount of *municipal taxes* payable in the calendar year that *City Council* approves the financial incentives for the *eligible works*. The *Base Rate* may be reduced to reflect a *vacancy tax rebate* where such a rebate was issued for the previous tax year and the subject property, or a portion thereof, is *vacant* at the time of an application.

Catalyst Project: is a *development, redevelopment or adaptive reuse* of a highly visible building or property that will result in a corresponding and complementary *development* reaction in the immediate and surrounding properties. A *catalyst project* must demonstrate to the satisfaction of The *City* that the project returns a reasonable public benefit by meeting 3 or more of the following criteria:

- Represents visible investment of at least \$5 million or more (use a pro forma to determine the threshold);
- The creation or relocation of 50 or more direct jobs located within the CIP Project Area;



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- Will result in a significant increase in land value that results in an increased municipal assessment of 20% or more;
- Can reasonably expect to spur additional investment in the surrounding area(s);
- Creates 100 or more new *residential units* within the CIP Project Area;
- Conveys a message of neighborhood progress and stability; and/or,
- Meets three or more of the stated CIP objectives of the Downtown Windsor CIP (Section 8.1.4).

City (or The City): is The Corporation of The City of Windsor.

City Council (or Council): is the legislative body that governs the business and affairs of The Corporation of The City of Windsor. It includes the Mayor and Ward Councilors.

City Planner: is the position of the “City Planner” within The Corporation of The City of Windsor’s organizational hierarchy. He or She is the head of the Planning and Building Services Department.

Construction: is the erection or physical improvements of the whole or any part of a building or structure for the purpose of *development, redevelopment, rehabilitation, and/or adaptive reuse*.

Designated Heritage Building: is a building that is designated under Part IV of the *Ontario Heritage Act*

Development: is investment that results in the productive use of lands and/or buildings within the Community Improvement Project Area, and includes but is not limited to new building *construction* or improvements made for the purposes of establishing new residential, commercial or institutional uses, or the expansion of existing buildings to realize more effective use of the land’s potential.

Eligible Costs: are the costs related to *development, redevelopment, rehabilitation and/or adaptive reuse* of a building or property in conformity with the CIP, as described by the individual financial incentive programs.

Eligible Use: is a use that meets the eligibility criteria of one or more of the financial incentive programs described by the CIP.

Eligible Works: includes all *development, redevelopment, rehabilitation and/or adaptive reuse* of a use that meets the eligibility criteria of one or more of the financial incentive programs described by the CIP.



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Mixed Use Building: is a building that contains a combination of residential, commercial, cultural, and/or institutional uses.

MPAC: is the Municipal Property Assessment Corporation established by the *Ontario Property Assessment Corporation Act, 1997*.

Municipal Heritage Register: is the publicly accessible register of properties that are of cultural heritage value or interest situated in Windsor as required by Section 27 of the *Ontario Heritage Act*.

Municipal Taxes: is The *City of Windsor* (i.e. the municipal) portion of property taxes payable and does not include Educational portion payable to the Province.

Reassessment: is a change in assessed value or a change in the tax class, as determined *MPAC*, that results in an increase in property taxes.

Redevelopment: is *development* of a property or properties that have been previously developed, or for the expansion, *rehabilitation*, or *adaptive reuse* of an existing building. This can include the acquisition and wholesale changeover in the use of a large site or several smaller neighbouring sites, and may involve some land assembly or demolition activity.

Rehabilitation: is the returning of an existing building and/or land to a useful state by *adaptive reuse*, *redevelopment*, and/or *construction*.

Renovation: making changes and repairs that improve the overall condition of the existing building and its functionality for its intended use.

Residential Unit(s): is any living accommodation used or intended for use as residential premises. More specifically it means a room or suite of rooms used by or designed to be used by one (1) or more individuals as an independent and separate housekeeping unit. For a room or apartment to be defined as a *residential unit*, it must be distinctly separated from other living spaces within the building. It must also be directly accessible from an outer door or through an interior door in a shared building corridor.

Retail Unit(s): is the portion of a building and/or property that is occupied by a *retail store*. More specifically it means a room or suite of rooms used by or designed to be used by one (1) *retail store*. For a space to be defined as a *retail unit*, it must be distinctly separated from other common areas within the building. This does not include restaurants or bars.

Retail Store: is the use of a building, property or part thereof for the retail sale of goods or merchandise, including the lease or rental of goods or merchandise directly to the public, usually in small quantities.

Retrofit Works: are improvements and/or upgrades to a building's infrastructure to improve



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energy efficiency and performance (i.e. to reduce utility and/or maintenance costs) and/or work that is done for the sole purpose of complying with the Ontario Building Code.

Tax Increment: is the difference between the *base rate* at the time of *City Council's* approval of financial incentives for the project and the *municipal taxes* after the completion of the approved *eligible works*, occupancy and *reassessment* by MPAC. The *tax increment* will be calculated on an annual basis and will include increases and decreases resulting from tax rate changes and *reassessments*.

Vacancy Tax Rebate: is a tax rebate issues under Section 364 of the *Municipal Act*.

Vacant: is a property or space in a building that is unoccupied, currently received the *Vacancy Tax Rebate*, and/or classified as *vacant* by MPAC. The property or building will have had to been unoccupied for at least 6 months prior to the application date to be considered *vacant* for the purposes of the financial incentive programs.

Underutilized: is a property or space in a building that is currently not being used to its full potential, often it is accessory to but not essential to the operations of the primary use.

