

то:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	FIBRE OPTIC CONNECTION GRANT PILOT PROGRAM FOR DOWNTOWN LONDON- ONE YEAR UPDATE MEETING ON MONDAY, MAY 9, 2016

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, and with the concurrence of the City Manager, the following actions **BE TAKEN**:

a) That the proposed by-law attached hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting on May 17, 2016 to revise the Fibre Optic Connection Grant Program for Downtown London.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

March 23, 2015, Fibre Optic Connection Grant Pilot Program for Downtown London, Planning and Environment Committee

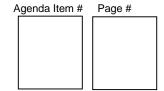
BACKGROUND

On March 25, 2015, the City, in conjunction with the London Economic Development Corporation and Downtown London/MainStreet London, proposed the Last Mile/Fibre Optic Connection Grant program. The pilot program would focus on providing financial assistance to property owners and multi-year tenants in designated areas of the Downtown Community Improvement Project Area with high capacity fibre-optic broadband service. This new program would fund 50% of the eligible costs to a maximum of \$20,000 to fund the installation and connection of high capacity fibre-optic broadband service. The target area for this two year pilot program was the central core of Downtown, focused on Dundas and King Streets between Wellington and Ridout Streets. In response, Municipal Council at its meeting on March 31, 2015 adopted the Fibre Optic Connection Grant Program for Downtown London.

Eligible businesses for this grant program include creative industries, digital marketing and gaming, information technology, medical technology, and similar industries. The program includes criteria to monitor both the take-up and success of the program, and requires reporting information from applicants regarding job growth, expansion, and the ratio of London area and external sales. Like the City's other incentive programs, funds are not disbursed until the eligible works have been completed. For a more detailed background discussion on the pilot program please refer to Appendix "B".

DISCUSSION

A one year review of the two year pilot program was conducted in the first quarter of 2016 by the City and the program partners. The review concluded that the targeted area and eligible businesses for the grant program were too limited and that amendments should be made to the program in order to increase uptake before the program's second year review.



To date, the only recipients of this program were web.isod.es, a digital interactive video production company and Vibrafusion Labs, a digital media lab run by an artist collective with ties to Ryerson's Digital Media Zone in downtown Toronto. As a result, a high speed fibre optics connection was installed in the iconic former Novacks building on King Street and Clarence Street. Another business benefited from this installation — UnLondon Digital Media Association. Housed in the Novacks building, UnLondon operates as a creative incubator to provide the tools, resources, support, volunteers and inspiration to facilitate unconventional ideas and innovative solutions. UnLondon, in partnership with London Economic Development Corporation and other organizations, hosts classes, workshops, conferences that help spread digital literacy.

Initially, the eligible area for the Fibre Optic Connection Grant Program was centred on the traditional core of the Downtown where the existing stock of older buildings makes the connection to this high capacity network difficult. The program partners have identified that there have been a number of expanding technology companies in Downtown interested in installing fibre optic connectivity. However, due to the current program boundary, a number of these companies are unable to take advantage of this program.

In addition, the eligible businesses for this grant program were limited to creative industries, digital marketing and gaming, information technology, medical technology, and similar industries. The review determined that other small businesses who rely on high capacity internet connectivity should be included in the program to help increase uptake.

Relationship to Comprehensive Community Improvement Plan and Financial Incentive Review

At its meeting held on February 16, 2016 Municipal Council directed the Civic Administration to undertake a service review process in 2016 to consider and evaluate the range of financial incentives offered through the City's existing Community Improvement Plan programs.

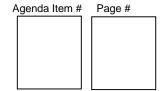
This report is coming forward now and is not part of the larger service review. There is only one year left on a two year pilot program and as there is a desire for the program to be more successful in the second year, amendments to the program need to be made now and cannot wait for the service review to finish later in 2016.

Further, the City is only a minor financial contributor to the program. The program partners who are primarily funding the pilot are requesting the recommended amendments to help increase uptake.

Proposed Amendments to the Program

In order to increase uptake of the pilot program, it is recommended that the current program boundary, more specifically the Downtown Community Improvement Project Area Fibre Optic Connection Zone be expanded to include the full and complete Downtown Community Improvement Project Area (see Appendix "C" for the proposed change). Changing the program boundary to the entire Downtown Community Improvement Project Area will allow for additional property owners and tenants to access the program who were unable to do so before. There are also numerous properties outside the original program boundary that are older buildings. Similar to the traditional core of the Downtown, retrofitting older buildings to make the connection to this high capacity network is difficult.

To further increase program uptake, it is recommended that the eligibility scope of the program be expanded to include small businesses that rely on high capacity internet connectivity. Where the use is not defined, the Applicant shall provide information to the City and its program partners demonstrating how the use meets the eligibility criteria for this program. The City and its program partners shall review the information to determine eligibility. As for projects within buildings without a current eligible use, the Applicant has to provide a description of the proposed improvements to be undertaken and indicate how the proposed improvements increase the leasability of the property which may attract an eligible use.



A third amendment to the program is the owner of the property who is seeking to install a fibre optic connection must pay a levy to the London Downtown Business Association. This eligibility requirement was added to the program because the London Downtown Business Association is one of primary funding partners for the program.

Small amendments were also made to the program guidelines to better reflect that this program is a partnership between the City and the program partners. Originally, the Program Guidelines indicated that only the City would determine if an Applicant was eligible to apply. The amendments reflect that determining if an Applicant is eligible will now be a decision of the City and the program partners.

It is important to note that the pilot program with the recommended amendments supports the London's Community Economic Road Map. Particularly the following economic priorities:

- Economic Priority: A City for Entrepreneurs
 Objective: develop the city as an incubator for entrepreneurship Initiative: enhance technology incubation support.
- Economic Priority: A Supportive Business Environment
 Objective: Demonstrate commitment to growing our business community
 Initiative: Review the City's current financial incentives programs to ensure the effective use of the City's resources in the attraction of targeted investment opportunities.

This pilot program also continues to be consistent with Council's recently adopted Strategic Plan. Under the Strategic Focus "Growing our Economy", this program supports Diverse and Resilient Economy (Fund and partner with the London Economic Development Corporation, Tourism London, London Convention Centre and other community and regional partners to increase economic activity in London), Urban Regeneration (Invest in London's Downtown as the heart of the City), and Local, regional and global innovation (Use new and emerging technology to improve quality of life and grow London's economy).

CONCLUSION

The combination of high installation costs, monthly fees, and demand for a long term contract have previously posed barriers for startups and small business to access fibre optic technology. The two-year pilot project provides a maximum grant of up to \$20,000 per building to provide fibre connectivity to startups and small businesses to help business grow downtown.

This program is a unique program in that it relies primarily on non-City funding. The program can be considered as a joint initiative to support high tech job creation and retention, and is funded primarily by the London Economic Development Corporation and MainStreet London, with a contribution from the City.

The recommended pilot program amendments to expand the boundary and enhance the eligibility criteria will hopefully assist those businesses that were previously constrained from applying due to the limited boundary and eligible uses.

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CITY PLANNER	INNOVATION			
CONCURRED BY:				
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CITY MANAGER				

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APPENDIX "A"

Bill No. 2016

By-law No. C.P.-1467(___)-____

A By-law to amend C.P.-1467-175 entitled "A by-law to establish financial incentives for the Downtown Community Improvement Project Areas".

WHEREAS by Subsection 28(2) of the Planning Act, the Council of a municipal corporation may, by by-law, designate such an area as a community improvement project area;

AND WHEREAS by Subsection 28(4) of the Planning Act, the Council of a municipal corporation may adopt a community improvement plan for the community improvement project area;

AND WHEREAS Municipal Council adopted By-law C.P.-1356-234 to designate the Downtown Community Improvement Project Area;

AND WHEREAS Municipal Council adopted By-law C.P.-1357-249 to adopt the Downtown Community Improvement Plan;

AND WHEREAS Municipal Council adopted By-law C.P.-1467-175 to establish financial incentives for the Downtown Community Improvement Project Area;

AND WHEREAS the Official Plan for the City of London contains provisions relating to community improvement within the City of London;

Therefore the Municipal Council of The Corporation of the City of London enacts as follows:

- 1. Amend Schedule "A" of By-law C.P.-1467-175 entitled "A by-law to establish financial incentives for the Downtown Community Improvement Project Areas", to add the attached Schedule "A" entitled "Last Mile"/Fibre Optic Connection Grant Program, renumbering pages as required.
- 2. "Financial Incentives for the Downtown" will be available for eligible projects, subject to annual budget approval, within the Downtown Community Improvement Area;
- 3. This by-law shall come into effect on the day it is passed.

PASSED in Open Council on May 17, 2016.

Matt Brown Mayor

Catharine Saunders City Clerk

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First Reading – May 17, 2016 Second Reading – May 17, 2016 Third Reading – May 17, 2016

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Schedule "A"

"Last Mile"/Fibre Optic Connection Grant Program

1) Purpose:

The Fibre Optic Connection Grant Program is intended to:

- Provide financial assistance to property owners and multi-year tenants in designated areas for the installation and connection of fibre optic broadband services to eligible premises; and,
- Provide participating buildings and properties within the identified community improvement areas with high capacity broadband service.

2) Funding:

The Fibre Optic Connection Grant Program will be funded in an amount determined by the City of London and its program partners, Downtown London/MainStreet London and the London Economic Development Corporation (LEDC), which will be placed in an identified reserve fund. Promotional costs will be a charge to this fund. Grants will be payable upon the completion of an approved project subject to the performance criteria detailed in this program description.

Should there not be adequate funding to meet demand for the grant program, eligible applications will be held and processed in chronological order of their application date as funding becomes available.

3a) Eligible Areas:

The Fibre Optic Connection Grant Program applies to:

 All properties within the Downtown Community Improvement Project Area, and as shown as on Schedule 1.

3b) Eligible Uses:

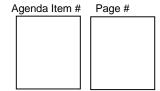
The Fibre Optic Connection Grant Program applies to:

- Buildings containing a use/user that require high capacity fibre optic service to successfully
 undertake its business operations. Eligible uses include creative industries, digital marketing
 and gaming, information technology, medical technology and similar industries, and/or small
 businesses that rely on high capacity internet connectivity.
- Where the use is not defined, the Applicant shall provide information to the City and its program partners demonstrating how the use meets the eligibility criteria for this program.
 The City and its program partners shall review the information to determine eligibility.

4) Eligible Fibre Optic Connection Improvements:

Eligible Fibre Optic Connection improvements in the Downtown Community Improvement Project Area would include:

- Costs associated with the installation and connection of the "last mile" of fibre optic service from its nearest mainline/public realm connection to the eligible building and/or user.
- Professional fees at the discretion of the City and/or its program partners.



5a) Eligibility for Grant (owner/tenant):

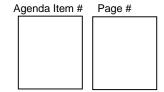
To be eligible for a Fibre Optic Connection Grant, the applicant must meet all conditions detailed in this program description and the associated grant agreement, including:

- the applicant must submit a complete Fibre Optic Connection Grant Program application. This shall include the following information:
 - description of the company/products and/or services
 - number of current employees
 - area of existing space use (sq. m. /sq.ft.)
 - percent London Region sales
 - percent sales beyond London Region/export sales
 - projected employment after 1 year/2 years/3 years
 - projected space expansion after 1 year/2 years/3 years
 - for projects within buildings without a current eligible use, a description of the proposed improvements to be undertaken to increase the leasability of the property to attract an eligible use
- the applicant may be the registered owner of the property for which the application is being submitted, or a tenant of the property with a multi-year lease with a minimum term of three years;
- the applicant may be the registered owner of a property who is undertaking improvements to the property to increase the leasability of the property to attract an eligible use;
- where the applicant is a tenant of the property, the applicant must provide confirmation in writing that the property owner is aware of, and in support of, the connection and installation of fibre optic cable to the building;
- the owner of the property must pay a levy to the London Downtown Business Association;
- all mortgages and loans must not exceed 90% of the value of the property;
- all City of London realty taxes must be paid in full when the grant is issued;
- there must be no other outstanding debts to the City of London;
- the applicant must not have defaulted on any City-sponsored loan or grant program in the past;
- the intended use/user of the fibre optic connection is a targeted use as defined in this program description;
- the applicant must sign a grant agreement which will identify the terms and conditions of the grant.

5b) Eligibility for Grant (Structure):

Eligible structures for the Fibre Optic Connection Grant Program would include:

any discrete building held in one ownership in the identified program area. Within a
contiguous group of buildings, a discrete building will be interpreted as any structure which
is separated from other structures by a solid party wall. The entirety of a multi-unit building,
which contains separate units with condominium status, will be considered one building for
the purpose of this program;



- Each discrete building on each property is eligible for a grant. Separate applications must be submitted for each discrete building on a single property;
- There must be no City of London Building Division orders or deficiencies when the grant is issued.

6a) General Terms of the Grant:

 The Fibre Optic Connection Grant Program will be a one-time grant. Applicants can apply only once under the program to discourage staged improvements over multiple years.

6b) Grant Amount:

A onetime grant will be issued to cover the lesser of:

- 50% of the cost of the eligible works per building;
- A maximum of \$20,000 per building as of the date of adoption of the Fibre Optic Connection Grant Program.

While more than one building on a single property may be eligible for a grant, grants will not exceed 50% of the cost of the eligible works that related to each discrete building.

The Fibre Optic Connection Grant is a one-time improvement grant. Applicants can only apply once per distinct building under the incentive to discourage staged improvements over multiple years.

6b) Grant Security:

The grant is payable upon the completion of an approved project subject to the performance criteria detailed in this guideline.

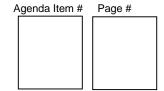
6c) Grant Disbursements:

The grant shall be paid to the applicant upon receipt of invoices for completed work and inspection of the completed improvements by the staff of the City of London or staff of the program partners.

The grant agreement will be signed by the City upon the completion of the work. There will be no progress payments. The grants will be disbursed after the completion of work and the signing of the grant agreement.

The Fibre Optic Connection Grant Program is a one-time grant. To be eligible for the grant, the applicant must meet all conditions detailed in this program description and associated grant agreement, including:

- Any City of London Incentive Loans must be in good standing with no arrears owing;
- All City of London realty taxes must be paid in full;
- There must be no outstanding debts to the City of London;
- The applicant must not have defaulted on any City-sponsored loan or grant program in the past; and
- There must be no City of London Building Division orders or deficiencies.



6d) Grant Repayment Provisions:

Not applicable.

6e) Transferable Grants:

At the discretion of the City, grants may be transferable to a new building owner or tenant providing the new owner or tenant meets with, and agrees to, the Terms and Conditions of the grant program. The new owner or tenant must submit a new application under the Fibre Optic Connection Grant Program.

7) Additional Rehabilitation and Demolition:

Not applicable.

8) Relationship to other Financial Incentive Programs:

It is intended that the Fibre Optic Connection Grant Program will complement other incentive programs offered by the City of London. Property owners may also qualify for financial assistance under those programs. However, the funding from these programs cannot be used to subsidize the property owner's share of the total cost of the improvements under the Fibre Optic Connection Grant Program.

9) Procedures:

The following procedures must be completed in entirety prior to the disbursement of funds under the Fibre Optic Connection Grant Program.

9a) Grant Application:

The applicant is required to complete a Fibre Optic Connection Grant Program application form and submit the form to the City of London.

The Fibre Optic Connection Grant Program will not apply retroactively to works completed prior to the approval of the Grant application by the City of London.

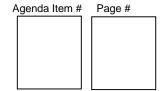
9b) A "Complete" Application:

The applicant is required to submit a detailed estimate of the costs of eligible works to be completed. The cost estimate should be supported by two quotations by qualified contractor/service provider. Cost estimates should be consistent with the estimate noted on any required accompanying Building Permit.

The Managing Director, Planning and City Planner, or designate, may require any drawings of the works to be undertaken, product illustrations or other materials associated with the connection and installation of the fibre optic connection. If a Building Permit is required for the contemplated works, the application shall be attached to the application form. It should be noted that some connection and installation projects may require drawings to be prepared by a qualified architect or engineer (as required for any associated Building Permit).

9c) Relationship of the Improvements to Design Guidelines:

Not applicable.



9d) Planning Division Inspection

Following the submission of the grant and prior to its approval, the Planning Division will inspect the building to review its condition and the proposed improvements. The Planning Division will make arrangements for a title search of the property and check on tax payment records.

9e) Final Determination of Eligible Improvements and Eligible Uses:

The final determination as to how much of the proposed work is eligible for funding under the Fibre Optic Connection Grant Program, or if the prosed use is an eligible use will be made by the City of London or program partner. The City of London or program partner may require further drawings, cost estimates, or other items of information relating to the proposed works before approval of the grant is issued.

9f) Grant Approval – Approval Expires in One Year:

Once all eligibility criteria and conditions are met, and provided that funds are available in the supporting Reserve Fund, the City of London will approve the Fibre Optic Connection Grant. If an application is refused, the applicant may appeal the decision to Council through the Planning and Environment Committee.

Approval by means of a letter to the applicant will represent a grant commitment. Grant commitments will be valid for one year and will expire if the work is not completed within that time period. The City of London may, at its discretion, provide a written grant commitment extension of up to one year. It is important to note that the consideration of such an extension will require a written request from the applicant detailing the reasons the extension is being sought.

9g) Inspection of Completed Works:

The grant will be paid to the applicant upon receipt of invoices for all completed work and after the City inspection of all completed improvements has taken place. The City will inspect the work completed to verify that the proposed improvements have been completed as described in the application. The grant amount will relate to the invoices showing the actual costs of completed work and not the estimated costs as described in 9b) above.

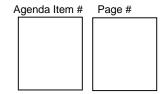
9h) Annual Reporting

The Applicant shall consent to an annual meeting after year 1, year 2 and year 3 with representatives of the London Economic Development Corporation to review the information provided as part of the Fibre Optic Connection Grant Program application as described in section <u>5a</u>) Eligibility for Grant (owner/tenant).

9i) Grant Payment:

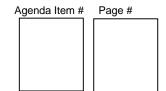
The Fibre Optic Connection Grant Program is a onetime grant incentive.

Prior to the disbursement of the grant, the City of London will ensure that the provisions of Section 6c) Grant Disbursements have been satisfied. Having confirmed that the terms of conditions of Section 6c) have been met, a grant agreement will be signed by the City and the applicant.



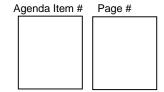
10) Commencement of Program:

The Fibre Optic Connection Grant Program will commence on April 1, 2015. The program shall terminate after two years (April 30, 2017), unless extended by the City of London and the program partners. Letters of financial commitment shall expire in one year of the date of the letter, and in no case shall extend beyond April 30, 2018.



Schedule 1 – Downtown Community Improvement Plan Project Area





APPENDIX "B" – Fibre Optic Connection Grant Pilot Program detailed background discussion

By way of background, traditionally, copper phone lines and coaxial cable were the main means of providing Internet services to business customers. Today's businesses require robust, high speed connectivity at a competitive price, and fibre is becoming the preferred means of providing this connectivity to keep and attract businesses, which ultimately helps to drive economic growth.

The infrastructure currently in place in older parts of the City has limited capacity to process digital files at acceptable speeds for local digital creative services companies to operate at a professional level. This is seen as a barrier for many start-ups and growing companies, as the expense to bring in fibre optic cable to their buildings is cost-prohibitive, thus making for a difficult decision whether to start or grow a business in London's Downtown. Ultimately, fibre connectivity will enable enhanced job and assessment growth in the Downtown core.

It's important to note the London Plan's Smart City initiative, which is a long term strategy. The London Plan's fist key direction is to plan strategically for a prosperous city, where 1 of 13 areas of focus is to plan infrastructure for a "smart city" that offers a high quality of connectivity and London-based business advantages. This long term strategy will focus on building a connected city that links all of its citizens, stakeholders, investors, and external partners. The Plan discusses the Fibre optic infrastructure which will form part, where appropriate, of civic infrastructure, public facilities, public spaces and mobility projects.

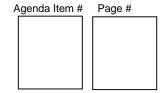
On March 25, 2015, the City, in conjunction with the London Economic Development Corporation and Downtown London/MainStreet London, proposed the Last Mile/Fibre Optic Connection Grant program, intended to serve as a short term solution to the long term Smart City strategy. The pilot program would focus on providing financial assistance to property owners and multi-year tenants in designated areas of the Downtown Community Improvement Project Area with high capacity fibre-optic broadband service. This new program would fund 50% of the eligible costs to a maximum of \$20,000 to fund the installation and connection of high capacity fibre-optic broadband service. The target area for this two year pilot program was the central core of Downtown, focused on Dundas and King Streets between Wellington and Ridout Streets. In response, Municipal Council at its meeting on March 31, 2015 adopted the Fibre Optic Connection Grant Program for Downtown London (please refer to Appendix "C").

The Fibre Optic Connection Grant Program was a new program that was added to the suite of incentives currently available to businesses in the Downtown Community Improvement Project Area, and is modelled on those programs. The eligible area for this new program was centred on the traditional core of the Downtown where the existing stock of older buildings makes the connection to this high capacity network difficult.

Eligible businesses for this grant program include creative industries, digital marketing and gaming, information technology, medical technology, and similar industries. The program includes criteria to monitor both the take-up and success of the program, and requires reporting information from applicants regarding job growth, expansion, and the ratio of London area and external sales. Like the City's other incentive programs, funds are not disbursed until the eligible works have been completed.

Last Mile Fibre Optic Connection Grant Specifics:

- First point of contact for the applicants will be Downtown London's Manager of Main Street Programs. Downtown London's Manager of Main Street Programs has the application forms and can assist applicants in completing the form to ensure a complete application is submitted and all required documents, such as quotations and drawings are included; The Planning Department at the City of London (Planning) will also have application forms to provide to potential applicants.
- Applications will be submitted to Planning at 206 Dundas Street and must be a hard copy;

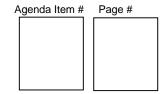


- Planning will review the submission to ensure it is complete;
- Prior to a Commitment Letter being issued, a Committee consisting of one individual from each of Downtown London, LEDC, Planning, and the City's Manager Office will meet to review application(s) to ensure all Program Guidelines have been satisfied and that a grant commitment can be issued;
- Once the Committee approves the application, Planning will issue a Commitment Letter outlining the grant commitment (good for one year unless the applicant requests an extension), next steps, and program information for the applicant;
- Once the work is completed, the applicant is required to notify and submit paid invoices/receipts to Planning;
- Planning will complete a variety of checks as outlined in Section 6c) Grant Disbursements of the Program Guidelines, as well as Section 9g) Inspection of Completed Works;
- A grant agreement will be signed between the City and the applicant (Section 9i) Grant Payment) at which point the grant cheque will be issued.
- The applicant is required to attend an annual meeting after year 1, 2, and 3 with representatives of the LEDC (Section 9h) Annual Reporting).

This two year pilot program is primarily funded by Downtown London/MainStreet London, the London Economic Development Corporation, with a contribution by the City. The total contribution was placed in the Economic Development Reserve Fund, with a corresponding commitment in the fund for the Fibre Optic Connection Grant/"Last Mile" Program for the targeted area. As applications are processed and approved, the grants are paid from the Economic Development Reserve Fund, reducing the balance of the project commitment. Any surplus funding remaining at the end of the two year pilot project will be refunded proportionately, based on the contributions made to the Fund.

This pilot program is also consistent with Council's recently adopted Strategic Plan. Under the Strategic Focus "Growing our Economy", this new program supports Diverse and Resilient Economy (Fund and partner with the London Economic Development Corporation, Tourism London, London Convention Centre and other community and regional partners to increase economic activity in London), Urban Regeneration (Invest in London's Downtown as the heart of the City), and Local, regional and global innovation (Use new and emerging technology to improve quality of life and grow London's economy).

In summary, it's important to note that superior data transfer speeds is what creates the potential for a competitive advantage for the company and a competitive advantage for the community. Fibre-optic technology offers vastly improved broadband speeds needed for high-bandwidth data transfers, cloud computing and emerging applications in a host of business and consumer uses. Fibre is an enabler of future technologies and applications such as ultra-high resolution video and advanced video conferencing and collaboration, intelligent infrastructure such as smart grid, water/wastewater management, smart traffic/street lighting, road condition monitoring, and much more. In-direct benefits of this program may lead to more companies investing in the downtown and creating new job opportunities, all of which drives growth and prosperity.



APPENDIX "C" - Comparison between Original and Amended Program Boundary

The original Fibre Optic Connection Zone is indicated by the orange dotted line, whereas the full Downtown CIP Project Area is indicated by the black line.

