

Bill No. 108  
2021

By-law No. C.P.-\_\_\_\_\_ - \_\_\_\_

A by-law to establish financial incentives for the  
Core Area Community Improvement Project  
Area.

WHEREAS by subsection 28(2) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, the Council of a municipal corporation may, by by-law, designate the whole or any part of an area as a community improvement project area;

AND WHEREAS subsection 28(4) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, enables the Council of a municipal corporation to adopt a community improvement plan for a community improvement project area;

AND WHEREAS *The London Plan, 2016*, the Official Plan for the City of London, contains provisions relating to community improvement within the City of London;

AND WHEREAS the Municipal Council of The Corporation of the City of London has, by by-law, designated a community improvement project area identified as the Core Area Community Improvement Project Area;

AND WHEREAS the Municipal Council of The Corporation of the City of London has, by by-law, adopted the Core Area Community Improvement Plan;

NOW THEREFORE the Municipal Council of the Corporation of the City of London enacts as follows:

1. The Core Area Community Improvement Project Area Financial Incentive Guidelines attached hereto as Schedule 1, as Schedule 2, and as Schedule 3 is hereby adopted;
2. This by-law shall come into effect on the day it is passed.

PASSED in Open Council on March 23, 2021.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – March 23, 2021  
Second Reading – March 23, 2021  
Third Reading – March 23, 2021

## **Schedule 1**

### **Core Area Community Improvement Plan – Core Area Safety Audit Grant Program Guidelines**

**\*Effective April 12, 2021\***

This program guideline package provides details on the Core Area Safety Audit Grant Program provided by the City of London (“City”) through the Core Area Community Improvement Plan (CIP).

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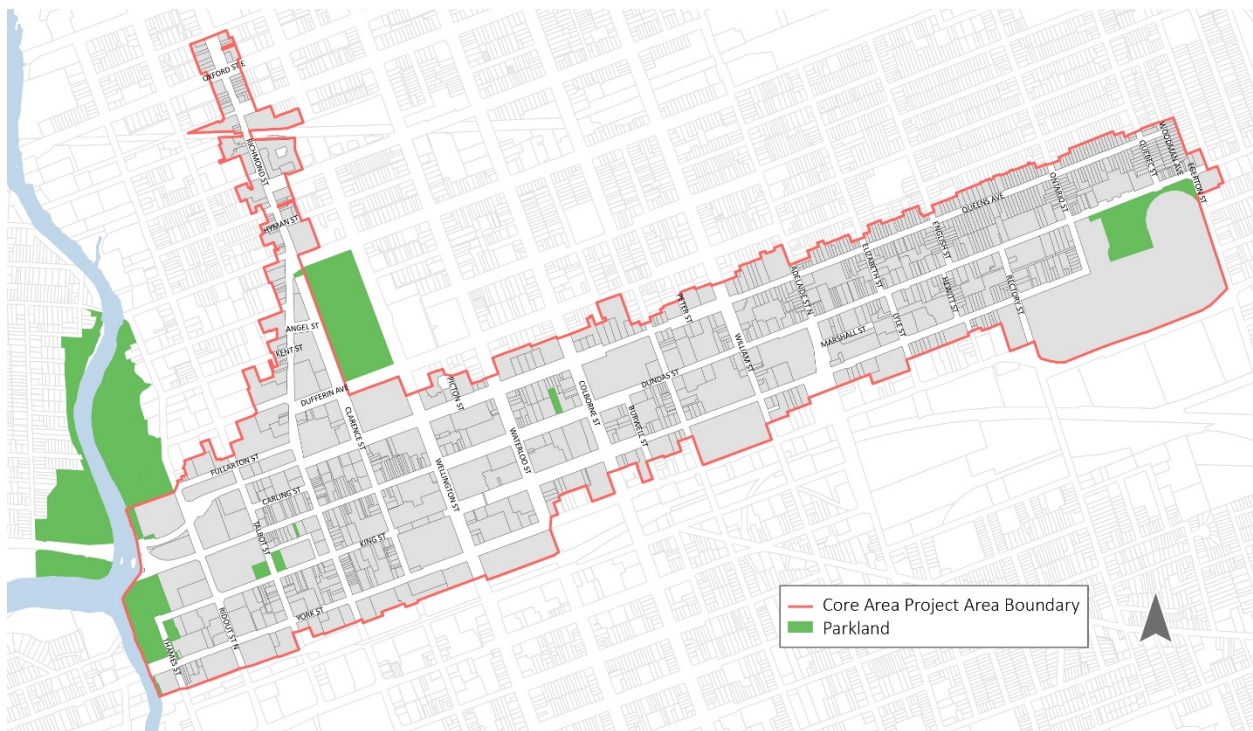
## How to Read this Document

This document identifies the responsibility of each stakeholder in the Core Area Safety Audit Grant Program.

The initials **PO** indicate the property owner, tenant, or business owner (or agent acting on behalf of the property owner, tenant, or business owner) is responsible for completing that task or action. **CL** indicates that a City of London staff member is responsible for that task.

**PO** – The Core Area Safety Audit Grant Program is available to property owners, tenants, and business owners (or agent acting on behalf of the property owner, tenant, or business owner) who are eligible to make the property modifications to improve safety as identified by the Core Area Safety Audit in the Core Area Community Improvement Project Area (Map 1).

## Map 1 – Core Area Community Improvement Project Area



## Definitions

Applicant – The person who applies for the Core Area Safety Audit Grant Program.

CL – City of London member of staff.

Complete Application – Includes a completed application form for the Core Area Safety Audit Grant Program, and includes the following information:

- Name and address of the property owner, tenant, business owner (or agent acting on behalf of the property owner, tenant, or business owner);
- Confirmation that the address is within the Core Area Community Improvement Project Area;
- Complete drawings indicating the property modifications to be undertaken;
- Itemized list of specific property modifications;
- Two (2) comparable quotations by qualified contractors showing cost estimates for the proposed works which are required to be included in the incentive application. In general, the lower of the two estimates will be taken as the cost of the eligible works. Cost estimates should be consistent with the estimate noted on the accompanying Building Permit (if required);
- A cover letter that summarizes the property modifications to be completed and summarizes the provided quotations;
- A signed copy of the Addendum including the Hold Harmless Agreement, General Liability Insurance, and Contractor qualifications;
- A letter from the property owner authorizing that the Applicant is permitted to make modifications to the building (if required);
- A copy of the Building Permit (if required);
- A copy of the Heritage Alteration Permit (if required);
- Any other information that may be deemed necessary by the City Planner or City Treasurer (or designates).

PO – The property owner, tenant, business owner (or agent acting on behalf of the property owner, tenant, or business owner).

## Purpose

In support of the *Core Area Action Plan*, the Core Area Safety Audit Program is intended to reduce the financial burden on business owners who want to make modifications to private property that improve safety as identified by the Core Area Safety Audit. This program grants up to 50 percent of the total cost of the property modifications that improve safety, up to a maximum of \$10,000 per property.

Safety improvements can make for a more welcoming space and create a more vibrant urban environment.

## Funding

- Funding for this program is subject to annual budget approval by the City of London.
- Should there not be adequate funding to meet demand for the grant program, the program funding may be topped up through another source of financing as determined by the Managing Director, Corporate Services and City Treasurer,

Chief Financial Officer (or designates) and subject to the availability of alternative funding sources. If these additional sources of funding do not meet the demand of the grant program, grants will only be issued while funding is available in the order that they are received.

## Eligible Works

Eligible works that will be granted through the Core Area Safety Audit Grant Program include costs associated with the modification or installation of the following safety improvements, where identified by the Core Area Safety Audit:

- Exterior lighting;
- Storefront gates;
- Landscaping;
- Exterior security cameras;
- Other physical property improvements as identified by the Safety Audit at the discretion of the City Planner (or designates).

If the property is located within a Heritage Conservation District and the work to implement the safety improvement requires a Heritage Alteration Permit, eligible fees will only be granted through the Core Area Safety Audit Program if a Heritage Alteration Permit is granted. The following fees and work are not eligible to be granted through this program:

- Any fees related to obtaining a City of London Business Licence;
- Any materials required for an application or licence;
- Non-property related safety improvements, such as hiring of security guards;
- Insurance fees; and,
- Other fees and work at the discretion of the City Planner (or designates).

## Eligibility Criteria

To be eligible for the Core Area Safety Audit Grant Program, the **PO** must meet all conditions detailed in this program description.

### Property Owner Consideration

- The applicant must be the registered owner of the property or an agent (including building tenant or contractor who has been retained to undertake improvements). If the applicant is not a registered owner of the subject property, the applicant will be required to provide authorization in writing from the registered owner as part of a complete application;
- All mortgages and charges, including the subject financial incentive, must not exceed 90% of the post-rehabilitation appraised value of the property (i.e. the owner must maintain 10% equity in the property post-improvement);
- All City of London property taxes must be paid in full when the grant is issued;
- The registered owner of the property must have no outstanding debts to the City of London;
- The property owner and/or applicant, must not have ever defaulted on any City loan or grant program, including by way of individual affiliation with any company or group of people authorized to act as a single entity such as a corporation;

- The Core Area Safety Audit Program will not apply retroactively to work completed prior to the approval of the application by the Director, City Planning and City Planner, or designate.

#### Property Considerations

- The property must be located within the Core Area Community Improvement Project Area as defined in the Core Area Community Improvement Area By-law (see Map 1);
- There are not any City of London Building Division orders or deficiencies relating to the subject property at the time the grant is issued;
- The works applied for under the Core Area Safety Audit Program shall not include any costs for which grants or loans have been applied for and approved under any other City of London Community Improvement Plan financial incentive program.
- Each property is eligible to avail simultaneously of multiple incentive programs provided through the other City of London Community Improvement Plans, where eligible.

#### Building Considerations

- Separate applications must be submitted for each discrete building (as defined) on a single property;
- The property must contain an existing building (occupied or unoccupied);
- Where the entirety of a multi-unit building, which contains separate units, are all under the same ownership, (or with condominium status) it will be considered as one building for the purpose of this grant program;
- Where a building is 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 and a distinct municipal address;
- Each discrete building on each property is eligible for the Core Area Safety Audit Program.

### **General Grant Terms**

While funding exists, applicants can apply as needed to this program.

The City is not responsible for any costs incurred by an applicant in relation to the grant program, including without limitation, costs incurred in application of a grant.

If the applicant is in default of any of the general or program specific requirements, or any other requirements of the City of London, the approved grant may be delayed, reduced or canceled, and the applicant may be required to repay part or all of the approved grant.

All proposed works approved under the incentive program must comply with all applicable Provincial regulations and City guidelines, by-laws, policies, procedures, and standards.

If applied for and approved, all works completed must comply with the description of the works as provided in the Core Area Safety Audit Program application form, with any amendments as approved by the City of London.

The granting of fees does not imply that processes for permits are invalid or unnecessary.

## **Grant Amount**

A portion of the costs of the property modification undertaken to improve safety as identified by the Core Area Safety Audit will be paid back to the applicant in the form of a one-time grant to cover the lesser of:

- 50 percent of the eligible property modification costs; or,
- \$10,000.

## **Grant Distribution**

The City will provide the applicant with one cheque in the full amount of the approved grant after: (1) the City has completed its due diligence to ensure the applicant and property remain eligible for the grant, (2) City staff has reviewed the completed works to ensure they have been completed as approved, and (3) the Grant Agreement has been signed.

**The City will not provide partial grant amounts or progress payments.**

## **Grant Agreement**

The City may require the applicant to enter into a Grant Agreement. The City Planner has the authority to execute the Grant Agreement on behalf of the City.

## **Transferable Grants**

If a participating property is sold, in whole or in part, before the grant period elapses, the applicant and/or the subsequent landowner is not entitled to outstanding grant payments (on either the portion sold or retained by the applicant). The City may, entirely at its own discretion, enter into a new agreement with any subsequent owners of the property to receive outstanding grant payments under this program.

## **Application Process**

### **Expression of Interest**

**PO** – It is suggested to contact City of London staff prior to making an application to the Safety Audit Grant Program.

### **Consultation Phase**

**PO** – The Applicant contacts City of London and/or Downtown London or the Old East Village Business Improvement Area who will arrange a meeting to share ideas for the proposed project, information about incentive programs, provide application form(s) and assist with the application process. This meeting will also help to identify what permits or permissions may be required to complete the proposed safety audit improvements. Consultation with an Urban Designer and/or Heritage Planner may be necessary. Where possible, the City will make appropriate staff available for this meeting, which is usually on site at the property where the proposed work is planned.

Applications made for financial incentive programs do not in any way replace the need for obtaining any necessary approvals. Prior to undertaking building improvements, the PO is required to obtain any necessary approvals and/or permits. Heritage Alteration Permits (for properties requiring them) will be required before financial incentive applications are accepted.

Discussions with City staff are encouraged early in the conceptual phase to ensure proposed safety audit improvements comply with City regulations and guidelines, and the proposed improvements are eligible under the incentive program criteria.

Service London staff are also available to help with clarifying/applying for applicable permits.

## **Concept Phase**

**PO** – A Complete Application (see Definitions) for the grant program is submitted to the City of London and/or Downtown London staff and/or Old East Village Business Improvement Area staff.

**PO** – Prior to property modifications beginning, applicants must contact City Planning to complete the application process.

**CL** – City of London City Planning staff will review the application for completeness and inform the applicant in writing that either, more information is required, or the application is accepted. If accepted, the City will provide a Commitment Letter which outlines the approved works, related costs, and monetary commitment that the City is making to the project.

**PO** – Any subsequent changes to the project will require review and approval by the City.

**CL** – City Planning staff may visit the subject property and take photographs, both before and after the subject work is completed.

## **Property Modification Phase**

**PO** – Having obtained all necessary approvals and/or permits and receiving a Commitment Letter from the City for approved works the applicant may start to undertake eligible property modifications.

## **Confirmation Phase**

**PO** – The applicant will notify the City in writing (via letter or email) once the project is complete and the costs respecting those works are paid. Confirmation that related building permits are closed, if applicable, is also required so that the City may begin drafting an agreement.

**CL** – Before setting up any agreement, City Planning staff must ensure the property modifications, as described in the Commitment Letter, are completed and other criteria, as set out in the program guidelines, have been met. This includes:

- Related costs, or bills respecting those approved works are paid in full;
- Related building permits are closed;
- All City of London property taxes must be paid in full and the account deemed in good standing by the Taxation Division;
- There must be no outstanding debts to the City;
- The property owner must not have defaulted on any City loans or grants; and,
- There must be no outstanding Building Division orders or deficiencies against the subject property.

## **Agreement Phase**

**CL** – Once the eligible works are verified, City Planning staff will draft the grant agreement and provide a draft copy of the grant agreement to the applicant for review.

**PO/CL** – After the applicant has approved the grant agreement, City Planning staff will prepare two hard copies of the agreement to be signed.

**CL** – When all the documentation is ready, City Planning staff will contact the applicant to arrange for a meeting to sign the documents. One original signed copy is kept by the applicant and one is retained by the City.



## **Grant Approval**

Once all eligibility criteria and conditions are met, and if funds are available in the supporting Reserve Fund, the Director, City Planning and City Planner (or designates) will approve the grant application. Approval by means of a letter to the applicant will represent a commitment by the City of London.

As a condition of approval, new applicants shall be required to enter into a Grant Agreement with the City.

## **Additional Rehabilitation and Demolition**

Additional work to the interior of the building can be undertaken without City Planning approval subject to obtaining a building and/or heritage alteration permit, when required. The grant does not impose any specific restrictions on demolition.

## **Inspection of Complete Works**

City staff will review the completed works to ensure they have been completed as approved.

## **Grant Application Refusal and Appeal**

If an application is refused, the applicant may, in writing, appeal the decision of the Director, City Planning and City Planner to the City Clerk's Office who will provide direction to the matter heard before Municipal Council through the Planning and Environment Committee.

## **Relationship to other Financial Incentive Programs**

Applicants may also qualify for financial assistance under the City of London's other financial incentives programs. Applicants are advised to check with City Planning.

## **Monitoring & Discontinuation**

As part of the program administration, City Planning, Realty Services, and Licencing and Municipal Law Enforcement will monitor the Core Area Community Improvement Plan financial incentive programs. In receiving and processing applications staff will enter relevant information into a Monitoring Database. This information will be included in any Incentive Monitoring Reports which will be prepared to determine if programs should continue, be modified, or cease. This program is monitored to ensure it implements the goals and objectives of the *1989 Official Plan*, *The London Plan*, the *Core Area Community Improvement Plan*, and the *Core Area Action Plan*.

The City may discontinue the Core Area Safety Audit Grant Program at any time.

The program's success in implementing the Core Area Community Improvement Plan's goals will be based on the ongoing monitoring as noted in the Program Monitoring Data section.

## **Program Monitoring Data**

The following information will be collected and serve as data to monitor the Core Area Safety Audit Grant Program. These measures are to be flexible allowing for the addition of new measures that better indicate if the goals and objectives of the Core Area Community Improvement Plan have been met:

- Number of Core Area Safety Audit recommendations implemented;
- Number of properties that implemented Core Area Safety Audit recommendations;

- Total costs of the property modifications, and,
- Total grant amount.

## **Activity Monitoring Reports**

Annual Activity Reports will measure the following variables and be used to help complete the biennial State of the Downtown Report:

- Number of Core Area Safety Audit recommendations implemented;
- Number of properties that implemented Core Area Safety Audit recommendations;
- Total cost of the property modifications; and,
- Total grant amount.

## **Schedule 2**

### **Core Area Community Improvement Plan Core Area Boulevard Café Grant Program Guidelines**

## **Schedule 2**

### **Core Area Community Improvement Plan – Core Area Boulevard Café Grant Program Guidelines**

**\*Effective April 12, 2021\***

This program guideline package provides details on the Core Area Boulevard Café Grant Program provided by the City of London (“City”) through the Core Area Community Improvement Plan (CIP).

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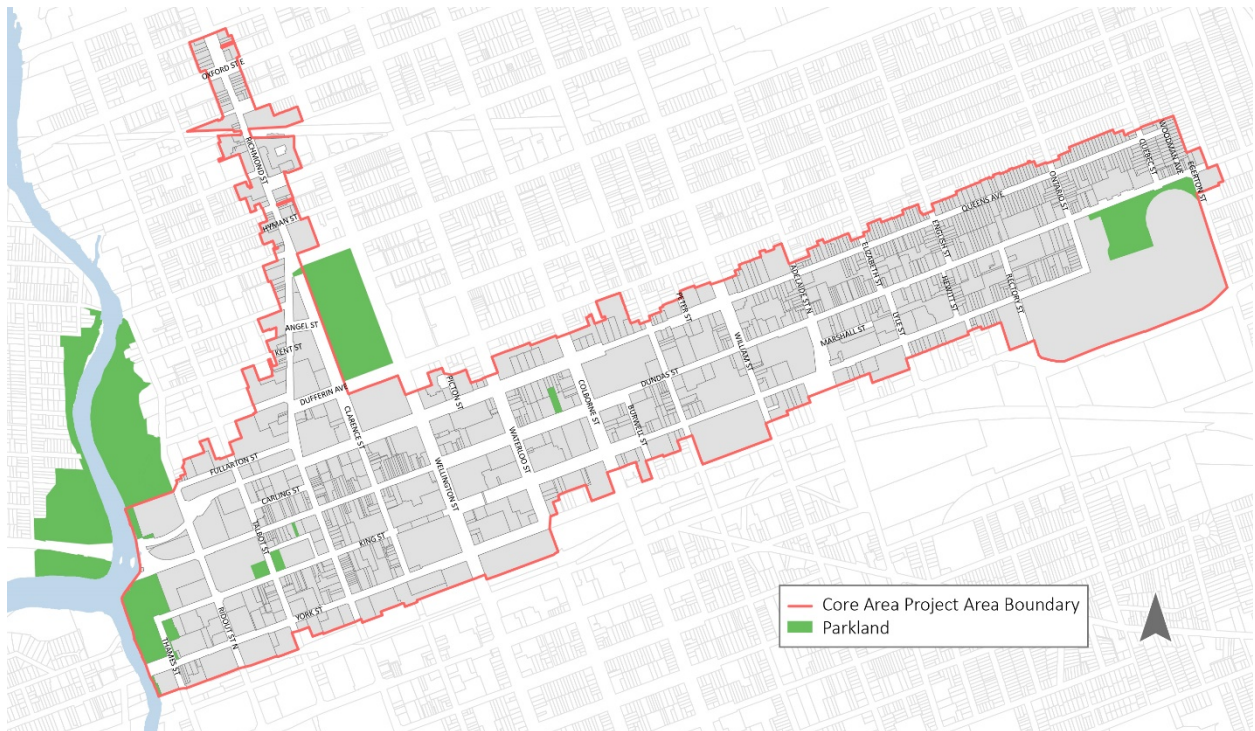
## How to Read this Document

This document identifies the responsibility of each stakeholder in the Core Area Boulevard Café Grant Program.

The initials **PO** indicate the property owner, tenant, or business owner (or agent acting on behalf of the property owner, tenant, or business owner) responsible for completing that task or action. **CL** indicates that a City of London staff member is responsible for that task.

**PO** – The Core Area Boulevard Café Grant Program is available to property owners, tenants, and business owners (or agent acting on behalf of the property owner, tenant, or business owner) who are eligible to install boulevard cafés in the Core Area Community Improvement Project Area (Map 1).

## Map 1 – Core Area Community Improvement Project Area



## Definitions

Applicant – The person who applies for a new or already has an existing valid Boulevard Café Permit application, and as a result, will simultaneously apply for the Core Area Boulevard Café Grant Program.

Boulevard café – used interchangeable with sidewalk patio or boulevard patio, means an area set aside out of doors, covered or uncovered, for the use of patrons as a licensed restaurant in connection with, and in addition to, the operation of an adjacent restaurant and is located on the City right-of-way.

Complete application – Includes a completed application form for the Boulevard Café Permit application, and includes the following information:

- Name and address of the business owner;
- Confirmation that the address is within the Core Area Community Improvement Project Area;
- A statement of fees from Realty Services indicating the total fees that apply to a new or existing boulevard café;
- Acknowledgement of the receipt of boulevard café fees grant funding and authorization to the City of London to transfer the amount of the grant to the appropriate City of London accounts; and,
- Any other information that may be deemed necessary by the City Planner or City Treasurer (or designates).

PO – The property owner, tenant, business owner (or agent acting on behalf of the property owner, tenant, or business owner).

Sidewalk patio – See Boulevard café.

## Purpose

In support of the *Core Area Action Plan*, the Core Area Boulevard Café Grant Program is intended to reduce the financial burden on business owners who operate sidewalk patios. This grant program eliminates the administrative and licence fees related to the operation of a patio on the public right-of-way.

Sidewalk patios can activate the street and create a more vibrant urban environment. By providing opportunities for outdoor dining, the City, and the businesses within it, can encourage the use and enjoyment of the public realm.

## Funding

- Funding for this program is subject to annual budget approval by the City of London.
- Should there not be adequate funding to meet demand for the grant program, the program funding may be topped up through another source of financing as determined by the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer (or designates) and subject to the availability of alternative funding sources. If these additional sources of funding do not meet the demand of the grant program, grants will only be issued while funding is available in the order that they are received.

## Eligible Fees

Eligible fees that will be granted through the Core Area Boulevard Café Grant Program include the administrative fee for new or renewed applications related to a Boulevard Café Permit licence agreement.

## Eligibility Criteria

To be eligible for the Core Area Boulevard Café Grant Program, the applicant must:

- Apply for a Boulevard Café Permit and be located within the Core Area Community Improvement Project Area as outlined in Map 1; or,
- Have an existing Boulevard Café Permit with licence agreement and be located within the Core Area Community Improvement Project Area as outlined in Map 1.

## General Grant Terms

While funding exists, applicants can apply as needed to this program.

The City is not responsible for any costs incurred by an applicant in relation to the grant program, including without limitation, costs incurred in application of a grant.

If the applicant is in default of any of the general or program specific requirements, or any other requirements of the City of London, the approved grant may be delayed, reduced or canceled, and the applicant may be required to repay part or all of the approved grant.

All proposed works approved under the incentive program must comply with all applicable Provincial regulations and City guidelines, by-laws, policies, procedures, and standards.

If applied for and approved, all works completed must comply with the description of the works as provided in the Boulevard Café Permit Application form with any amendments as approved by the City of London through the Sidewalk Patios Standards and Application Process.

The granting of fees does not imply that processes for permits are invalid or unnecessary.

The Core Area Boulevard Café Grant Program replaces the amount of Boulevard Café Permit fees an applicant would be required to pay in the absence of the grant program. Under no circumstances shall an applicant have their Boulevard Café Permit fees payable waived by this program and also receive grant funding related to Boulevard Café Permit fees disbursed by the City of London to the applicant.

## Grant Amount

For a new Boulevard Café Permit application, the grant amount will be calculated by Realty Services when processing the application and/or processing the annual fee of an executed licence agreement.

The grant amount will equal the administrative and licence fees for all eligible Boulevard Café Permits in the Core Area Community Improvement Project Area.

## Grant Distribution

The applicant will receive no funding from the City of London.

The applicant will not be charged any fees for a new Boulevard Café Permit application or the annual fee of an executed licence agreement for a boulevard café.

For fees related to the Boulevard Café Permit, the value of the calculated grant will be transferred directly to the appropriate City of London account. This direct transfer is instead of staff collecting the administrative fees and licence fees related to a Boulevard Café Permit and then providing the applicant with a 100% grant to rebate the monies collected.

Grant recipients may be required to provide written authorization for the City to deposit the amount of the grant into the appropriate City of London account.

## **Grant Agreement**

The City may require the applicant to enter into a Grant Agreement. The City Planner has the authority to execute the Grant Agreement on behalf of the City.

## **Application Process**

- 1) For a new boulevard café, the applicant is required to complete a Boulevard Café Permit application form. The application must be submitted to Realty Services for review. This review will follow the already developed Sidewalk Patio Standards and Application Process. Realty Services staff will determine the applicable administrative and licence fees to be granted.
- 2) For an executed licence agreement for a boulevard café the applicant is required to abide by the terms of the agreement. No application is required. Realty Services staff will determine the applicable annual licence agreement fees to be granted.

To be eligible for the Core Area Boulevard Café Grant Program, the applicant may be required to submit a complete application (see Definitions), which will be collected at the time of applying for 1) above. If the applicant already has an executed licence agreement for a boulevard café as outlined in 2) above, no further application to the Core Area Boulevard Café Grant Program is required.

For a new Boulevard Café Permit or an executed licence agreement for a boulevard café, the applicant's Boulevard Café Permit application fee and the annual licence agreement fee will not be invoiced to the applicant. Instead, an internal transfer of funding will occur (see Grant Distribution).

## **Grant Approval**

As a condition of approval, applicants may be required to enter into a Grant Agreement with the City of London.

## **Incentive Application Refusal and Appeal**

If the Boulevard Café Permit application is refused, the administrative fee will not be collected retroactively by the City of London.

Application fees will not be collected. No internal transfer of funds will occur.

## **Relationship to other Financial Incentive Programs**

Applicants may also qualify for financial assistance under the City of London's other financial incentives programs. Applicants are advised to check with City Planning.

## **Monitoring & Discontinuation**

As part of the program administration, City Planning and Realty Services will monitor the Core Area Boulevard Café Grant Program. In receiving and processing applications staff will enter relevant information into a Monitoring Database. This information will be included in any Incentive Monitoring Reports which will be prepared to determine if programs should continue, be modified, or cease. This program is monitored to ensure it implements the goals and objectives of the 1989 Official Plan, The London Plan, the Core Area Community Improvement Plan, and the Core Area Action Plan.

The City may discontinue the Core Area Boulevard Café Grant Program at any time.

The program's success in implementing the Core Area Community Improvement Plan's goals will be based on the ongoing monitoring as noted in the Program Monitoring Data section.

### **Program Monitoring Data**

The following information will be collected and serve as data to monitor the Core Area Boulevard Café Grant Program. These measures are to be flexible allowing for the addition of new measures that better indicate if the goals and objectives of the Core Area Community Improvement Plan have been met:

- Number of Boulevard Café Permit applications (approved and denied);
- Number of executed licence agreements for boulevard cafés; and,
- Total grant amount.

### **Activity Monitoring Reports**

Annual Activity Reports will measure the following variables and be used to help complete the biennial State of the Downtown Report:

- Number of Boulevard Café Permit Applications processed;
- Number of executed licence agreements for boulevard cafés; and,
- Total grant amount.



## **Schedule 3**

### **Core Area Community Improvement Plan Core Area Sign Grant Program Guidelines**

## **Schedule 3**

### **Core Area Community Improvement Plan – Core Area Sign Grant Program Guidelines**

**\*Effective April 12, 2021\***

This program guideline package provides details on the Core Area Sign Grant Program provided by the City of London (“City”) through the Core Area Community Improvement Plan (CIP).

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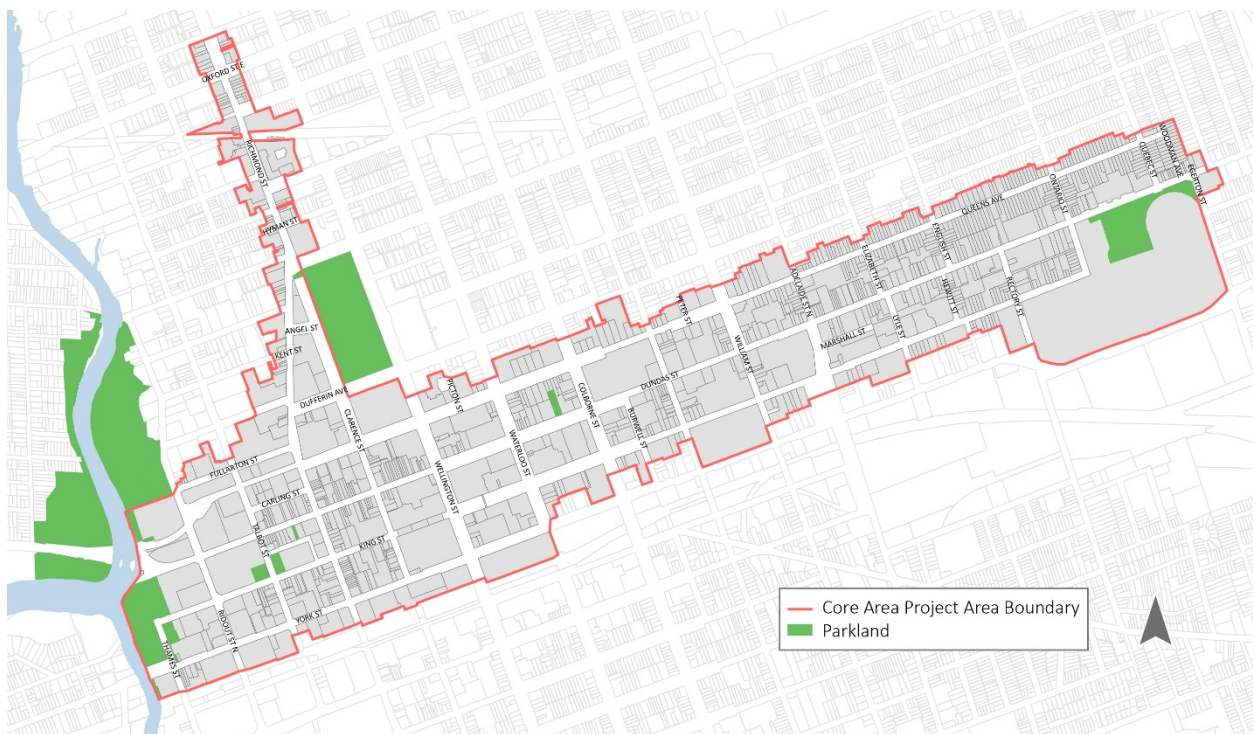
## How to Read this Document

This document identifies the responsibility of each stakeholder in the Core Area Sign Grant Program.

The initials **PO** indicate the property owner, tenant, or business owner (or agent acting on behalf of the property owner, tenant, or business owner) responsible for completing that task or action. **CL** indicates that a City of London staff member is responsible for that task.

**PO** – The Core Area Sign Grant Program is available to property owners, tenants, and business owners (or agent acting on behalf of the property owner, tenant, or business owner) who are eligible to install signage in the Core Area Community Improvement Project Area (Map 1).

## Map 1 – Core Area Community Improvement Project Area



## Definitions

Applicant – The person who applies for a new Sign Permit, which may or may not include an Encroachment Agreement, or already has an executed Encroachment Agreement for a sign, and as a result, will simultaneously apply for the Core Area Sign Grant Program.

Complete Application – Includes a completed application form for the Sign Permit application, and includes the following information:

- Name and address of the business owner;
- Confirmation that the address is within the Core Area Community Improvement Project Area;
- A statement of fees from the Building Division indicating the total fees that apply to a Sign Permit, which may include fees for an associated Encroachment Agreement application;
- Acknowledgement of the receipt of Sign Permit application fee grant funding and authorization to the City of London to transfer the amount of the grant to the appropriate City of London accounts; and,
- Any other information that may be deemed necessary by the City Planner or City Treasurer (or designates).

Encroachment Agreement – Means a binding agreement between the City and the property owner, prepared by the City, granting authorization for a property owner to erect and maintain an encroachment on a City street or road allowance.

PO – The property owner, tenant, business owner (or agent acting on behalf of the property owner, tenant, or business owner).

Sign – Includes an advertising device or notice; and any visual medium, including its structure and other component parts, which is used or capable of being used to attract attention to a specific subject matter, other than itself for identification, information or advertising purposes. (Refer to The City of London's *Sign By-law* for further information)

## Purpose

In support of the *Core Area Action Plan*, the Core Area Sign Grant Program is intended to reduce the financial burden on business and/or property owners who install new signs and/or require Encroachment Agreements for signs. This grant program eliminates the Sign Permit application fee, the Encroachment Agreement application fee for signs, and the annual encroachment licence fee for signs.

Older areas of the city, particularly the downtown and surrounding areas, have an established built form which has buildings situated on or very close to the property lines. As a result of the building location in relation to the property line, signs often encroach onto City property. By providing opportunities to reduce fees related to signs within the Core Area, the City can encourage the use of existing infrastructure and help to revitalize older areas of the city.

## Funding

- Funding under this program will cease on December 31, 2023, unless extended by the City of London.
- Should there not be adequate funding to meet demand for the grant program, the program funding may be topped up through another source of financing as determined by the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer (or designates) and subject to the availability of alternative funding sources. If these additional sources of funding do not meet the demand

of the grant program, grants will only be issued while funding is available in the order that they are received.

## **Eligible Fees**

Eligible fees that will be granted through the Core Area Sign Grant Program include:

- Sign Permit application fee;
- Encroachment Agreement application fee for signs; and,
- Annual encroachment licence fee for signs.

The following fees and work are not eligible to be granted through the Core Area Sign Grant Program:

- Any fees related to obtaining a City of London Business Licence;
- Any materials required for the application, licence, or permit;
- Any fees associated with the encroachment of features not defined as a “sign”;
- Any fees related to a Minor Variance for a sign;
- Cost of construction and materials;
- Insurance costs related to signage and encroachments; and,
- Other fees and work at the discretion of the City Planner (or designates).

## **Eligibility Criteria**

To be eligible for the Core Area Sign Grant Program, the applicant must:

- Apply for a new Sign Permit and be located within the Core Area Community Improvement Project Area as outlined in Map 1; or,
- Have an existing Encroachment Agreement for a sign and be located within the Core Area Community Improvement Project Area as outlined in Map 1.

## **General Grant Terms**

While funding exists, applicants can apply as needed to this program.

The City is not responsible for any costs incurred by an applicant in relation to the grant program, including without limitation, costs incurred in application of a grant.

If the applicant is in default of any of the general or program specific requirements, or any other requirements of the City of London, the approved grant may be delayed, reduced or canceled, and the applicant may be required to repay part or all of the approved grant.

All proposed works approved under the incentive program must comply with all applicable Provincial regulations and City guidelines, by-laws, policies, procedures, and standards.

If applied for and approved, all works completed must comply with the description of the works as provided in the Sign Permit application form with any amendments as approved by the City of London.

If applied for and approved, all works completed must comply with the Encroachment Agreement and its required documentation.

The granting of fees does not imply that processes for permits are invalid or unnecessary.

The Core Area Sign Grant Program replaces the amount of Sign Permit application fees, and associated Encroachment Agreement application fees if required, an applicant would be required to pay in the absence of the grant program. Under no circumstances shall an applicant have their Sign Permit application fee and related Encroachment Agreement application fee payable waived by this program and also receive grant funding related to Sign Permit application fees and associated Encroachment Agreement application fees disbursed by the City of London to the applicant.

The Core Area Sign Grant Program also replaces the amount of the annual encroachment licence fee for a sign an applicant would be required to pay in absence of the grant program. Under no circumstances shall an applicant have their annual encroachment licence fee for a sign waived by this program and also receive grant funding related to the annual encroachment licence fee for a sign disbursed by the City of London to the applicant.

## **Grant Amount**

For a new Sign Permit application, including an associated Encroachment Agreement application if required, the grant amount will be calculated by the Building Division when processing the application.

For the annual encroachment licence fee for signs, the grant amount will be calculated by the Building Division when processing the annual licence fee of an executed Encroachment Agreement for a sign.

The grant amount will equal the Sign Permit application fee, and associated Encroachment Agreement application if required, as well as annual encroachment licence fee, for all eligible signs in the Core Area Community Improvement Project Area.

## **Grant Distribution**

The applicant will receive no funding from the City of London.

The applicant will not be charged any fees for a new Sign Permit application, including an associated Encroachment Agreement application if required.

The applicant will not be charged any annual licence fees for an executed Encroachment Agreement.

For fees related to a Sign Permit application, including an associated Encroachment Agreement application if required, the value of the calculated grant will be transferred directly to the appropriate City of London account. This direct transfer is instead of staff collecting the application fees related to a Sign Permit application and then providing the applicant with a 100% grant to rebate the monies collected.

For fees related to an executed Encroachment Agreement for a sign, the value of the calculated grant will be transferred directly to the appropriate City of London account. This direct transfer is instead of staff collecting the application annual encroachment licence fees and then providing the applicant with a 100% grant to rebate the monies collected.

Grant recipients may be required to provide written authorization for the City to deposit the amount of the grant into the appropriate City of London account.

## **Grant Agreement**

The City may require the applicant to enter into a Grant Agreement. The City Planner has the authority to execute the Grant Agreement on behalf of the City.

## **Application Process**

- 3) For a new sign, the applicant is required to complete a Sign Permit application form. If an Encroachment Agreement is required for the new sign, this is identified through the Sign Permit application process. The application must be submitted to the Building Division for review. Building Division Zoning staff will determine the applicable fees to be granted.
- 4) For an executed Encroachment Agreement for a sign, the applicant is required to abide by the terms of the Encroachment Agreement. No application is required. Building Division Zoning staff will determine the applicable annual encroachment license fees to be granted.

To be eligible for the Core Area Sign Grant Program, the applicant may be required to submit a complete application (see Definitions), which will be collected at the time of applying for 1) above. If the applicant already has an executed Encroachment Agreement for a sign as outlined in 2) above, no further application to the Core Area Sign Grant Program is required.

For a new Sign Permit application, which may include an associated Encroachment Agreement application, or for an executed Encroachment Agreement, the applicant's Sign Permit application fee, Encroachment Agreement application fee, and the annual encroachment licence fee will not be invoiced to the applicant. Instead, an internal transfer of funding will occur (see Grant Distribution).

## **Grant Approval**

As a condition of approval, applicants may be required to enter into a Grant Agreement with the City of London.

## **Incentive Application Refusal and Appeal**

If the Sign Permit application is refused, the application fee will not be collected retroactively by the City of London.

Application fees will not be collected. No internal transfer of funds will occur.

## **Relationship to other Financial Incentive Programs**

Applicants may also qualify for financial assistance under the City of London's other financial incentives programs. Applicants are advised to check with City Planning.

## **Monitoring & Discontinuation**

As part of the program administration, City Planning and the Building Division will monitor the Core Area Sign Grant Program. In receiving and processing applications, staff will enter relevant information into a Monitoring Database. This information will be included in any Incentive Monitoring Reports which will be prepared to determine if programs should continue, be modified, or cease. This program is monitored to ensure it implements the goals and objectives of the 1989 Official Plan, The London Plan, the Core Area Community Improvement Plan, and the Core Area Action Plan.

The City may discontinue the Core Area Sign Grant Program at any time.

The program's success in implementing the Core Area Community Improvement Plan's goals will be based on the ongoing monitoring as noted in the Program Monitoring Data section.

## **Program Monitoring Data**

The following information will be collected and serve as data to monitor the Core Area Sign Grant Program. These measures are to be flexible allowing for the addition of new

measures that better indicate if the goals and objectives of the Core Area Community Improvement Plan have been met:

- Number of Sign Permit applications (approved and denied);
- Number of Encroachment Agreement applications associated with Sign Permit applications (approved and denied);
- Number of executed Encroachment Agreements for signs; and,
- Total grant amount.

## **Activity Monitoring Reports**

Annual Activity Reports will measure the following variables and be used to help complete the biennial State of the Downtown Report:

- Number of Sign Permit applications processed;
- Number of Encroachment Agreement applications associated with Sign Permit applications processed;
- Number of executed Encroachment Agreements for signs; and,
- Total grant amount.