

# General Program Requirements



All of the financial incentive programs contained in this CIP are subject to the following general requirements as well as the individual requirements specified under each program. The general and program specific requirements contained in this CIP are not necessarily exhaustive, and the Municipality reserves the right to include other requirements and conditions as deemed necessary on a program and/or property specific basis:

- a)** Application for any of the incentive programs contained in this CIP can be made only for properties within the designated Community Improvement Project Area (CIPA);
- b)** None of the incentive programs contained in this CIP will be offered on a retroactive basis. This means that an application for any financial incentive program contained in this CIP must be submitted to the Municipality and that application must be approved by the Municipality prior to the commencement of any eligible studies or eligible works that are the subject of the application;
- c)** In addition to the restriction of eligibility for incentive programs to the designated CIPA, the Municipality may further restrict eligibility for any of the incentive programs contained in this CIP to certain geographic areas and land uses, at certain times, without amendment to this CIP, to help ensure that funded projects maximize achievement of the goals of this CIP;
- d)** The incentive programs contained in this CIP can be used individually or together by an applicant, i.e., the incentive programs can be combined or “stacked”, subject to the general and individual program requirements and maximum grant restrictions contained in this CIP, and any additional program requirements and restrictions that may be imposed by the Municipality;

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**e)** Except for the following programs, the applicant must be the owner of the property:

**i)** Design and Feasibility Study Grant Program;

**ii)** Facade Improvement Grant Program;

**iii)** Building and Property Improvement Grant Program;

For the programs noted in e) i) to iii) above, if the applicant is not the owner of the property, the applicant must provide written consent from the owner of the property to make the application and receive the grant payment, with said written consent in a form acceptable to the Municipality;

**f)** An individual, corporation or other party who has litigation pending against the Municipality may be deemed by the Municipality in its sole and absolute discretion to be ineligible to apply for any of the incentive programs contained in this CIP;

**g)** Regardless of whether or not an Applicant otherwise satisfies the general and program specific requirements contained in this CIP, Municipal Council or its delegate may reject any incentive program application received from an applicant where there is credible information that the applicant has been involved recently or repeatedly in illegal activity, supporting the conclusion that the applicant will not conduct themselves with honesty and integrity in undertaking the community improvement for which a grant is being sought. In this regard, applicants are individuals, corporations, and principals of the corporation, including corporate officers and directors;

**h)** An application for any financial incentive program contained in this CIP must include plans, drawings, studies, cost estimates, contracts, reports, construction values, rental rates, sale prices, and other details as required by the Municipality to satisfy the Municipality with respect to the costs, design and performance of the project, and conformity of the project with the CIP;

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- i)** The Municipality may require that an applicant submit for approval professional urban design studies, architectural/design drawings, and a heritage design study/heritage impact assessment prepared by a qualified professional with said studies, drawings and impact assessments in conformity with all applicable design guidelines and other guidelines and policies specified by the Municipality;
- j)** The Municipality may require that an applicant submit for approval a business plan, impact studies such as traffic studies, studies of microclimatic conditions (sun, shadow, wind), and any other plans and studies as deemed necessary by the Municipality, and such plans and studies shall be to the Municipality's satisfaction;
- k)** Review of an application and supporting materials against the general program requirements, individual requirements specified under each program, and evaluation of the application will be performed by staff, who will then make a recommendation on the application to Council or Council's designate;
- l)** The application is subject to approval by Council or Council's designate. Should Council's designate decide not to approve the application, the applicant has the right to appeal that decision to Council;
- m)** As a condition of application approval for certain types of programs contained in this CIP, the applicant will be required to enter into a Grant Agreement with the Municipality. This Agreement will specify the terms, duration and default provisions of the incentive to be provided. This Agreement is also subject to approval by Council or Council's designate;
- n)** Each program in this CIP is considered active if Council has approved implementation of the program and Council has approved a budget allocation for the program (as applicable);
- o)** Where other sources of government and/or non-profit organization funding (Federal, Provincial, CMHC, Federation of Canadian Municipalities, etc...) that can be applied against the eligible costs have been applied for, are anticipated, or have been

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secured, these must be declared as part of the application, and accordingly, the grant from the Municipality may be reduced on a pro-rated basis;

**p)** The Municipality reserves the right to audit the cost of any and all works that have been approved under any of the financial incentive programs, at the expense of the applicant;

**q)** The Municipality 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;

**r)** If the applicant is in default of any of the general or program specific requirements, any other requirements of the Municipality, or any of the terms and conditions specified in the grant agreement, the Municipality may delay, reduce, or cancel the approved grant, and require repayment of the approved grant, including the ability to add the repayment of the approved grant amount to the property tax roll;

**s)** The Municipality may discontinue any of the programs contained in this CIP at any time, but applicants with an approved grant will still receive said grant, subject to meeting the general and program specific requirements;

**t)** All proposed works approved under the financial incentive programs and associated improvements to buildings and/or land completed must conform to all applicable Municipality guidelines, by-laws, policies, procedures and standards, including applicable Municipality Urban Design Guidelines, which include, but are not necessarily limited to the Buckhorn Hamlet Core Design Guidelines;

**u)** All works completed must comply with the description of the works as provided in the application form, supporting materials, and contained in the program agreement, with any amendments as approved at the sole discretion of the Municipality;

**v)** Existing and proposed land uses must be in conformity with applicable Official Plan(s), Zoning By-law and other planning requirements and approvals;

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- w)** All improvements made to buildings and/or land shall be made pursuant to a Building Permit, and/or other required permits, and constructed in accordance with the Ontario Building Code and all applicable zoning requirements and planning approvals;
- x)** When required by the Municipality, outstanding work orders, and/or orders or requests to comply, and/or other charges from the Municipality must be satisfactorily addressed prior to grant approval/payment;
- y)** Property taxes must be in good standing at the time of program application and throughout the entire length of the grant commitment;
- z)** Municipal staff, officials, and/or agents of the Municipality may inspect any property that is the subject of an application for any of the financial incentive programs offered by the Municipality;
- aa)** Applicants approved for the programs contained in this CIP will be required to complete the eligible studies and eligible works within specific timeframes as specified in their approval letter or grant agreement; and,
- bb)** The total of all grants, loans, tax assistance and other financial assistance provided in respect of the particular property for which an applicant is making application under the programs contained in this CIP and any other applicable CIPs shall not exceed the eligible cost of the improvements to that particular property under all applicable CIPs.