

City of Waterloo Uptown Incentive Program General Program Requirements

All of the incentive programs contained in the Uptown Community Improvement Plan (CIP) are subject to the following general program requirements as well as the individual requirements specified under each program. The general and program specific requirements contained in this document, the individual program guides, and the CIP, are not necessarily exhaustive, and the City reserves the right to include other requirements and conditions as deemed necessary on a property specific basis:

- a) Application for any of the incentive programs contained in the CIP can be made only for properties **within** the designated Uptown Community Improvement Project Area as shown in **Attachment A**;
- b) Application for any financial incentive program contained in the CIP must be submitted to the City and approved by the City prior to the commencement of any eligible works to which the financial incentive program will apply and prior to application for building permit;
- c) 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;
- d) An application for any financial incentive program contained in the CIP must include plans, drawings, studies, reports, estimates, contracts, construction values, rental rates, sale prices, certifications, and other details and information as required by the City to satisfy the City with respect to costs, design and performance of the project and conformity of the project with the CIP;
- e) The City may require that an applicant submit a professional urban design study and/or professional architectural/ design drawings that are in conformity with applicable design guidelines in the City's Urban Design Manual;
- f) For buildings designated under the *Ontario Heritage Act*, the City may require that proposed facade restoration and improvement works and building maintenance and improvement works that are subject of a financial incentive program application be supported by documentation in the form of historic photographs, drawings or other evidence clearly showing the feature(s) to be restored or reconstructed;

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- g) Review and evaluation of all incentive program applications and supporting materials against program eligibility requirements will be done by City staff, who will then make a recommendation to City Council or Council's designate. The application is subject to approval by City Council or Council's designate.
- h) Proposed works, approved drawings and as-built projects approved under the financial incentive programs must conform to the City's Official Plan, District Plan, Zoning By-law, applicable Block Plan, applicable urban design guidelines, and all other City guidelines, by-laws, policies, procedures, and standards;
- i) As a condition of application approval, the applicant may be required to enter into a grant or loan agreement with the City. This Agreement will specify the terms, duration and default provisions of the grant/loan to be provided. This Agreement is also subject to approval by City Council or Council's designate;
- j) All works completed must comply with the description of the works as provided in the application form and contained in the program agreement, with any amendments as approved by the City;
- k) Where other sources of government and/or non-profit organization funding (Federal, Provincial, Regional, Municipal, CMHC, Federation of Canadian Municipalities, etc...) that can be applied against the eligible costs are anticipated or have been secured, these must be declared as part of the Application. Accordingly, the loan/grant may be reduced on a pro-rated basis;
- l) The City 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;
- m) 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 and/or loan;
- n) 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/or loan, and require repayment of the approved grant and/or loan;

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- o) The City may discontinue any of the programs contained in the CIP at any time, but applicants with approved grants and/or loans will still receive said grant and/or loan, subject to meeting the general and program specific requirements, and applicants with approved loans will still be required to repay their loans in full (subject to any approved performance based loan forgiveness);
- p) 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;
- q) When required by the City, outstanding work orders, and/or orders or requests to comply, and/or other charges from the City (including tax arrears) must be satisfactorily addressed prior to grant and/or loan approval/payment;
- r) Property taxes must be in good standing at the time of program application and throughout the entire length of the grant/loan commitment;
- s) 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 prior to application approval, or after application approval at any time during the term of the grant or loan;
- t) Eligible applicants can apply for one, more than one or all of the incentive programs contained in the CIP that are offered by the City, but no two programs may be used to pay for the same eligible cost;
- u) The Major Activity Grant Program cannot be combined with other grant/loan programs;
- v) The total of all grants, loans and tax assistance provided in respect of the particular land and buildings for which an applicant is making application under the programs contained in this CIP and any other applicable CIPs shall not exceed the eligible costs of the improvements to those particular lands and buildings under all applicable CIPs;
- w) Where a loan or grant approval is associated with the creation of affordable residential units, in order to ensure that the residential units remain affordable for a minimum defined period of time, the City may require, as a condition of loan or



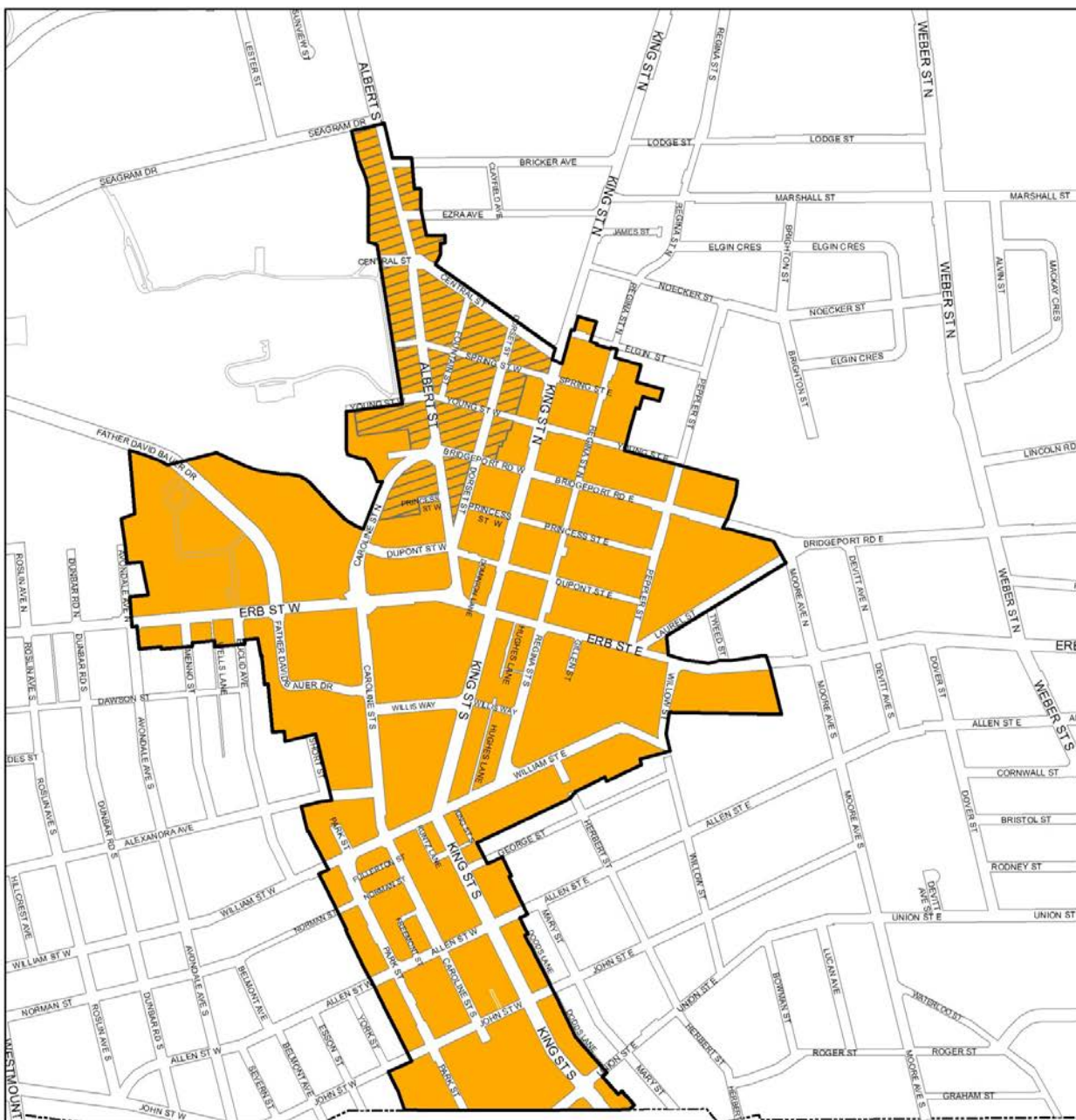
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grant approval, that the applicant post such security as may be required by the City, including registration of such security against title of the property; and,



- x) Grants or loans awarded under any CIP program are only available to the owner or tenant that signed the original grant/loan agreement and are not transferable. If all or part of a property is sold within a grant or loan eligibility period, all grant payments would immediately be discontinued and all outstanding loan payments would be immediately payable to the City. However, the City may, at its discretion, transfer all or part of a grant or loan amount to a new property owner, subject to the new property owner entering into an agreement (where applicable) with the City that fulfills the requirements of the original agreement, plus any new requirements as specified by the City.



ATTACHMENT A – UPTOWN COMMUNITY IMPROVEMENT PROJECT AREA



Legend

-  MacGregor Albert Heritage Conservation District
-  Uptown CIP Project Area



Scale N.T.S.

DATE: May 28, 2015

DRAWN BY: Integrated Planning and Public Works
City of Waterloo

Figure 2:
Uptown Community Improvement Project Area