

CENTRAL AREA COMMUNITY IMPROVEMENT PLAN

DOWNTOWN BRAMPTON BUILDING IMPROVEMENT PROGRAM

PROGRAM IMPLEMENTATION GUIDELINES



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1. BACKGROUND

The Central Area Community Improvement Plan (CIP) enables a Building Improvement Program under the Incentives Program Toolbox of the Plan. The CIP under *Section 6.3.7 – 1 Intent* sets out:

“The purpose of this program is to promote the maintenance of interior and exterior improvement of commercial, and mixed-use buildings and properties. This includes improvements necessary to meet Building Code requirements and address health and safety issues.”

The downtown Brampton historic commercial core contains older building stock that helps provide the area with its unique characteristics, but also creates challenges in terms of ongoing renewal and use of the buildings. Improvements to building systems and interiors while generally ensuring that buildings are properly maintained and do not deteriorate, can also assist in leasing of space and attracting quality businesses and tenants.

2. PROGRAM DESCRIPTION

2.1 Intent

The aim of this program is to support the ongoing revitalization of the historic downtown core, by way of providing supporting grants to offset costs related to improvements to building systems and tenant space and encouraging reinvestment and improvements to buildings in the program area. By bettering the functionality of the existing building stock the program serves to improve the economic vitality of these areas. Better aesthetics increase property values, improves the marketability of space and draw business and residents to the area.

2.2 Central Area Community Improvement Plan

The Downtown Building Improvement Program is one of the tools enabled under the Central Area Community Improvement Plan (Section 6.3.7).

2.3 Program Objectives

- a) To improve overall the quality of commercial/mixed use building stock and space in the historic downtown core.
- b) To support property owners in their efforts to upgrade their properties and improving the viability of the buildings for new quality businesses to locate in the downtown.
- c) To support business owners in their efforts to improve their tenant space.
- d) To encourage and support the ongoing active reuse of heritage buildings.

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Note: Although the City will provide assistance where it can in processing the application, it is the applicant's responsibility to manage the project and obtain all the necessary approvals. The applicant is encouraged to fully inform themselves of the various requirements that their proposal may entail such as from a Building Code perspective and the requirements of other agencies early on, so as not to incur delays and minimize the potential need for changes after approval is given (esp. those which impact design). Further the applicant shall operate in good faith and to communicate with staff regarding any changes before undertaking them.

2.4 Eligibility Requirements

2.4.1 Eligible Works

- a) This program applies to the following building maintenance and improvement works on institutional, commercial and mixed use buildings where supported by the City: The following improvements are considered eligible for a matching grant under this program:
 - i) tenant "fit-up" of internal space;
 - ii) comprehensive improvements to building systems for the purposes of activating previously unused space or to make the buildings more attractive to potential leasers , such as electrical, plumbing, heating and ventilation systems;
 - iii) installation/upgrading of fire protection systems;
 - iv) structural repairs to walls, ceilings, floors and foundations repair/replacement of windows and doors, if not applying under the Façade Improvement Program;
 - v) new and/or repair or upgrades to private outdoor patio space including associated appropriate fencing, lighting and landscaping
 - vi) screening of utilities and mechanical equipment, including roof-top mechanical equipment;
 - vii) entrance modifications to provide barrier-free accessibility;
 - viii) other similar repairs/improvements related to health and safety issues, as may be approved; and,
 - ix) design fees in relation to the preparation of drawings necessary to undertake the proposed works are eligible to a maximum of 10% of the grant amount.

- b) The following types of building maintenance and improvement works on non-residential and mixed use buildings designated under the Ontario Heritage Act are considered eligible for a matching grant under this program:
 - i) a Professional Design Study (to a maximum of 10% of the grant amount) that specifies the significant architectural features to be restored, the nature and method of preservation/restoration, and materials to be used; and,
 - ii) interior works specifically referred to in the Reasons for Designation, including, but not limited to: woodwork, plasterwork, wall or ceiling murals, or metal work, and other decorative features.

- c) Notwithstanding the above, the program **does not** apply to:

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- i) general maintenance and repair
 - ii) improvements to wholly residential buildings other than a mixed-use building.
 - iii) new additions or construction.
 - iv) highway commercial type uses such gas/service stations, motor vehicle repair/body shop, motor vehicle sales are not eligible
 - v) public buildings.
 - vi) tower components of buildings.
- d) All proposed improvements must be to the satisfaction of the Director, Development Services and demonstrate that objectives of the program are being achieved.
- e) Internal changes shall be respectful of important heritage elements and shall avoid removal/destruction of such elements.
- f) External changes such as structural repairs to walls and repair/replacement of windows and doors shall be undertaken in a manner that is respectful of any heritage attributes of such elements. Where appropriate, replacement with original materials will be sought.
- g) Any external changes shall be satisfactory to the City and from a design perspective, be of high quality, fit the area context and not create any negative impacts.
- h) Installation of any utilities/roof-top equipment shall where possible be situated in an inconspicuous area and be screened from view.
- i) Work begun or completed prior to the approval of this program or approval of an application under the program shall not be eligible.

2.4.2 Area

- a) The property must be within Program Area Map attached as Appendix 1 to these Implementation Guidelines.

2.4.3 Heritage

- a) For buildings designated under the Ontario Heritage Act, the improvement works should be supported by documentation in the form of historic photographs or drawings clearly showing the feature(s) to be restored or reconstructed. Eligible works will be guided by any municipally issued Design Guidelines, as amended from time to time, and appropriate reference material as determined by City staff.
- b) Improvement works shall be undertaken in a manner that does not compromise the reasons for heritage designation or existing heritage features.

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2.4.4 Financial Assistance Limits

- a) Property owners and tenants are eligible to receive grants of up to \$20,000.00 per property.
- b) Properties with multiple storefronts or street addresses are eligible for grants of up to \$30,000.00.
- c) Proposed works under \$2,000.00 per property are not eligible.
- d) Work being undertaken for properties that are designated under the Ontario Heritage Act of these Implementation Guidelines, are eligible up to \$50,000.00.
- e) The total value of any grant may not exceed 50 per cent of the total cost of eligible works.
- f) No property shall receive more than \$30,000.00 in grants under this program within a three-year period; or \$50,000.00 under Section 2.4.4-d) as the case may be.
- g) Where projects may be eligible under Section 2.4.4-d) up to the maximum \$50,000.00 limit, only one such grant will be approved per budget year.
- h) Where other sources of government and/or non-profit organization funding (such as Federal, Provincial, Municipal, CMHC, Federation of Canadian Municipalities) 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 amount of the incentive provided by the City may be reduced on a pro-rated basis.
- i) Grants are subject to the availability of funding.
- j) Grants are issued upon the completion of the approved works.

2.4.5 Timing of Works

- a) Construction of all proposed improvements is to be completed within two (2) calendar years of the date of the approval of the grant. If the work is not completed within two (2) years, the grant will not be paid. Extensions beyond the two (2) years will be at the discretion of the Director, Development Services.
- b) Although successful applicants have two (2) years to complete the work, the applicant must show reasonable and clear progress within the first year of receiving approval to the satisfaction of the Director, Development Services. If reasonable and clear progress is not demonstrated staff have the option to withdraw support and make the allocated funds available for other potential applicants.

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2.4.6 Other

- a) Properties obtaining funding under the Building Improvement Program remain eligible for funding under any other applicable program under the Central Area Community Improvement Plan, for which they are otherwise eligible under those rules.
- b) The applicant shall obtain all necessary development approvals in accordance with City requirements and applicable legislation.
- c) All proposed works and associated improvements to buildings and/or land shall conform to all municipal by-laws, policies, procedures, standards and guidelines. The applicant is strongly encouraged to have initial meetings/discussions with internal departments and external agencies where approvals may be required, early in the process, in order to understand what's involved before moving forward.
- d) Existing and proposed land uses must be in conformity with applicable Official Plan(s), Zoning By-law and other planning requirements and approvals at both the local and regional level.
- e) 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.
- f) The City retains the right and absolute discretion to reject an application under the program received from a person or corporation which, in the opinion of the City, does not possess the experience, financial, technical, personnel or other resources that may be required to carry out the obligations that the applicant proposes to assume under the terms of its application.
- g) The subject property shall not be in tax arrears.
- h) Eligible fees under Section 2.4.1 a)-xii will be at the absolute discretion of the City
- i) 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.
- j) When required by the City, outstanding work orders, and/or orders or requests to comply, and/or other charges from the City must be satisfactorily addressed prior to grant payment.
- k) Properties obtaining funding under the Building Improvement Program shall permit the City to erect signage indicating the projects participation in the Program.

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3. PROGRAM ADMINISTRATION

The program is available year-round and will be available on a 'first come-first served' basis. The number of projects supported each year will be restricted to the approved budget limit for the program. The following section sets out details of the application and approval process for this program.

3.1 Application

3.1.1 Pre-application Consultation

- a) It is strongly encouraged that any prospective applicants meet with City staff to discuss their proposals to determine eligibility and any potential changes.
- b) General consent from staff under a pre-consultation does not imply that the proposed project will receive funding under the program.

3.1.2 Making an Application

- a) Applications must be made by way of submission of a completed and fully signed program application form, provision of appropriate drawings describing the works and two cost estimates.
- b) The application will identify the specific need and intended purpose of the proposed works.
- c) A tenant must provide owner authorization of their application under the program.
- d) The applicant will be required to submit at least two cost estimates from bona fide contractors for the building improvements to be completed. The cost estimates should break out the cost for labour and material by type of improvement in order for staff to fully understand the scope of work and the costs involved. (Note: that if the applicant is the contractor, a second estimate is still required).
- e) Drawings shall be professionally prepared and provide sufficient detail to describe the proposed work. (Note: If the scope of work requires additional approvals such as a Building Permit, more detailed drawings may be required, specific to the approval department or external agency).
- f) The City may request that applications for this program be accompanied by supporting documentation, including but not necessarily limited to:
 - i) detailed building product and material information
 - ii) photograph documentation of area of work for the proposed project

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3.1.3 Review of Applications

- a) City staff will review the submitted applications for eligibility on a 'first-come first-serve basis'.
- b) Of the eligible applications, the City will determine which projects shall receive funding based on the following considerations:
 - i) Will the proposed improvements from the list of eligible works outlined in section 2.4.1 collectively result in a comprehensive renovation that will maximize the impact of the funding in terms of representing a comprehensive renewal of a building, its systems and interior space. More than one of the elements described under section 2.4.1 will need to be included as part of the project
 - ii) Does the project represent a significant restoration of a key heritage building (listed or designated) and include any of the works described under 2.4.1(b).
 - iii) Are the contractors selected to perform the work properly insured (WSIB) and have the ability to complete the identified works; and,
 - iv) Will the project that provide new private outdoor patio space, in particular adjacent to laneways and across from the Rose Theatre.

Other projects may still be eligible for funding support subject to the number of applications made and the available budget.

- c) If cost estimates appear unreasonable or incomplete, staff may require further documentation or a new cost estimate. With respect to heritage resources the applicant is strongly encouraged to utilize a contractor that has expertise and experience with heritage buildings.
- d) If the number of eligible projects exceeds the yearly budget cap, staff will advise which applications will be considered for the program in the subsequent calendar year.
- e) The City is not obligated in any way to approve applications up to the program budget limit in a given year.
- f) City staff, officials, and/or agents of the City may inspect any property that is the subject of an application.

3.1.4 Approval

- a) Approval of grants under \$5,000 (including HST) is at the discretion of Director, Development Services, subject to the availability of funds.

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- b) Approval of grants equal to or greater than \$5,000 (including HST) will be brought to Council for approval in principle, subject to the approval of funds.
- c) Applicants are limited to one application per year under the Program
- d) The applicant shall be required to sign a Building Improvement Program Agreement with the City.
- e) Although the drawings do not need to be final prior to proceeding to Council for approval, the drawings need to be able to substantially convey to Council the improvements to be made. Following approval in principle a final set of cost estimates and drawings shall be finalized to the satisfaction of the Director, Development Services. The level of detail required may vary depending on the level and type of improvements proposed. The applicant shall make any revisions requested by staff.
- f) Staff will advise those applicants whose proposals are eligible.
- g) Any proposed deviations/changes from the approved drawings by the applicant shall be discussed and approved by City staff prior to undertaking the associated works. Any works completed that are not consistent with the approved drawings, without agreement from City staff, are at risk of not receiving funding.
- h) Prior to initiating the works the applicant shall obtain all the necessary approvals from the City (i.e. building permits, sign permits) and any approval required from the external agencies such as utility companies (Hydro One, Enbridge) or conservation authorities (TRCA). It is up to the applicant to seek out these approvals.

3.2 Payment

- a) Payment under the program shall only be provided upon satisfactory completion of the works.
- b) The applicant shall advise the City when they feel the work has been completed and seek payment.
- c) City staff shall inspect the works and advise of any deficiencies.
- d) When required by the City, outstanding work orders, and/or orders or requests to comply, and/or other charges from the City must be satisfactorily addressed prior to grant payment.
- e) Invoices clearly showing the amount paid for all eligible works shall be submitted.
- f) Written verification that all contractors have been paid in full shall be provided.
- g) Staff are satisfied with all reports and documentation submitted.

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- h) When the City is satisfied that work has been completed and all requirements have been met, the applicant will be advised accordingly and the Corporate Services (Finance) will be notified to issue a payment.
- i) City staff will monitor the project, periodically checking that the project is in compliance with the grant agreement requirements. City staff will take appropriate remedies as specified in the grant agreement if the applicant defaults on the agreement.
- j) Following inspection, if it is deemed that some additional work or corrections need to be completed, but the work cannot be completed due to weather conditions, the City may pay the grant but hold back \$1,000.00 in order to ensure the outstanding works are completed. In these cases the applicant must ensure the outstanding work is also valued at no more than \$1000.00, which includes the costs for labour and material.

3.3 Defaults

- a) The default provisions are contained in the Building Improvement Program Agreement. The payment of the grant may be cancelled if:
 - i) property taxes are more than three (3) months in arrears;
 - ii) the building is demolished or any of the heritage features are altered in any way that would compromise the reason for designation;
 - iii) the applicant declares bankruptcy;
 - iv) the applicant uses the grant for improvement works that are not eligible;
 - v) the applicant fails to maintain the improvements as required in the Building Improvement Program Agreement; and,
 - vi) the applicant is in default of any of the provisions of the Building Improvement Program Agreement.

4. PROGRAM DURATION, MONITORING AND REPORTING

4.1 Reporting to Council

It is important that the program be monitored to ensure that the program is as effective as possible. Staff will report to Council periodically with updates on the status of the program, and the progress of applications received and approved under the program. On an annual basis staff will evaluate the merits and success indicators of the program and make recommendations on whether to continue with the program for the upcoming year. Staff will also provide an assessment from a qualitative standpoint as to whether the objective to seek an improvement in aesthetic quality of buildings in the program area is being realized.

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4.2 Program Adjustments and Termination

The monitoring results (empirical, qualitative and feedback from applicants) will be used to improve the program by recommending adjustments to the eligibility requirements and the administration process. The City may periodically review and adjust the terms and requirements of the program, or discontinue the program, without amendment, to the Central Area Community Improvement Plan. Changes will be implemented by way of Council approval of revised Program Implementation Guidelines.

4.3 Budget

A budget limit for the program shall be approved on an annual basis and considered during the Council's yearly budget deliberations.

4.4 Changes

These Implementation Guidelines are subject to change based on Council decision. See also general CIP provisions under Section 1.4.

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APPENDIX 1: PROGRAM AREA

