

**The Corporation of the Town of Ajax**  
**By-law number 66-2023**

Being a By-law passed pursuant to the provisions of Section 28 of the *Planning Act*, R.S.O. 1990, c. P13, as amended, to amend the Community Improvement Plan for the Downtown Community Improvement Project Area.

**Whereas**, Section 3.2.6 of the Town of Ajax Official Plan permits the Town to prepare a Community Improvement Plan to provide financial programs to assist landowners and implement the Town's planning vision for the Downtown;

**And whereas**, By-law 44-2005 implemented the original Community Improvement Plan for the Downtown Community Improvement Project Area;

**And whereas**, By-laws 83-2010 and 69-2011 implemented amendments to the Community Improvement Plan for the Downtown Community Improvement Project Area;

**And whereas**, Section 28(5) of the *Planning Act*, R.S.O. 1990, c. P13, as amended, specifies the process to be carried out in respect of the amendment of a Community Improvement Plan;

**And whereas**, a Public Open House was hosted on June 14, 2023 for the purpose of consulting on proposed amendments to the Downtown Community Improvement Plan;

**And whereas**, a Statutory Public Meeting was held on October 2, 2023 pursuant to the *Planning Act*, R.S.O. 1990, c. P13, as amended, to hear submissions respecting the proposed amendment of the Downtown Community Improvement Plan;

**Now therefore**, the Council of the Corporation of the Town of Ajax enacts as follows:

1. **That** By-law No. 44-2005 is hereby further amended by deleting "Schedule A" in its entirety and substituting "Schedule A" attached hereto; and
2. **That** the amended By-law shall come into force in accordance with the *Planning Act*, R.S.O. 1990, c. P13, as amended, on the day following the last day of the prescribed appeal period or as otherwise provided by the Act.

READ a first and second time this twenty-seventh day of November 2023.

READ a third time and passed this twenty-seventh day of November 2023.

**Shaun Collier, Mayor**

**Jason McWilliam, Deputy Clerk**

# Downtown Community Improvement Plan

October 2023



## TOWN OF AJAX DOWNTOWN COMMUNITY IMPROVEMENT PLAN

### 1.0 Legislative Basis

Under normal circumstances, Section 106(1) of the *Municipal Act* prohibits municipalities from assisting, either directly or indirectly, any manufacturing business or other industrial or commercial enterprise through the granting of bonuses for that purpose. However, an exception is made in Section 106(3) of the *Municipal Act*, for municipalities exercising powers under Section 28(6) or (7) of the *Planning Act*. Section 28 of the *Planning Act* allows municipalities with provisions in their Official Plans relating to community improvement to designate by by-law a “community improvement project area” and then prepare a “Community Improvement Plan” (“CIP”) for that area. Through adoption of the Downtown Community Improvement Plan, the Town of Ajax has availed itself of the prohibited bonusing provisions included in the *Municipal Act*.

According to Section 28(1) of the *Planning Act*, a “community improvement project area” is defined as “a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.”

For the purposes of carrying out a CIP, a municipality may engage in the following activities within the community improvement project area:

- acquire, hold, clear, grade or otherwise prepare land for community improvement (Section 28(3));
- construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the community improvement plan (Section 28(6));
- sell, lease or otherwise dispose of any land acquired or held by it in conformity with the community improvement plan (Section 28(6)); and,
- make grants or loans to registered owners, assessed owners and tenants of lands and buildings within the community improvement project area, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole or any part of the cost of rehabilitating such lands and buildings in conformity with the community improvement plan (Section 28(7)).

### 1.1 Purpose of the Downtown Community Improvement Plan

The lands designated on Schedule ‘A’, *Downtown Community Improvement Project Area Boundaries*, of By-law 43-2005 (the ‘Designation’ By-law) form the target for the Town’s Downtown Community Improvement programs (see **Schedule A**). The intent of the Downtown Community Improvement Plan is to encourage and facilitate appropriate rehabilitation projects in the Community Improvement Project Area. The Downtown CIP allows for the Town to offer financial assistance to encourage and support the continued improvement of lands in the Downtown area and supplements the Town’s ability to take a leading role as a direct participant in Downtown improvement initiatives.

The goals of the CIP are consistent with and build upon the community improvement goals of the Town of Ajax Official Plan. The objectives of the Town with respect to the Downtown CIP are as follows:

- to enhance the Downtown as a unique district and the heart of the Town;
- to strengthen the Downtown in terms of vibrancy, diversity and economic viability by stimulating

- investment interest in the redevelopment potential of the Downtown;
- to strengthen the economic viability of the Downtown by maintaining a vibrant, economically viable retail and service base;
  - to improve the image and appearance of the area (much of the development in the Downtown is aging and shows visible signs of deterioration);
  - to improve the pedestrian amenity and safety of the area, including the Downtown's function as a major transit hub; and
  - to enhance private sector investment opportunities and property maintenance.

To these ends, the following actions or programs may be implemented by the Town under the Downtown CIP:

- (A) a *Municipal Property Acquisition, Investment and Partnership Program* to facilitate the Town's acquisition of key strategic Downtown sites (to provide sites either for the provision of public amenities or to facilitate rehabilitation directly in partnership with the private sector), to rehabilitate lands that the Town already owns, and/or provide grants to other levels of government for purposes which support the goals/objectives of this CIP;
- (B) a *Commercial Property Accessibility and Beautification Grant Program* providing financial assistance to owners of commercial and institutional properties for improving accessibility and/or the general visual appearance of their businesses; and
- (C) a *Patio Grant Program* providing financial assistance to owners of commercial properties for the construction of permanent patios to enhance streetscape character and activity.

## **1.2 General Rules**

### **1.2.1 Establishing Priority**

The provision of assistance under any program as described in Sections 2.2 or 2.3 shall generally be administered on a first come, first served basis, to the limit of available funding in any given year. If applications are received in the same general timeframe that exceed the total budget of the CIP, the Town will award funding on the basis of which application(s) are most likely to contribute positively towards achieving the objectives of the CIP.

Due to market uncertainties and the impact they have on Town revenues in any given year, the Town reserves the right to suspend, at any time and without formal notice or amendment to the Downtown Community Improvement Plan, participation in any active program on an interim basis pending approval of the next annual budget.

In such instances, applications approved up to the point of program suspension will continue to proceed unhindered and receive disbursements (where applicable) in the normal fashion. Applications which have been received but not yet approved at the point of program suspension will continue to be processed toward approval/refusal of the application in the standard manner, and if approved, will be put in a queuing sequence with priority being established in the order that the applications were received. Any applications submitted after the point of program suspension will not be accepted until the next annual budget is approved by the Town. Applications which have been approved but suspended in the queue will be reactivated upon approval of the next annual budget, with the newly available CIP funding being allocated in order of the queuing sequence.

### **1.2.2 Nullification of Program Applications**

The Town reserves the right to nullify any program application(s) which has been approved but which does not result in any building activity within 6 months of the issuance of an associated building permit (building permits are valid for 6 months). Extensions of this timeframe may be permitted provided an extension of the building permit is also granted.

Further, the Town reserves the right to nullify any program application(s) relating to a property subject to outstanding work orders and/or requests to comply from Planning and Development Services, By-law, or any other Town department.

### **1.2.3 Participation in Multiple Programs**

Provided all eligibility criteria and conditions are met for any particular program, participation in any given program does not preclude the owner from being eligible to participate in other programs offered under the Downtown Community Improvement Plan.

### **1.2.4 Program Details**

Specific details regarding the programs (including description, funding, eligibility requirements, and administrative procedures) are outlined for each of the various CIP programs outlined under Section 2.0. The parameters, terms and conditions of any CIP program may be changed, altered or modified by Council resolution without the necessity of an amendment to this Community Improvement Plan if they are minor in nature. Minor modifications consist of the following:

- changes to parameters identifying who is eligible to receive grants, subject to the provisions of Section 28(7) of the *Planning Act*,
- changes to the type of works qualifying as eligible projects within individual grant programs;
- removal of “tax arrears” or “outstanding liens” as conditions precluding program eligibility;
- changes to the duration of programs; and
- discontinuation of any program.

All other modifications to the rules, parameters and programs contained in the Downtown Community Improvement Plan shall require an amendment. The addition or increase in value of a grant or loan program shall likewise require an amendment to this Community Improvement Plan.

## **1.3 Implementation**

The Downtown Community Improvement Plan will be implemented through the provisions of Section 7.1.6 of the Town of Ajax Official Plan and Section 28 of the *Planning Act*.

The overall implementation of the CIP programs offered under the umbrella of Section 28 of the *Planning Act*, including liaison with the Ministry of Municipal Affairs and Housing, shall be the responsibility of Planning and Development Services.

## **1.4 Interpretation**

Sections 1.0 and 2.0, together with Schedule A, form the actual Community Improvement Plan for the Downtown Community Improvement Project Area.

Alterations to the Downtown Community Improvement Project Area boundary, or the addition or increase in value of grants or loans of CIP programs permitted under Section 28 of the *Planning Act*, shall require an amendment to this Plan, to be approved by Council. This Plan has been prepared in accordance with and shall be deemed to conform to the Town of Ajax Official Plan.

This Plan shall be referred to as the Downtown Community Improvement Plan for the Town of Ajax. At such time as other Community Improvement Plans are prepared for this or other areas, this title may be modified for clarification purposes without requiring an amendment to this Plan.

## **1.5 Administration**

A dedicated group comprised of representatives from individual Town departments/sections shall be responsible for administering the Downtown CIP and assessing applications. This team-based approach mirrors the administrative structure used across the province by other municipalities with active CIP programs. The 'Application Review Team' will consist of one member from each of the following departments/agencies:

- Planning and Development Services – Planning Section (Policy and Development);
- Planning and Development Services – Building Section; and,
- Financial Services.

The Town's solicitor, Economic Development staff and Engineering staff will be requested to provide advice on applications, as needed.

The Application Review Team will work under the Manager of Planning and the Director of Planning and Development Services. All decisions/recommendations of the Application Review Team shall be approved by the Director of Planning and Development Services or designate and/or Council. The composition of the Application Review Team may be modified without an amendment to the CIP.

## **1.6 Funding**

Funding for the Downtown Community Improvement Plan will be allocated each year as part of the Town's Operating Budget. While the program descriptions included in this CIP provide reference to the intended budgets, Council may, at its discretion, change the level of funding when necessary.

Rather than providing an annual budget for each separate program operating under the CIP, funding will be conveyed as a single, shared budget. This will ensure that funds can be accessed in the programs where they are needed the most. In some cases, a maximum annual allocation may be established for an individual program to prevent it from garnering a disproportionate amount of the shared funding. Where this is the case, the maximum annual allocation will be outlined in the program description included in the CIP.

At the end of a program year, any funds that were not committed and spent will be directed to the Town's CIP Development Improvement Fund. Monies in this fund can then be used at Council's discretion for improvements in any of the Town's CIP areas. For example, these funds may be used to rehabilitate Town-owned properties (including roads), acquire key strategic parcels (either for public purposes or for conveyance at an appropriate time), undertake capital projects which support the goals and objectives of the CIPs, and/or participate in public/private partnerships to rehabilitate publicly or privately held land in the CIP areas.

## **2.0 Downtown Community Improvement Plan - Program Parameters**

### **2.1 *Municipal Property Acquisition, Investment and Partnership Program***

#### **2.1.1 Description**

The *Municipal Property Acquisition, Investment and Partnership Program* is a general program of Town property acquisition, investment and involvement in public/private partnerships to clean-up and/or rehabilitate properties in the Community Improvement Project Area. Property acquisition under this program may be pursued by the Town either through the marketplace, as a regular real-estate transaction, or through the Town exercising its powers under Section 28 of the *Planning Act*. Any lands that the Town acquires under the *Municipal Property Acquisition, Investment and Partnership Program* may subsequently be conveyed by the Town (including the sale of lands at below market value), if the sale of the land assists the Town in achieving any of its goals with respect to the Downtown CIP.

#### **2.1.2 Program Funding**

Funding for this program shall be obtained from two sources:

- unspent CIP funds budgeted annually by Town Council that have not been committed via its grant programs; and
- other direct municipal contributions, at Council's discretion.

These monies shall be managed within the CIP Development Improvement Reserve. As funds accrue in this account, the Town can use these funds to rehabilitate properties (including roads) that it already owns, acquire key strategic parcels (either for public purposes or for conveyance at an appropriate time), undertake capital projects which support the goals and objectives of this CIP, and/or participate in public/private partnerships to rehabilitate publicly or privately held land in the Downtown Community Improvement Project Area. Grants from this fund may also be issued, at Council's discretion, to provide assistance to any other level of government for any purpose which supports the goals and objectives of this CIP.

The CIP Development Improvement Reserve will function as a revolving fund with any profits from rehabilitation deposited back into the fund (e.g., parking revenue). These funds are not intended for transfer to general revenues.

#### **2.1.3 Program Duration**

This program will commence on the day following the date of final approval of the Plan by Town of Ajax Council and is anticipated to be available until December 31, 2027.

#### **2.1.4 Eligibility for Program Participation**

Unlike other programs contained in the Downtown CIP, the *Municipal Property Acquisition, Investment and Partnership Program* is a program developed to facilitate direct participation by the Town as an active player in Downtown rehabilitation projects. Consequently, private landowners/developers are unable to make direct application to participate in this program. Participation in this program is limited to the Town itself, unless by invitation of or agreement with the Town, a landowner/developer enters into a partnership arrangement with the Town. In the case of a partnership arrangement, participation

by the landowner/developer in terms of the program is indirect in nature, with the Town playing the lead role through exercising its powers under Section 28 of the *Planning Act*.

Given that direct participation is limited to the Town, no eligibility criteria are required (the Town cannot disqualify itself). The rehabilitation projects chosen to benefit from the *Municipal Property Acquisition, Investment and Partnership Program* shall be at the sole discretion of the Town. However, the *Municipal Property Acquisition, Investment and Partnership Program* may only be used by the Town for purposes within the Community Improvement Project Area which contribute to achieving the goals of the Downtown CIP.

### **2.1.5 Program Administration**

The Planning and Development Services Department and the Finance Department will administer the CIP Development Improvement Reserve, in consultation with other departments and divisions as necessary. The Town may then draw on this account to acquire property or rehabilitate property it already owns, or to participate in public/private partnerships to rehabilitate or improve publicly or privately held land, but said properties must be in the Downtown Community Improvement Project Area.

Authority under this program would be exercised in order that rehabilitation of land or buildings may occur in conformity with this Plan, subject to Council approval. All activities under the *Municipal Property Acquisition, Investment and Partnership Program*, and all expenditures from the Development Improvement Reserve, shall be subject to Council approval. At such time as there are sufficient funds in the Development Improvement Reserve, an additional report may be prepared and forwarded to Council, to provide further details with respect to the implementation of this program.

## **2.2 Commercial Property Accessibility and Beautification Grant Program**

### **2.2.1 Description**

The *Commercial Property Accessibility and Beautification Grant Program* will provide property owners a financial incentive to undertake renovations that improve accessibility and/or improve the general visual appearance of their properties.

Accessibility improvements will generally take the form of physical upgrades to building entrances but may also include physical upgrades to the layout of interior areas that are utilized by business customers, clients and/or members of the public.

Improvements to the visual appearance of a property may include general aesthetic upgrades to building facades (painting, cladding upgrades, etc.) and/or hard landscaping (walkways, retaining walls, addition of permanent planters, etc.), visible from the street/public areas. Note that the nature of upgrades to be funded under this program are cosmetic, rather than structural.

The *Commercial Property Accessibility and Beautification Grant Program* is open to any property within the Downtown Community Improvement Project Area that operates or is proposed to operate a commercial business or institutional use. Residential properties are not eligible for the program.

The process for evaluating and awarding grants will depend upon the timing of the application each calendar year, as follows:

- Applications received between **January 1 and March 15** will be held and evaluated concurrently to determine priority. If there are not sufficient funds to award all applications, priority will be given based on the significance of the project(s) in improving the accessibility and the appearance of the area. Priority will typically be given to accessibility projects over beautification projects.
- Applications will continue to be accepted **after March 15**, subject to availability of funding. These applications will be evaluated and awarded on a first come, first serve basis (no prioritization applies). Decisions on applications will be made within one month of submission.

### **2.2.2 Program Funding**

A proposed budget up to \$30,000 per year, subject to budget approval, will be made available to be shared amongst the Downtown Community Improvement Plan programs, including the *Commercial Property Accessibility and Beautification Grant Program*.

The following financial incentives shall be available subject to availability of funding:

- (a) A grant equal to 50% of the eligible costs (pre-tax) to a maximum of \$5,000 per property for commercially or institutionally zoned and operated properties to improve building accessibility.
- (b) A grant equal to 50% of the eligible costs (pre-tax) to a maximum of \$2,500 per property for commercially or institutionally zoned and operated properties to undertake upgrades to building facades and/or hard landscaping, visible from the street/public areas.

Where accessibility and beautification upgrades occur together on a single property, the maximum grant is equal to \$7,500.

### **2.2.3 Program Duration**

This program will commence on the day following the date of final approval of the Plan by Town of Ajax Council and run until December 31, 2027. The Town may, at any time and without formal notice or amendment to the Downtown Community Improvement Plan, discontinue this program. However, all applications submitted prior to the program's closing will still be considered by the Town.

### **2.2.4 Eligibility for Program Participation**

Applicants for the *Commercial Property Accessibility and Beautification Grant Program* must meet the following eligibility requirements:

- Applicants must be the registered owner(s) of the property, which shall be located within the Downtown Community Improvement Project Area. If the applicant is not the owner, the applicant must provide written consent from the owner(s) of the property to make the application.
- Property owners who are in arrears of property taxes or who have outstanding liens against the property are not eligible to apply until such time as all taxes owing are paid or cancelled, and all liens lifted.
- Properties with outstanding work orders and/or requests to comply from Planning and

Development Services, By-law, or any other departments, are not eligible to apply until such time as the orders/requests have been satisfactorily addressed.

- Applicants must submit a completed CIP application form to the Town prior to the commencement of any works to which the financial incentive applies. If Planning applications (Zoning By-law Amendment, Site Plan, Minor Variance, etc.) are required to facilitate the proposed works, a completed CIP application form must be submitted to the Town prior to or at the time of the Planning application submission(s). Grants will not be retroactively applied to any works commenced prior to the approval of the CIP application.

### 2.2.5 Program Requirements

The *Commercial Property Accessibility and Beautification Grant Program* is subject to the following requirements:

- (a) The program does not apply to new construction projects or to work that has been completed without receiving prior approval from the Town.
- (b) Any property owner/business owner(s) wishing to be considered for a grant under this program must submit a completed application form to the Town along with any supporting documentation (e.g. design concept, architectural renderings, colour scheme), as deemed necessary by the Town.
- (c) Applicants must not have benefitted from an approved Commercial Property Accessibility and Beautification Grant registered on the subject property within the past five years (exceptions may be granted at the discretion of the Town).
- (d) The applicant is required to submit a minimum of two quotes for works outlined on the application form. All quotes must provide a detailed outline of the work to be undertaken, broken down by type of project if multiple works are being proposed by the same contractor.
- (e) The following types of accessibility projects on commercial and institutional properties are considered eligible for a grant under this program:
  - i) Installation of ramps for accessibility purposes;
  - ii) Widening of doorways and entranceways;
  - iii) Installation of automated/push button door-opening systems; and
  - iv) Other similar repairs/improvements which the Town, in its sole discretion, determines are important to incorporate as an integral part of accessible design.
- (f) The following types of beautification projects on commercial and institutional properties are considered eligible for a grant under this program:
  - i) Cleaning/painting of facades visible from adjacent streets and public walkways;
  - ii) Repair/replacement of decorative entrance/façade treatments such as awnings, canopies, shutters and similar features;
  - iii) Repair/replacement of façade cladding materials;
  - iv) Replacement of storefront window/door assemblies;
  - v) Addition of decorative lighting/upgrading of existing fixtures on exterior façade and in entrance and storefront display areas;

- vi) Hard landscaping such as walkways, permanent planters, pavers for entranceways, and decorative/ornamental fencing; and
  - vii) Other similar repairs/improvements which the Town, in its sole discretion, determines are important to incorporate as an integral part of site beautification.
- (g) The following types of projects are ineligible to receive a grant:
- i) Improvements to areas not visible from the street or a public area (exceptions may apply for accessibility improvements);
  - ii) Interior improvements (exceptions may apply for accessibility improvements);
  - iii) Structural repairs to any building element;
  - iv) Roof repairs/replacement;
  - v) Signage improvements/upgrades; and
  - vi) Driveway or parking lot paving/improvements (exceptions may apply for accessibility improvements).
- (h) Approved grant projects must be completed by **November 30** of the calendar year in which they were awarded. All invoices must be paid and submitted to the Town and the final inspection must be completed by **December 15** of the calendar year in which the grant was awarded. The grant will expire if the work has not been completed, invoices have not been paid or final inspection has not been signed off. Any extension beyond these deadlines requires the applicant to submit a written letter to the Town outlining the reasons for the requested extension and anticipated time of completion of the project. Approval of any such extension shall only be granted by the Director of Planning and Development Services or designate. This written confirmation will outline a revised completion date for the project.
- (i) The application must conform to the Town's Site Plan Manual, specifically including the Town's tree preservation requirements.
- (j) Where applicable, improvements made to buildings and/or land shall be made pursuant to a Building Permit and constructed in accordance with the *Ontario Building Code* and all applicable zoning requirements and approvals. The work to be undertaken shall likewise conform to the intent of the goals, objectives and policies of the Town's Official Plan, including all policies/guidelines dealing with urban design and the built form vision for the Downtown Central Area.

### 2.2.6 Program Administration

Staff from the Planning and Development Services Department will administer the *Commercial Property Accessibility and Beautification Grant Program*, in consultation with other departments and divisions as necessary.

Before accepting any application, Planning and Development Services staff will screen the application. If the application is not within the Downtown Community Improvement Project Area or the application clearly does not meet the program requirements and terms specified in this Plan, the application will not be accepted. Acceptance of the application by the Planning and Development Services Department in no way implies approval.

An application that satisfies all eligibility and program requirements is not necessarily entitled to receive a grant. The Town may, at its discretion, determine cases where an application that meets all program requirements should not receive a grant.

All recommendations on grant applications and grant prioritization are to be made by the Application Review Team and are subject to the approval of the Director of Planning and Development Services or designate and/or Council. There is no appeal mechanism for applicants who do not receive a grant.

All applicants that are approved to receive a grant will be required to enter into an Agreement with the Town of Ajax outlining the terms and conditions of the grant, including such terms as the total amount of the grant or rebate to be provided.

Grants approved under this program shall be provided to property owners/business owners following the submission of the final invoices for the work completed, indicating that the suppliers/contractors have been paid in full, and once final Building Inspection has been signed off by the Town.

## **2.3 *Patio Grant Program***

### **2.3.1 Description**

Section 3.2.2.1 of the Town of Ajax Official Plan outlines a desire to develop pedestrian-scaled streetscapes through the Downtown that connect public areas and gathering spaces. In this regard, the Official Plan sets a vision for the Downtown to become:

- A highly desirable, urban, intensive, pedestrian-oriented and transit-supportive mixed use area;
- A distinct urban centre – a true Downtown – where people live, work, shop and play; and
- An interconnected network of sidewalks and urban squares that create active and vibrant gathering spaces.

The construction of patio space in the Downtown serves to help achieve all of the above priorities. Accordingly, the *Patio Grant Program* is designed to incentivize the provision of patios in the Downtown by providing funds to facilitate construction of new permanent patios and the repair and/or upgrade of existing ones.

The *Patio Grant Program* is open to any property within the Downtown Community Improvement Project Area that operates as the following use.

- Restaurant; and/or
- Retail Store (where food and refreshments are sold – bakeries, coffee shops, etc.)

The process for evaluating and awarding grants will depend upon the timing of the application each calendar year, as follows:

- Applications received between **January 1 and March 15** will be held and evaluated concurrently to determine priority. If there are not sufficient funds to award all applications, priority will be given based on the significance of the project(s) in improving the overall vitality of the Downtown.
- Applications will continue to be accepted **after March 15**, subject to availability of funding. These applications will be evaluated and awarded on a first come, first serve basis (no prioritization applies). Decisions on applications will be made within one month of submission.

### **2.3.2 Program Funding**

A proposed budget up to \$30,000 per year, subject to budget approval, will be made available to be shared amongst the Downtown Community Improvement Plan programs, including the *Patio Grant Program*. Grants are limited to 50% of the eligible costs (pre-tax) of a project to a maximum of \$10,000.

### **2.3.3 Program Duration**

This program will commence on the day following the date of final approval of the Plan by Town of Ajax Council and run until December 31, 2027. The Town may, at any time and without formal notice or amendment to the Downtown Community Improvement Plan, discontinue this program. However, all applications submitted prior to the program's closing will still be considered by the Town.

### **2.3.4 Eligibility for Program Participation**

Applicants for the *Patio Grant Program* must meet the following eligibility requirements:

- Applicants must be the registered owner(s) of the property, which shall be located within the Downtown Community Improvement Project Area. If the applicant is not the owner, the applicant must provide written consent from the owner(s) of the property to make the application.
- Property owners who are in arrears of property taxes or who have outstanding liens against the property are not eligible to apply until such time as all taxes owing are paid or cancelled, and all liens lifted.
- Properties with outstanding work orders and/or requests to comply from Planning and Development Services, By-law, or any other departments, are not eligible to apply until such time as the orders/requests have been satisfactorily addressed.
- Applicants must submit a completed CIP application form to the Town prior to the commencement of any works to which the financial incentive applies. If Planning applications (Zoning By-law Amendment, Site Plan, Minor Variance, etc.) are required to facilitate the proposed works, a completed CIP application form must be submitted to the Town prior to or at the time of the Planning application submission(s). Grants will not be retroactively applied to any works commenced prior to the approval of the CIP application.

### **2.3.5 Program Requirements**

The *Patio Grant Program* is subject to the following requirements:

- (a) Any property owner/business owner(s) wishing to be considered for a grant under this program must submit a completed application form to the Town along with any supporting documentation (e.g. design concept, architectural renderings, colour scheme), as deemed necessary by the Town.
- (b) Applicants must not have benefitted from an approved Patio Grant registered on the subject property within the past five years (exceptions may be granted at the discretion of the Town).

- (c) The applicant is required to submit a minimum of two quotes for works outlined on the application form. All quotes must provide a detailed outline of the work to be undertaken, broken down by type of project if multiple works are being proposed by the same contractor.
- (d) The following types of projects are considered eligible for a grant under this program:
  - i) Design-related fees;
  - ii) Materials and labour for constructing a new permanent patio;
  - iii) Materials and labour for repairing and/or expanding an existing permanent patio;
  - iv) New and or improved outdoor lighting; and
  - v) Building alterations to accommodate or improve access to/from a patio (installation of rolling or folding doors, etc.).
- (e) The following types of projects are ineligible to receive a grant:
  - i) Application/Permit fees;
  - ii) Any expense relating to a temporary patio;
  - iii) Purchase and/or installation of outdoor appliances, cooking and/or service equipment; and
  - iv) Purchase of outdoor furniture and/or furnishings.
- (f) Approved grant projects must be completed by **November 30** of the calendar year in which they were awarded. All invoices must be paid and submitted to the Town and the final inspection must be completed by **December 15** of the calendar year in which the grant was awarded. The grant will expire if the work has not been completed, invoices have not been paid or final inspection has not been signed off. Any extension beyond these deadlines requires the applicant to submit a written letter to the Town outlining the reasons for the requested extension and anticipated time of completion of the project. Approval of any such extension shall only be granted by the Director of Planning and Development Services or designate. This written confirmation will outline a revised completion date for the project.
- (g) The application must conform to the Town's Site Plan Manual, specifically including the Town's tree preservation requirements.
- (h) Where applicable, improvements made to buildings and/or land shall be made pursuant to a Building Permit and constructed in accordance with the *Ontario Building Code* and all applicable zoning requirements, engineering standards and approvals. The work to be undertaken shall likewise conform to the intent of the goals, objectives and policies of the Town's Official Plan, including all policies/guidelines dealing with urban design and the built form vision for the Downtown Central Area.
- (i) Patio grants may support patios proposed or constructed anywhere on private property (front yard, side yard, rear yard, courtyard or rooftop), provided they meet all local requirements. Grants may also support patios on public property where the business owner has entered into the necessary agreements with the corresponding public authority.

### 2.3.6 Program Administration

Staff from the Planning and Development Services Department will administer the *Patio Grant Program*, in consultation with other departments and divisions as necessary.

Before accepting any application, Planning and Development Services staff will screen the application. If the application is not within the Downtown Community Improvement Project Area or the application clearly does not meet the program requirements and terms specified in this Plan, the application will not be accepted. Acceptance of the application by the Planning and Development Services Department in no way implies approval.

An application that satisfies all eligibility and program requirements is not necessarily entitled to receive a grant. The Town may, at its discretion, determine cases where an application that meets all program requirements should not receive a grant.

All recommendations on grant applications and grant prioritization are to be made by the Application Review Team and are subject to the approval of the Director of Planning and Development Services or designate and/or Council. There is no appeal mechanism for applicants who do not receive a grant.

All applicants that are approved to receive a grant will be required to enter into an Agreement with the Town of Ajax outlining the terms and conditions of the grant, including such terms as the total amount of the grant or rebate to be provided.

Grants approved under this program shall be provided to property owners/business owners following the submission of the final invoices for the work completed, indicating that the suppliers/contractors have been paid in full, and once final Building Inspection has been signed off by the Town.

**SCHEDULE A - AREA BOUNDARIES FOR THE  
DOWNTOWN COMMUNITY IMPROVEMENT PROJECT AREA**

