

CITY PROCEDURE



POLICY NUMBER: C553B

AUTHORITY: City Manager

EFFECTIVE DATE: October 31, 2017

TITLE: Development Incentive Program Procedures

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1. DEFINITIONS

- 1.1 Apartment Housing – means a development consisting of one or more Dwellings contained within a building in which the Dwellings are arranged in any horizontal or vertical configuration, which does not conform to the definition of any other residential use class.
- 1.2 Application Requirements - means the information required to render an application complete and an eligible candidate for a possible New Commercial Business Interior Improvement Program Grant and/or Residential and Commercial Development Reinvestment Grant Program according to the terms and processes of this and other City Policies.
- 1.3 Building Interior – means the fully enclosed and covered building areas at all levels of a Commercial Use building, including basements, garages, floored roof spaces and attics, penthouses, enclosed porches and attached enclosed covered ways, mechanical rooms, elevator shafts, vertical ducts, staircases, and any other fully enclosed spaces and useable areas of the building.
- 1.4 Building Interior Improvements – means structural or non-structural improvements such as electrical, plumbing, heating and ventilation systems upgrades; improvements related to health and safety issues; fire safety compliance; wheelchair access; and other permanent leasehold improvements such as painting, flooring, walls, ceilings, and permanent fixtures carried out within an existing Commercial Use building to revitalize merchantable space and to enhance interior building aesthetics and functionality with regard for the interface between public pedestrian space and street oriented retail and commercial activities.
- 1.5 Building Permit – means the document authorizing a development issued by the City of Edmonton pursuant to the Alberta Building Code.
- 1.6 Construction Value – the total cost of the construction project including the building, mechanical, and electrical components.
- 1.7 Convenience Retail Stores – means development used for the retail of those goods required by area residents or employees on a day to day basis, from business premises which do not exceed 275 square metres in Gross Floor Area. Typical uses include small food stores, drug stores, and variety stores selling confectionary, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter.

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- 1.8 Development Incentive Program Grant - means the financial assistance available under the Development Incentive Program that includes Multi-unit Residential Development Reinvestment Program Grants, New Commercial Business Interior Improvement Program Matching Grants, and/or Commercial Development Reinvestment Program Grants.

- 1.9 Development Incentive Program Guidelines - means the guidelines approved by the Deputy City Manager of the Regional and Economic Development Department which are used by the City to direct the intended effect of this Policy. The guidelines are physically separate from these procedures.

- 1.10 Development Permit – means the document authorizing a development issued by the City of Edmonton pursuant to the City of Edmonton Zoning Bylaw 12800.

- 1.11 Dwelling – means one or more self-contained rooms provided with sleeping and cooking facilities, intended for domestic use, and used or intended to be used permanently for residential purposes.

- 1.12 Enterprise Area – means Business Improvement Areas (BIA) and initiatives as supported by Council.

- 1.13 General Retail Stores - means development used for the retail sale of groceries, beverages, household goods, furniture and appliances, hardware, printed matter, confectionary, tobacco, pharmaceutical and personal care items, automotive parts and accessories, video sales and rentals, office equipment, stationery and similar goods from within an enclosed building. Minor public services, such as postal services and film processing depots, are permitted within General Retail Stores. This use class includes Convenience Retail Stores, and excludes warehouse sales. General Retail Stores does not include developments used for the sale of gasoline, heavy agricultural and industrial equipment, alcohol beverages or secondhand goods.

- 1.14 Market housing - means all housing that is supplied by the private market without direct government subsidies.

- 1.15 Mixed-use – means a development that includes Dwellings located above Commercial Use Storefronts on at least the ground floor of the building or in cases where permitted, Dwellings located on the ground floor of the building adjacent to or located behind Commercial Use Storefronts.

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- 1.16 Multi-unit Residential – means a residential development includes Apartment Housing, Row Housings and/or Stacked Row Housing.

- 1.17 Multi-unit Residential Development Reinvestment Grant Program – means the incentive program in which the City of Edmonton provides a grant to a property owner for the new development and/or conversion of a property for Mixed-use and/or Multi-unit Residential occupancy.

- 1.18 Multi-unit Residential Development Reinvestment Program Grant (Multi-unit Residential Program Grant) - means the financial assistance available under the Multi-unit Residential Development Reinvestment Grant Program for reimbursement as follows:
 - maximum assistance for the new development and/or conversion of a property for Mixed-use occupancy is a reimbursement grant of \$12,000 per new Dwelling to a maximum of 36 new Dwellings.
 - maximum assistance for the new development and/or conversion of a property for Multi-unit Residential occupancy is a reimbursement grant of \$7,000 per new Dwelling to a maximum of 36 new Dwellings.

- 1.19 New Commercial Business – means a City of Edmonton licensed (as applicable) and eligible Commercial Use business that has at no time prior, been a business established and located within the existing building or site.

- 1.20 New Commercial Business Interior Improvement Program – means the incentive program in which the City of Edmonton provides a matching grant to property owners that have completed Building Interior Improvements to existing buildings that have ground floor Vacant Commercial Use Storefronts for at least 6 months immediately preceding and are occupied by a New Commercial Business.

- 1.21 New Commercial Business Interior Improvement Program Matching Grant (Program Matching Grant) - means the financial assistance available under the New Commercial Business Interior Improvement Program for reimbursement of up to 50% to a maximum of \$20,000 per Building for the cost of eligible Building Interior Improvements as specified in a Reimbursement Agreement.

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- 1.22 Occupancy Permit - means written approval to occupy a building when all construction is complete and meets the requirements as set out in the *Safety Codes Act*, the Regulations, and the City of Edmonton Building Permit Bylaw.
- 1.23 Post Construction Inspection - means the inspection by the Project Review Officer following completion of construction activities intended to:
 - determine an applicant’s qualification to receive a Development Incentive Program Grant; and
 - evaluate the completed project’s improvements against the Reimbursement Agreement and approved application to the Program.
- 1.24 Pre-Construction Inspection - means the inspection by the Project Review Officer conducted prior to the onset of construction activities pursuant to an application filed under this Policy.
- 1.25 Project Review Committee - means a committee selected by the Deputy City Manager of the Regional and Economic Development Department with representation including the City of Edmonton administration, the local Band other organizations with the responsibility for evaluating applications filed under this Policy. The Project Review Committee makes recommendations regarding Program matching Grants and/or Program Grants.
- 1.26 Project Review Officer - means a person or persons appointed by the Deputy City Manager of the Regional and Economic Development Department to implement this Policy, to write reports and make decisions in order to facilitate the review of applications.
- 1.27 Reimbursement Agreement - means the contract between the City of Edmonton and the building owner, which sets out project characteristics and improvements for which the applicant may seek reimbursement in the form of a Development Incentive Program Grant upon successful project completion.
- 1.28 Commercial Development Reinvestment Grant Program – means the incentive program in which the City of Edmonton provides a grant to a property owner for the new development and/or conversion of a property for Commercial Use Storefront occupancy.
- 1.29 Commercial Development Reinvestment Program Grant (Retail and Commercial Program Grant) - means the financial assistance available under the Commercial Development Reinvestment Grant Program for reimbursement is as follows:

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- maximum assistance for the new development of a Commercial Use building with eligible ground floor Commercial Use Storefront occupancy is a reimbursement grant equal to the amount of 10% of total Construction Value to a maximum amount of \$50,000 per new Commercial Use building.
- 1.30 Commercial Use – means General Retail Stores as defined in the City of Edmonton Zoning Bylaw 12800 and other eligible commercial building uses as determined in the Development Incentive Program Guidelines.
- 1.31 Commercial Use Storefront - means a commercial retail unit that contains a room or suite of rooms located in a Commercial Use building on at least the ground floor that provides visual interest and physical access to the business located within, is the area in which the individuality and identity of a business is expressed, and features an existing or potential functional orientation toward the street and pedestrian environment.
- 1.32 Row Housing – means development consisting of a building containing a row of two or more Dwellings joined in whole or in part at the side only with no Dwelling being placed over another in whole or in part. Each Dwelling shall be separated from the one adjoining, where they are adjoining, by a vertical party wall which is insulated against sound transmission. Each Dwelling shall have a separate, individual, and direct access to grade.
- 1.33 Stacked Row Housing – means development consisting of Row Housing, except that Dwellings may be arranged two deep, either vertically so that Dwellings may be placed over others, or horizontally so that Dwellings may be attached at the rear as well as the side. Each Dwelling shall have separate and individual access, not necessarily directly to grade, provided that no more than two Dwellings may share access to grade, and such access shall not be located more than 5.5 m above grade.
- 1.34 Vacant Commercial Use Storefront – means a Commercial Use Storefront that is used for the sole purpose of conducting activities related to Commercial Use **and that has not been continuously occupied by any single business for at least 6 months immediately prior to application to the program.**

All capitalized **terms not defined** shall have the meanings set forth in the City of Edmonton Zoning Bylaw.

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2. GUIDELINES

2.1 NEW COMMERCIAL BUSINESS INTERIOR IMPROVEMENT PROGRAM

2.1.1 AREA OF APPLICATION AND EFFECTIVE DATE

2.1.1.1 These procedures apply to New Retail and Commercial Business Interior Improvement projects undertaken in existing Retail and Commercial Use buildings located only within Enterprise Areas approved by City Council subject to recommendation from the City Manager and any conditions of these procedures.

2.1.2 ELIGIBILITY CRITERIA

2.1.2.1 The applicant must meet the following minimum requirements to be eligible to apply for a Program Matching Grant under these procedures:

- a. The applicant must be the property owner(s) or that person's legal representative;
- b. The proposed project must be referenced to a property defined by a separate land title, physical construction, and ownership;
- c. The proposed project is only applicable to buildings that have ground floor Vacant Commercial Use Storefront(s) for at least 6 months immediately prior to application to the program and is designated for New Commercial Business occupancy following Post Construction;
- d. The proposed project must involve eligible Building Interior Improvements and have regard, as specified in the Policy and the associated processes, for any Development Program Guidelines approved by the Deputy City Manager of Regional and Economic Development for implementation of this Policy and/or application to an Enterprise Area;
- e. The applicant must meet additional Application Requirements as specified by the Project Review Committee; and
- f. Funds are allocated subject to the conditions of this Policy which include both a designation of a maximum eligible amount per building depending upon the nature and scope of the project, a review of proposed Building Interior Improvements for eligible reimbursement, and the condition that the Commercial Use Storefront is occupied by a New Commercial Business following Post Construction.

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2.1.3 ELIGIBLE ASSISTANCE

- 2.1.3.1 Maximum assistance allowed under the New Commercial Business Interior Improvement Program is 50% of eligible costs to a maximum of \$20,000 per Commercial Use building that has had a ground floor Vacant Commercial Use Storefront(s) for at least 6 months immediately prior to application to the program and is occupied by a New Commercial Business.
- 2.1.3.2 Reimbursement for design fees may not exceed 20% of eligible costs or \$4,000 (20% of maximum grant amount), whichever is less. This amount is included within the reimbursement of the maximum grant amount.

2.1.4 APPLICATION REQUIREMENTS

- 2.1.4.1 Applications submitted under the Development Incentive Program Policy and these procedures must include the following components:
 - a. Application Form
 - b. Detailed explanation, written and graphic, of the Building Interior Improvements to be made;
 - c. Statement indicating how the project reflects the principles of the New Commercial Business Interior Improvement Guidelines approved by the Project Review Officer for implementation of this Policy and/or application to an Enterprise Area;
 - d. Explanation of the elements for which the applicant is seeking reimbursement;
 - e. Photographs of the current state of the Commercial Use Storefront and Building Interior and renderings of the expected result;
 - f. Current Land Title Certificate and Corporate Registry Search if the property owner is a company;
 - g. A cost summary listing the itemized breakdown of the improvements and the corresponding specific costs, the selected vendor(s)/contractor(s), and the City of Edmonton business license number of the contractor(s).
 - h. A minimum of three contractor bids or quotes for all work proposed for the project;
 - i. Program participants are required to comply with all applicable City of Edmonton regulations and permit requirements, Provincial building codes, and meet all associated regulations including any relevant policy or statutory plans which apply to the Enterprise Area, the City of Edmonton Zoning Bylaw and other relevant Bylaws;
 - j. An approved Development Permit and/or approved Building Permit; and

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- k. A Statutory Declaration by the property owner stating that their Commercial Use Storefront has been Vacant for a period of at least 6 months.

2.1.5 APPLICATION PROCESS

- 2.1.5.1 In conjunction with or prior to filing an application, the applicant shall review the Application Requirements and consult with the Project Review Officer regarding the application process, requirements, criteria, rules of eligibility, project design, and other relevant details of the proposed project.
- 2.1.5.2 In order to ensure adequate, consistent review and evaluation, the project proposal shall be prepared in accordance with the format established by the administration.
- 2.1.5.3 Completed applications shall be submitted to the Deputy City Manager of the Regional and Economic Development Department.
- 2.1.5.4 Upon receipt of the application by the Regional and Economic Development Department, the applicant will be required to contact the Project Review Officer in the Regional and Economic Development Department to schedule a Pre-Construction Inspection of the subject property to determine the Pre-Construction Inspection status of the Building Interior and specifically the areas to be improved.
- 2.1.5.5 To be eligible for reimbursement, no work must be performed until approved by the City. Work that has commenced prior to City approval is not eligible for reimbursement.
- 2.1.5.6 The City reserves the right to accept, reject or modify any application and render decisions in regards to complete applications as approvals, approvals with conditions, and refusals.
- 2.1.5.7 Building Interior Improvements that affect historic properties must be consistent with the City of Edmonton’s Historic Resources Management Program. No funds will be allocated for projects that prevent or detract from future possible designation of a recognized heritage resource.
- 2.1.5.8 Project applications will be received/reviewed and reimbursement issued for New Commercial Business Interior Improvement projects on a first-come, first-served basis until the total program funding for projects is reached or the program has ended.

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2.1.6 COMMITTEE REVIEW

- 2.1.6.1 All complete applications are reviewed by the Project Review Committee.
- 2.1.6.2 The Project Review Committee meets monthly or as required to evaluate applications.
- 2.1.6.3 The Project Review Committee will recommend to the Deputy City Manager approval, modification or refusal regarding the decision to enter into contracts regarding any applications reviewed by the Committee.
- 2.1.6.4 The City's decision to approve an application involves two sets of decisions. First, a decision is made as to the maximum amount the project for which the project is eligible up to \$20,000 depending upon the nature and scope of the project relative to the priorities of the New Commercial Business Interior Improvement Program. Second, the project is reviewed for its compliance with the Development Incentive Program Guidelines and the eligibility of proposed Building Interior Improvements for reimbursement according to the 50% formula and the maximum Program Matching Grant amount.
- 2.1.6.5 Applicants are required to enter into a Reimbursement Agreement with the City of Edmonton which specifies work to be completed, the costs of the project and the amount and conditions under which the City will provide a reimbursement. Detailed requirements of the Reimbursement Agreement are stipulated therein and include such variables as the general upkeep and maintenance of Building Interior Improvements, including the functionality of any structural improvements.

2.1.7 CONSTRUCTION PROCESS

- 2.1.7.1 All projects assisted by this program must be completed in a timely manner. The contract will allow a maximum of 12 months for completion from the time of approval. If it can be demonstrated that circumstances clearly beyond the applicant's control prohibit completion in 12 months, the City may grant a 6 month extension. Failure to complete the contract in a timely manner will result in a termination of the contract at the discretion of the City.

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- 2.1.7.2 The applicant will be responsible for securing all required construction permits from the Regional and Economic Development Department.
- 2.1.7.3 All contractors must hold a valid business license issued by the City of Edmonton. All construction contracts will be between the applicant and the contractor.
- 2.1.7.4 Final determination of qualification for a Program Matching Grant is not made until the construction is substantially complete and a review has been undertaken assessing the project Building Interior Improvements against the applicant’s previously approved proposal.

2.1.8 REIMBURSEMENT OF PROJECT COSTS

- 2.1.8.1 City funds will be disbursed only once the relevant documentation of an executed 2 year (minimum) lease agreement with a new commercial tenant, a City issued business license, and the Post Construction Inspection provides evidence that the applicant’s Commercial Use Storefront is occupied by a New Commercial Business.
- 2.1.8.2 City funds will be disbursed only for work as specified in the Reimbursement Agreement and approved application to the program which has been satisfactorily completed and all required construction permits have been secured from the City of Edmonton and an Occupancy Permit has been issued by the City.
- 2.1.8.3 Reimbursement is limited to labor and material for eligible cost items only. However, the City may require that non-eligible work be performed as a precondition for reimbursement of eligible cost items. The following improvements are always required, even where such improvements may not be eligible for reimbursement:
 - Property must be in compliance with all City Bylaws including but not limited to the Minimum Maintenance Standards Bylaw.
- 2.1.8.4 City funds will be disbursed in conjunction with the private match funds and only for work as specified in the contract which has been satisfactorily completed. At no time will the City pay more than 50% of the eligible costs or the maximum Program Matching Grant per Commercial Use building.
- 2.1.8.5 At the time a reimbursement request is made, no individual or business will be eligible for reimbursement under the New Commercial Business Interior Improvement Program if

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such entity is in default of taxes owing or an obligation funded by any other municipal program. Demonstration of good standing must be provided.

- 2.1.8.6 The applicant is responsible for payment of all contractors. The City will not pay the contractors directly.
- 2.1.8.7 Program funds are to be directed only towards approved Building Interior Improvements according to the terms of the Reimbursement Agreement.
- 2.1.8.8 The matching grant is paid only upon completion of pre-approved applicant paid-work.
- 2.1.9 SPECIAL CONSIDERATIONS
Program funding, dispersal period and conditions of dispersal.
- 2.1.9.1 The Deputy City Manager of the Regional and Economic Development Department or their designate may make minor exceptions to Development Incentive Program Guidelines.
- 2.1.9.2 The Deputy City Manager of the Regional and Economic Development Department or their designate has the sole authority to determine eligibility of proposed work and confirmation of completed work. Certain work may be required or precluded as a condition of funding.
- 2.1.9.3 Participants will be responsible for obtaining necessary approvals including City of Edmonton Development and Building Permits. All work must comply with City, Provincial and Federal regulations.

2.1.10 MUNICIPAL CONTROL

- 2.1.10.1 The City of Edmonton shall be protected in the delivery of a Program Matching Grant contributing to the New Commercial Business Interior Improvement projects because:
 - The City Council can close the program to new applications at any time;
 - Any delivery of program funding is bound by the terms of a Reimbursement Agreement;
 - Submitting an application does not commit the City to enter into an agreement to pay any costs incurred in its preparation, to participate in subsequent negotiations or to

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contract for the project. Further, the acceptance of an application does not constitute an agreement by the City that any contract will actually be entered into by the City;

- The program period during which applicants may qualify for program funding is limited by City Council;
- The maximum amount of funding per eligible New Commercial Business Interior Improvement project is \$20,000; and
- The City will only consider grant funding for a particular feature or aspect of a project under one grant funding program.

2.2 MULTI-UNIT RESIDENTIAL DEVELOPMENT REINVESTMENT GRANT PROGRAM

2.2.1 AREA OF APPLICATION AND EFFECTIVE DATE

2.2.1.1 This Policy applies to the new development and/or conversion of properties for Mixed-use and/or Multi-unit Residential occupancy located only within Enterprise Areas subject to recommendation from the Deputy City Manager of Regional and Economic Development and any conditions of this Policy.

2.2.2 ELIGIBILITY CRITERIA

- 2.2.2.1 The applicant must meet the following minimum requirements to be eligible to apply for a Program Grant under this Policy:
- a. The applicant must be the property owner(s) or that person's legal representative;
 - b. The proposed project must be referenced to a property defined by a land title, physical construction, and ownership;
 - c. The proposed project must be one of the following Mixed-use or Multi-unit Residential building types upon completion:
 - (i) A Mixed-use building that creates any new Dwellings located above eligible Commercial Use occupancy on the ground floor of the building, through either new construction or through conversion of an existing building from an alternate use other than Multi-unit Residential.
 - (ii) A Multi-unit Residential building that creates a minimum of 10 new Dwellings through either new construction or through conversion of an existing building from an alternate use other than Mixed-use.
 - d. The proposed project must involve eligible Multi-Unit Residential Development Reinvestment Grant Program developments and have regard, as specified in the

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Policy and the associated processes, for any Development Incentive Program Guidelines approved by the Deputy City Manager of Regional and Economic Development for implementation of this Policy and/or application to an Enterprise Area;

- e. The applicant must meet additional Application Requirements as specified by the Project Review Committee; and
- f. Funds are allocated subject to the conditions of this Policy and a review of proposed developments for eligible reimbursement.
- g. The City reserves the right to determine applicant participation in the Program on a case-by-case basis;
- h. The proposed project must be a market housing development.

2.2.3 ELIGIBLE ASSISTANCE

2.2.3.1 Maximum assistance allowed under the Multi-use Residential Development Reinvestment Grant Program for the new development and/or conversion of a property for Mixed-use occupancy is a reimbursement grant of \$12,000 per new Dwelling to a maximum of 36 new Dwellings.

2.2.3.2 Maximum assistance allowed under the Multi-use Residential Development Reinvestment Grant Program for the new development and/or conversion of a property for Multi-unit Residential occupancy is a reimbursement grant of \$7,000 per new Dwelling to a maximum of 36 new Dwellings.

2.2.4 APPLICATION REQUIREMENTS

2.2.4.1 Applications submitted under the Development Incentive Program Policy and these procedures must include the following components:

- a. Application Form
- b. Detailed explanation, written and graphic, of the development to be made;
- c. Statement indicating how the project reflects the principles of the Development Incentive Program Guidelines approved by the Project Review Officer for implementation of this Policy and/or application to an Enterprise Area;
- d. Photographs of the current state of the existing property and renderings of the expected result;
- e. Current Land Title Certificate and the Corporate Registry Search if the property owner is a company

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- f. A cost summary listing the itemized breakdown of the works and the corresponding specific costs, the selected vendor(s)/contractor(s), and the business license number of the contractor(s)
- g. Program participants are required to comply with all City of Edmonton regulations and permit requirements, Provincial building codes and meet all associated regulations including any relevant policy or statutory plans which apply to the Enterprise Area, the City of Edmonton Zoning Bylaw and other relevant Bylaws; and
- h. An approved Development Permit and/or approved Building Permit.

2.2.5 APPLICATION PROCESS

- 2.2.5.1 In conjunction with or prior to filing an application, the applicant shall review the Application Requirements and consult with the Project Review Officer regarding the application process, requirements, criteria, rules of eligibility, project design, and other relevant details of the proposed project.
- 2.2.5.2 In order to ensure adequate, consistent review and evaluation, the project proposal shall be prepared in accordance with the format established by the Project Review Officer.
- 2.2.5.3 Completed applications shall be submitted to the Deputy City Manager of the Regional and Economic Development Department.
- 2.2.5.4 Upon receipt of the application the applicant will be required to contact the Project Review Officer to schedule a Pre-Construction Inspection of the subject property to determine the Pre-Construction Inspection status of the property and specifically the areas to be improved.
- 2.2.5.5 To be eligible for reimbursement, no work must be performed until approved by the City. Work that has commenced prior to City approval is not eligible for reimbursement.
- 2.2.5.6 The City reserves the right to accept, reject or modify any application and render decisions in regards to complete applications as approvals, approvals with conditions and refusals.
- 2.2.5.7 Property improvements that affect historic properties must be consistent with the City of Edmonton’s Historic Resources Management Program. No funds will be allocated for

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projects that prevent or detract from future possible designation of a recognized heritage resource.

2.2.5.8 Project applications will be received/reviewed and reimbursement issued for Mixed-use and/or Multi-unit Residential projects on a first-come, first-served basis until the total program funding for projects is reached or the program has ended.

2.2.6 COMMITTEE REVIEW

2.2.6.1 All complete applications are reviewed by the Project Review Committee.

2.2.6.2 The Project Review Committee meets monthly or as required to evaluate applications.

2.2.6.3 The Project Review Committee will recommend to the Deputy City Manager approval, modification, or refusal regarding the decision to enter into contracts regarding any applications reviewed by the Committee.

2.2.6.4 The City's decision to approve an application is based on the project meeting the eligibility criteria of the program and on its compliance with the Development Incentive Program Guidelines.

2.2.6.5 Applicants are required to enter into a Reimbursement Agreement with the City of Edmonton which specifies work to be completed, the costs of the project and the amount and conditions under which the City will provide a reimbursement. Detailed requirements of the Reimbursement Agreement are stipulated therein and include such variables as the general upkeep and maintenance of property improvements including the functionality of any structural improvements.

2.2.7 CONSTRUCTION PROCESS

2.2.7.1 All projects assisted by this program must be completed in a timely manner. The contract will allow a maximum of 24 months for completion from the time of approval. If it can be demonstrated that circumstances clearly beyond the applicant's control prohibit completion in 24 months, the City may grant a 6 month extension. Failure to complete the contract in a timely manner will result in a termination of the contract at the discretion of the City.

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- 2.2.7.2 The applicant will be responsible for securing all required construction permits from the Regional and Economic Development Department.
- 2.2.7.3 All contractors must hold a valid business license issued by the City of Edmonton. All construction contracts will be between the applicant and the contractor.
- 2.2.7.4 Final determination of qualification for a Mixed Use or Multi-unit Residential Program Grant is not made until the construction is substantially complete and a review has been undertaken assessing the project development against the applicant’s previously approved proposal.
- 2.2.8 REIMBURSEMENT OF PROJECT COSTS
 - 2.2.8.1 City funds will be disbursed for Mixed-use development projects only once the relevant documentation of an executed 2 year (minimum) lease agreement with a new commercial tenant , a City issued business license (where applicable), and the Post Construction Inspection provides evidence that the applicant’s ground floor Commercial Use Storefront(s) is occupied by an eligible Commercial Use.
 - 2.2.8.2 At the time a reimbursement request is made, no individual or business will be eligible for reimbursement under the Multi-unit Residential Development Reinvestment Grant Program if such entity is in default of taxes owing or an obligation funded by any other municipal program. Demonstration of good standing must be provided.
 - 2.2.8.3 City funds will be disbursed only for work as specified in the Reimbursement Agreement and approved application to the program which has been satisfactorily completed and all required construction permits from the City of Edmonton have been secured and an Occupancy Permit has been issued by the City.
 - 2.2.8.4 Mixed Use and Multi-unit Residential Program Grants are to be directed only towards approved according to the terms of the Reimbursement Agreement.
 - 2.2.8.5 The applicant is responsible for payment of all contractors. The City will not pay the contractors directly.
 - 2.2.8.6 The Multi-unit Residential Program Grant is paid only upon completion of pre-approved applicant paid-work.

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2.2.8.7 Any Commercial Use space created must remain as an Eligible Retail and Commercial Use, as defined in the Development Incentive Program Guidelines, for at least 5 years (otherwise the reimbursement monies must be refunded).

2.2.9 SPECIAL CONSIDERATIONS
Program funding, dispersal period and conditions of dispersal.

2.2.9.1 Any Dwellings of a project for which a reimbursement was provided must remain as a Dwelling for at least 10 years (otherwise the reimbursement monies must be refunded).

2.2.9.2 The Deputy City Manager of the Regional and Economic Development Department or their designate may make minor exceptions to Development Incentive Program Guidelines.

2.2.9.3 The Deputy City Manager of the Regional and Economic Development Department has the sole authority to determine eligibility of proposed work and confirmation of completed work. Certain work may be required or precluded as a condition of funding.

2.2.9.4 Participants will be responsible for obtaining necessary approvals including City of Edmonton Development and Building Permits. All work must comply with City, Provincial and Federal regulations.

2.2.10 MUNICIPAL CONTROL

2.2.10.1 The City of Edmonton shall be protected in the delivery of a Mixed-use and/or Multi-unit Residential Program Grant contributing to the Multi-unit Residential Development Reinvestment Grant Program projects because:

- the City Council can close the program to new applications at any time;
- any delivery of program funding is bound by the terms of a Reimbursement Agreement;
- submitting an application does not commit the City to enter into an agreement to pay any costs incurred in its preparation, to participate in subsequent negotiations or to contract for the project. Further, the acceptance of an application does not constitute an agreement by the City that any contract will actually be entered into by the City;
- the program period during which applicants may qualify for program funding is limited by City Council;

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- the maximum amount of funding per eligible Mixed-use project is \$12,000 and per eligible Multi-unit Residential project is \$7,000; and
- the City will only consider grant funding for a particular feature or aspect of a project under one grant funding program;
- Reimbursement Agreement includes the right of the City of Edmonton to caveat the property as security for the Program obligations.

2.3 COMMERCIAL DEVELOPMENT REINVESTMENT GRANT PROGRAM

2.3.1 AREA OF APPLICATION AND EFFECTIVE DATE

2.3.1.1 This Policy applies to the new development of Commercial Use buildings located only within Enterprise Areas subject to recommendation from the City Manager and any conditions of this Policy.

2.3.2 ELIGIBILITY CRITERIA

- 2.3.2.1 The applicant must meet the following minimum requirements to be eligible to apply for a Retail and Commercial Program Grant under this Policy:
- a. The applicant must be the property owner(s) or that person’s legal representative;
 - b. The proposed project must be referenced to a property defined by a separate land title, physical construction, and ownership;
 - c. The proposed project must be a new Commercial Use building that has a minimum Construction Value of \$250,000, is a minimum of two storeys, and has eligible Commercial Use Storefront occupancy on the ground floor of the building.
 - d. The proposed project must involve eligible Commercial Development Reinvestment Grant Program developments and have regard, as specified in the Policy and the associated processes, for any Development Incentive Program Guidelines approved by the Deputy City Manager of Regional and Economic Development for implementation of this Policy and/or application to an Enterprise Area;
 - e. The applicant must meet additional Application Requirements as specified by the Project Review Committee; and
 - f. Funds are allocated subject to the conditions of this Policy and a review of proposed developments for eligible reimbursement; and
 - g. The City reserves the right to determine applicant participation in the Program on a case-by-case basis.

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2.3.3 ELIGIBLE ASSISTANCE

2.3.3.1 Maximum assistance allowed under the Commercial Development Reinvestment Grant Program for the new development of a Commercial Use building with eligible ground floor Commercial Use Storefront occupancy is a reimbursement grant equal to the amount of 10% of total Construction Value to a maximum amount of \$50,000 per Commercial Use building.

2.3.4 APPLICATION REQUIREMENTS

- 2.3.4.1 Applications submitted under the Development Incentive Program Policy and these procedures must include the following components:
- a. Application Form
 - b. Detailed explanation, written and graphic, of the development to be made;
 - c. Statement indicating how the project reflects the principles of the Development Incentive Program Guidelines approved by the Project Review Officer for implementation of this Policy and/or application to an Enterprise Area;
 - d. Photographs of the current state of the existing property and renderings of the expected result;
 - e. Current Land Title Certificate and Corporate Registry Search if the property owner is a company
 - f. A cost summary listing the itemized breakdown of the improvements and the corresponding specific costs, the selected vendor(s)/contractor(s), and the business license number of the contractor(s)
 - g. Program participants are required to comply with all City of Edmonton regulations and permit requirements, Provincial building codes and meet all associated regulations including any relevant policy or statutory plans which apply to the Enterprise Area, the City of Edmonton Zoning Bylaw and other relevant Bylaws; and
 - h. An approved Development Permit and/or approved Building Permit.

2.3.5 APPLICATION PROCESS

2.3.5.1 In conjunction with or prior to filing an application, the applicant shall review the Application Requirements and consult with the Project Review Officer regarding the application process, requirements, criteria, rules of eligibility, project design, and other relevant details of the proposed project.

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- 2.3.5.2 In order to ensure adequate, consistent review and evaluation, the project proposal shall be prepared in accordance with the format established by the administration.
- 2.3.5.3 Completed applications shall be submitted to the Deputy City Manager of the Regional and Economic Development Department.
- 2.3.5.4 Upon receipt of the application by the City of Edmonton the applicant will be required to contact the Project Review Officer to schedule a Pre-Construction Inspection of the subject property to determine the Pre-Construction Inspection status of the property and specifically the areas to be improved.
- 2.3.5.5 To be eligible for reimbursement, no work must be performed until approved by the City. Work that has commenced prior to City approval is not eligible for reimbursement.
- 2.3.5.6 The City reserves the right to accept, reject or modify any application and render decisions in regards to complete applications as approvals, approvals with conditions and refusals.
- 2.3.5.7 Property improvements that affect historic properties must be consistent with the City of Edmonton’s Historic Resources Management Program. No funds will be allocated for projects that prevent or detract from future possible designation of a recognized heritage resource.
- 2.3.5.8 Project applications will be received/reviewed and reimbursement issued for Commercial Use building projects with eligible ground floor Commercial Use Storefront occupancy on a first-come, first-served basis until the total program funding for projects is reached or the program has ended.
- 2.3.6 COMMITTEE REVIEW
 - 2.3.6.1 All complete applications are reviewed by the Project Review Committee.
 - 2.3.6.2 The Project Review Committee meets monthly or as required to evaluate applications.

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- 2.3.6.3 The Project Review Committee will recommend to the Deputy City Manager approval, modification or refusal regarding the decision to enter into contracts regarding any applications reviewed by the Committee.
- 2.3.6.4 The City's decision to approve an application is based on the project meeting the eligibility criteria of the program and on its compliance with the Development Incentive Program Guidelines.
- 2.3.6.5 Applicants are required to enter into a Reimbursement Agreement with the City of Edmonton which specifies work to be completed, the costs of the project and the amount and conditions under which the City will provide a reimbursement. Detailed requirements of the Reimbursement Agreement are stipulated therein and include such variables as the general upkeep and maintenance of property improvements including the functionality of any structural improvements.
- 2.3.7 CONSTRUCTION PROCESS
 - 2.3.7.1 All projects assisted by this program must be completed in a timely manner. The contract will allow a maximum of 24 months for completion from the time of approval. If it can be demonstrated that circumstances clearly beyond the applicant's control prohibit completion in 24 months, the City may grant a 6 month extension. Failure to complete the contract in a timely manner will result in a termination of the contract at the discretion of the City.
 - 2.3.7.2 The applicant will be responsible for securing all required construction permits from the Regional and Economic Development Department.
 - 2.3.7.3 All contractors must hold a valid business license issued by the City of Edmonton. All construction contracts will be between the applicant and the contractor.
 - 2.3.7.4 Final determination of qualification for a Retail and Commercial Program Grant is not made until the construction is substantially complete and a review has been undertaken assessing the project development against the applicant's previously approved proposal.
- 2.3.8 REIMBURSEMENT OF PROJECT COSTS

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2.3.8.1 City funds will be disbursed for Commercial Use building projects only once the relevant documentation of an executed 2 year (minimum) lease agreement with a new commercial tenant, a City issued business license (where applicable), and the Post Construction Inspection provides evidence that the applicant's ground floor Commercial Use Storefront(s) is occupied by an eligible Commercial Use.

2.3.8.2 At the time a reimbursement request is made, no individual or business will be eligible for reimbursement under the Commercial Development Reinvestment Grant Program if such entity is in default of taxes owing or an obligation funded by any other municipal program. Demonstration of good standing must be provided.

2.3.8.3 City funds will be disbursed only for work as specified in the Reimbursement Agreement and approved application to the program which has been satisfactorily completed and all required construction permits from the City of Edmonton have been secured and an Occupancy Permit has been issued by the City.

2.3.8.4 Retail and Commercial Program Grants are to be directed only towards approved according to the terms of the Reimbursement Agreement.

2.3.8.5 The applicant is responsible for payment of all contractors. The City will not pay the contractors directly.

2.3.8.6 The Retail and Commercial Program Grant is paid only upon completion of pre-approved applicant paid-work.

2.3.9 SPECIAL CONSIDERATIONS
Program funding, dispersal period and conditions of dispersal.

2.3.9.1 The Deputy City Manager of the Regional and Economic Development Department or their designate may make minor exceptions to Development Incentive Program Guidelines.

2.3.9.2 The Deputy City Manager of the Regional and Economic Development Department or their designate has the sole authority to determine eligibility of proposed work and confirmation of completed work. Certain work may be required or precluded as a condition of funding.

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2.3.9.3 Participants will be responsible for obtaining necessary approvals including City of Edmonton Development and Building Permits. All work must comply with City, Provincial and Federal regulations.

2.3.10 MUNICIPAL CONTROL

- 2.3.10.1 The City of Edmonton shall be protected in the delivery of a Retail and Commercial Program Grant contributing to the Residential and Commercial Development Reinvestment Grant Program projects because:
- the City Council can close the program to new applications at any time;
 - any delivery of program funding is bound by the terms of a Reimbursement Agreement;
 - submitting an application does not commit the City to enter into an agreement to pay any costs incurred in its preparation, to participate in subsequent negotiations or to contract for the project. Further, the acceptance of an application does not constitute an agreement by the City that any contract will actually be entered into by the City;
 - the program period during which applicants may qualify for program funding is limited by City Council;
 - the maximum amount of funding per eligible Commercial Use building project is \$50,000;
 - the City will only consider grant funding for a particular feature or aspect of a project under one grant funding program; and
 - Reimbursement Agreement includes the right of the City of Edmonton to caveat the property as security for the Program obligations.

3. RESPONSIBILITIES

- 3.1 DEPUTY CITY MANAGER - REGIONAL AND ECONOMIC DEVELOPMENT DEPARTMENT:
- a. recommends changes to these Procedures to the City Manager;
 - b. recommends to the City Manager the application of these Procedures to an Enterprise Area for a specified term;
 - c. recommends a program funding source to the City Manager;
 - d. evaluates the program annually, provides a report to the City Manager regarding its performance and makes the appropriate recommendations regarding its ongoing implementation;

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- e. serves as the City of Edmonton contact for receipt of applications for Program Grants/Rebates issued pursuant to this Policy;
- f. identifies and administers a funding source;
- g. selection of the Project Review Committee;
- h. evaluates the program upon its completion and makes recommendations to the City Manager regarding its renewal or cessation;
- i. establishes detailed application requirements and the Development Incentive Program Guidelines for the Program, and amends the Guidelines from time to time, as required; and
- j. delegates authority as required to the Project Review Officer in regards to program implementation.

3.2 PROJECT REVIEW COMMITTEE:

- a. is selected by the Deputy City Manager of the Regional and Economic Development Department;
- b. provides additional definition of program boundaries as required for the implementation of the program in an Enterprise Area;
- c. carries out the evaluation of applications, and establishes the terms of the Reimbursement Agreement; and
- d. is chaired by a representative of the Office of the Deputy City Manager of the Regional and Economic Development Department or a designate appointed in his or her place.

3.3 PROJECT REVIEW OFFICER:

- a. evaluates applications for their completeness;
- b. coordinates the administrative review of applications throughout the period between submission of the application and project completion;
- c. prepares a written report on each application with a recommendation to the Project Review Committee to conditionally approve or refuse an application;
- d. prepares appropriate schedules and documentation pursuant to this Policy; and
- e. conducts Pre-Construction Inspections, Post Construction Inspections and periodic other inspections of the subject project.