



**Colchester and County Road 50
Community Improvement Plan
Implementation Strategy
(Revised January 2020)**



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Colchester Community Improvement Plan Implementation Strategy

1.0 Community Improvement Plan Background

1.1 Colchester Hamlet Guideline Plan 2008

Colchester and the adjacent Lake Erie shoreline encompass the Town's unique lakeshore-related settlements and surrounding agricultural community. The Colchester Harbour Marina is known for its sport fishing, picturesque Lake Erie waterfront and Beachfront Park. The lakeshore areas to the east and west of Colchester accommodate waterfront cottages, nestled along the shoreline, in addition to numerous permanent residences, traditional farms, a burgeoning wine industry and active transportation routes.

This Guideline Plan, which is incorporated into the Town of Essex Official Plan, establishes a cohesive vision and planning framework for Colchester for balanced and sustainable future growth.

The following strategic directions will guide and direct future change within the Colchester Hamlet.

- Direct most growth and development to the Colchester Hamlet through appropriate infill and redevelopment;
- Preserve the unique character of Colchester and identify a discernable main street area to provide a focal point for commercial, retail, entertainment and tourism-related activities which also support the waterfront;
- Direct private investment by developing a cohesive vision for the main street area;
- Improve the public amenities within the Hamlet, particularly in the Colchester Harbour , Colchester Park and the beach area to promote tourism and recreational use by local residents;
- Promote support uses and incentives which will enhance visitor accommodation and encourage new businesses benefitting visitors and residents;

- Promote public access to the lakeshore through the provision of parks, trails and waterfront access to add recreational opportunities.

1.2 County Road 50

County Road 50 is part of a circular waterfront transportation corridor linking Lakes St. Clair and Erie and the Detroit River and the waterfront communities that historically took advantage of opportunities for water transportation and regional resource development.

In the early days of settlement, road construction and maintenance fell to the pioneers, not government. Around 1837, settlers began to construct a road, named Front Road, from Henry Lypps' farm to Iler's Creek. A map from 1842 shows Wright's Inn on the west end of the Front Road. A map of Oxley dated 1853 marks the road as "Road to St. Thomas." Travellers using the Front Road could stop at Oxley Hotel for rest and refreshments on this route. This road is known today as County Road 50.

Today the principle economic activity along County Road 50 is farming on its north side and mixed farming and residential development on its south side to Lake Erie. More recently, 6 wineries have been established along County Road 50 within the limits of the Town of Essex. Other activities include the Oxley Beach Golf Course, the John R Park Homestead Conservation Area and bed and breakfast establishments. There are various designated historic properties.

The Town is committed to the provision and enhancement of active transportation facilities along County Road 50. It forms part of the Carolinian Corridor Trail and the Lake Erie Waterfront Trail connecting to the Trans Canada Trail and the Green Verte trail system in the Province of Quebec.

The road is notable for its farmland and waterfront vistas, the preservation and the protection of which are established as policy in the Town's Official Plan.

In 2014, the Ministry of Agriculture, Food and Rural Affairs (OMAFRA), published "Guidelines on the Permitted Uses in Ontario's Prime Agricultural Areas". It sets out parameters for rural development, while recognizing that prime farmland is a finite,

non-renewable resource that shall be protected for long term agricultural use as a matter of provincial policy.

Ensuring that farm viability is resilient is enshrined in the OMAFRA policies and guidelines, which are incorporated into the Town's Official Plan. It is recognized that supplemental farm income is necessary to support a thriving rural economy and that support uses must also be accommodated close to and within agricultural areas.

Consequently, the OMAFRA guidelines are focussed on value-added agricultural uses, on-farm diversified uses and agriculture related land uses to support farm uses.

Examples of value-added or value-retaining facilities are on farm food processing, bulk storage and packaging. Examples of on-farm diversified uses are the preparation and retail sale of products made from produce from the farm or surrounding agricultural area, home occupations, home industries and small scale retail, service and other agri-tourism activities. Agriculture related uses include for example education and research facilities, farm input suppliers, farm equipment repair and sales or a farmers market.

County Road 50 is directly associated with farm production, agri-tourism and active transportation and that portion extending through the Town is part of a larger integrated regional network of like activities. The adoption of the County Road 50 Community Improvement Project Area (CIPA), complementary to and in combination with the Colchester CIP, will help to encourage and support the establishment and maintenance of value-added, on-farm diversified and agriculture related land use activities to keep our rural economy strong, resilient and productive.

1.3 Municipal Authority

Under Section 28 of The Planning Act of Ontario (1990), municipalities are given authority to create community improvement plans with supporting programs for identified community improvement plan project areas. In accordance with Section 28, a municipality may use any of the following strategies in administering the community improvement plan, hereby referred to as the Plan:

- Acquire, hold, clear, grade or otherwise prepare land for community improvement;
- Construct, repair, rehabilitate or improve buildings on land acquired or held by it in the community project area;
- Sell, lease or otherwise dispose of any such buildings and the land associated with it in the community project area;
- Sell, lease or otherwise dispose of any lands acquired or held by it in the community improvement project area for use in conformity with the community improvement plan;
- Make grants or loans for eligible costs associated with a project within the community improvement plan project area in conformity with the community improvement plan;
- Fund the costs of an environmental site assessment, environmental remediation, development or redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities.

Further Section 365.1 of the Municipal Act of Ontario (2001) permits municipalities to pass a by-law providing tax assistance to eligible properties in the form of deferral or cancellation of all or part of the municipal taxes levied on new assessment for a specified period of time. It works in partnership with the provisions of Section 28 of the Planning Act and its provisions are incorporated into it.

The Town will:

- implement the Official Plan objectives for community improvement, development and revitalization, as stated in Section 7.1 of the Town of Essex Official Plan;
- follow Official Plan policies and directives related to community health and prosperity;
- foster an environment to promote and support the economic rejuvenation and enhancement;

- Utilize the CIP implementation strategy, inclusive of financial incentive programs, to complement and assist private sector investment with the goal of achieving a complete community.

The Town will be an active partner in supporting private revitalization and development efforts by providing financial incentives to those projects that will achieve these goals:

- To provide for rehabilitation or improvement of existing buildings and properties, building facades, signage, landscaping, parking and other physical resources, through the use of municipal assisted programs and funding sources;
- To provide for development, redevelopment and adaptive re-use of older buildings and vacant and underutilized lands through the use of municipal assisted programs and funding sources;
- To complement private initiatives, the Town is committed to improving the walkability, amenities and attractiveness of local streetscapes and to develop safe streets that meet the needs of pedestrians, non-motorized and motorized traffic, in accordance with the goals of the Official Plan and Provincial Policy Statement for safe and healthy communities;
- To stimulate private investment in rehabilitation and community improvement in Colchester to support sustainability, community health and prosperity and to develop a complete community;
- To stimulate private investment in value-added farm activities and the establishment and maintenance of on-farm diversified and agriculture-related uses in accordance with OMAFRA's "Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas" and the Town of Essex Official Plan.
- For property owners, investors and community organizations to undertake projects, programs and activities consistent with the Official Plan, the Provincial Policy Statement and relevant Provincial guidelines;
- To preserve, conserve and enhance the heritage and historical structures of Colchester and along County Road 50.

1.4 Colchester Community Improvement Plan Project Area Expansion

- The boundaries of the Colchester CIPA are expanded to include the lands fronting on the north and south sides of County Road 50 west of Colchester to the Town of Essex municipal boundary at County Road 41 and the lands fronting on the north and south sides of County Road 50 to the municipal boundary at County Road 23.
- The policies and programs set out in this Plan are applicable to this plan's project areas exclusively.

2.0 Colchester and County Road 50 Community Improvement Plan Program Strategy

2.1 Clarifications:

Accessible means a barrier free entrance that permits a person with a disability full access to a building, in accordance with the Ontarians with Disabilities Act.

Acknowledgement Agreement means that all property owners making application(s) for grants are required to enter into a grant agreement with the Town of Essex. The grant agreement will specify such items as, but not be limited to, the specific purpose and amount of the grant applicable, the duration of the grant, if of the type spread out over time, and, in the event of a default of the agreement, the owner's obligation to repay through taxes or in such payment acceptable to the Town of Essex any monies received. The agreement is intended to encapsulate all of the terms and conditions included in the specified grant guidelines. It may be registered on title and applicable to present and subsequent owners of the property should the property be sold within a stated period of time.

Agri-tourism uses means ancillary farm related uses which promote the enjoyment, education or activities related to farm life and agricultural production and operations.

Agriculture-related uses means commercial and industrial activities that are directly related to farm operations on the farm or in the agricultural area. They support agriculture production, benefit from being in close proximity to farm operations and they provide direct products or services to farm operators as a primary activity.

Alley means a highway, having a maximum width of less than 7 metres (23 feet), providing a means of access to a lot.

Combined Use Building refers to a building having, as a main uses, both a dwelling unit(s) and a non-residential use(s).

Consistent with the Goals of the Plan refers to the overall goals of the Colchester and County Road 50 Community Improvement Plan, as described in the Plan.

Conversion means to create a new rental dwelling unit(s) or hotel or bed and breakfast accommodation in a dwelling or a combined use building by the addition of new building space to an existing building or the conversion of space within the existing building, in a manner acceptable to the Town and in compliance with the general zoning by-law, By-law 1037, and the Ontario Building Code.

Dwelling means a building or structure or part of a building or structure that is occupied, in whole or in part, for the purposes of human habitation, but does not include a hotel, motel or mobile home.

Facade means the exterior walls of a building directly visible from a street or public area.

Final Inspection and Approval means that the work as described in the Acknowledgment Agreement has been completed in the manner approved by the Town of Essex and has received final inspection and approval from the Town.

Highway means all roads dedicated for public use.

Municipal Wide Services Component of Development Charges means the municipal wide service component of the development charges fees, as set out in the Town of Essex Development Charges By-law for current rates and fees.

On-farm Diversified Uses means uses that are secondary to the principle agricultural use of the property and are limited in area. They include but are not limited to home occupations, home industries, agri-tourism uses and other uses that produce value-added agricultural products from on farm production.

Project Area means the geographic area of the Colchester and County Road 50 Community Improvement Plan delineated by by-law, as may be amended from time to time.

Property Owner means the owner of the land and or building, located in a Colchester and County Road 50 Community Improvement Plan Project Area, which is the subject of a program application within this plan. A person having signing authority and lawfully designated by the owner to make a program application on behalf of the property owner will also be deemed to be the property owner for the purposes of this Plan.

Public Parking Area refers to a free standing parking area available to the public or a shared parking area in which public and private use is available.

Rehabilitation means functional or aesthetic site improvements to the property approved by the Town, including for example: new information or identity signage; parking lot striping and sealing; public benches; landscaping and screening and accessible pedestrian entrances.

Urban Design Guidelines means the architectural and functional guidelines and objectives set out in the Colchester hamlet Guideline Plan.

2.2 Program Start Date

For all Grant programs dealing with financial commitments, the program start date is based upon the annual Council approval of budget funding for the Plan.

2.3 Retroactivity

Program funding is only available after Town of Essex approval of the program(s) and the site specific application. The grant programs or architectural services will not be retroactively applied to works started prior to commencement of the program, unless otherwise authorized by Council.

2.4 Allocation Grants and Architectural Services

Grants: Unless otherwise specifically stated, all grants will be paid to the property owner after the application is approved by the Town and the approved work is successfully completed to the satisfaction of the Town.

3.0 Qualification Criteria for All Programs

All owners of properties within the Colchester and County Road 50 Community Improvement Plan Project Area are eligible to apply for funding, subject to meeting the following eligibility criteria, and the availability of funding as approved by Council. When an applicant is applying for a grant or architectural design service under the Plan, the following criteria must be met to the satisfaction of the Town of Essex.

The following terms and conditions apply to all programs:

- Each of the programs outlined are application based, with review, evaluation and decision-making to be done by the Town on a site specific basis.
- The applicant must be the registered owner of the property for which the application is being made or an agent authorized by the registered owner.
- A property owner who is in arrears of property tax or any other municipal financial obligation cannot participate in a program.
- Any outstanding orders against the subject property must be satisfied prior to the grant application being made or other services rendered under this Plan, unless fulfillment of the order is part of the proposed work.
- Only one application can be made for a property under each applicable grant program, unless the project is phased in a manner satisfactory to the Town of Essex or the Town determines that a further application is merited.
- Proposed work will conform to all municipal policies, standards and procedures of the Town including: its current applicable Official Plan policies, relevant zoning, design guidelines and development manual policies and the necessary planning and development approvals and building permits pursuant to the Ontario Building Code.
- A grant program application must be submitted to the Town of Essex prior to the commencement of any works and prior to application for a building permit directly related to program funding, unless otherwise permitted by Council.

- Such program application will include plans, estimates, contracts and other details as may be required to satisfy the Town with respect to the costs of the project and conformity of the project to the Plan.
- A property owner may be requested to provide a business plan for the proposed work, as part of the program application.
- As a condition of approval, the Town of Essex may also require the submission of professional design and architectural drawings, which satisfy the applicable Urban Design Guidelines of the Plan, as well as, impact studies or mitigation criteria, such as a traffic impact study or an environmental screening report.
- The Town of Essex will require the applicant to provide information on CIP program grants previously received for the subject property from all sources and the amount of the grants will be taken into account in consideration of an application.
- The total value of all grants and services received from the Town of Essex for a subject property shall not exceed the total value of the project or such other minimum level established in the respective program(s), whichever is less.
- All property owners participating in any program will be required to enter into an Acknowledgement Agreement with the Town of Essex. The Council of the Town of Essex will be the approval authority for the execution of an agreement. The agreement will be registered on title and will specify the terms of the grant or services.
- All completed works must comply with the description of the works set out in the related Acknowledgment Agreement.
- Where applicable, when a grant is to be given, the owner will submit, for final approval, a copy of all paid invoices for work that is completed. Grants will be made upon successful completion of the approved work and acceptance of all documentation of the costs associated with the work, in accordance with the provisions of the program.

- The Town of Essex may undertake an audit of work done and associated costs if it deems it necessary. The cost of the audit will be deducted from the approved grant amount.
- Unless the Town deems it appropriate to enter into an agreement with a subsequent owner or transferee for continuation of the grant, if a building, erected or improved with the assistance of a program grant or services, is demolished, sold or its ownership transferred prior to the expiry of the grant or service agreement period, stated in the Acknowledgement Agreement, at the discretion of the Town, the grant or services are forfeited and monies will be recovered by the Town either through posting the fees on the property taxes or by the owner paying a lump sum payment to the Town of Essex.
- The Town may at any time discontinue a program; however, any participants in the program, who have an Acknowledgment Agreement executed prior to program discontinuation, will continue to receive grants or services as approved for their property, in accordance with the provisions of the program and acknowledgment agreement.

4.0 Administration

The following general steps will guide Town of Essex staff in review, evaluation and administration of applications:

- Applicants will be required to have a pre-consultation meeting with appropriate Town of Essex staff in order to determine program eligibility, proposed scope of work, project timing and compliance with the Urban Design Guidelines.
- The Town may request that applications be accompanied by one or more of the following supporting documentation:
 - a site plan and professional design or architectural drawings;
 - specification of the proposed works, and if requested, any construction drawings;
 - estimated project construction costs, including a breakdown of said costs;
 - impact studies such as traffic and parking impact assessments;
 - environmental reports or a record of site condition;
 - incorporation documents;
 - financial information or a market feasibility study, including, but not necessarily limited to:
 - sources and uses of funds;
 - financial statements;
 - purchase price of property;
 - appraised value of property;
 - owner equity;
 - registered mortgages;
 - details of primary construction lending and secondary financing;
 - and,
 - projected unit sale prices and/or rental rates
 - projected employment levels.

- Before accepting an application, Town staff will screen the application. If the lot affected is outside of a Colchester and County Road 50 Community Improvement Plan Project Area or the application clearly does not meet the program eligibility criteria, the application will not be accepted. Acceptance of the application by the Town does not imply approval under the Plan.
- Town staff will perform an initial site visit and inspection of the building or property, if deemed necessary.
- The owner must provide evidence of financial capability to develop the property according to the terms of the program.
- If all criteria are met, the Town of Essex will approve the Program Application request, and an Acknowledgement Agreement between the Town of Essex and the property owner will be prepared for execution.
- Once the Town has approved the Program Application request and Acknowledgement Agreement, the Agreement will first be executed by the property owner and then by the Town of Essex.
- Preparation for the release of grants will be processed after:
 - the Agreement has been executed and registered on title;
 - staff have inspected the property and documented the pre-development state and/or completion of the approved works;
 - staff are satisfied with all reports and documentation submitted;
 - a building permit has been issued, if required for the approved works.
- The monies or services will be advanced to the property owner on satisfactory completion of the project in accordance with the terms of the program and, if required, proof of payment of all related invoices and a copy of the invoice(s) have been presented to the Town.

4.1 Resource Implications

The allocation of grant and staff resources towards the programs included in the Colchester and County Road 50 Community Improvement Plan will be at the sole discretion of the Council for The Corporation of the Town of Essex and:

- It is anticipated that the Colchester and County Road 50 Community Improvement Plan will be implemented over a 10 year time period. Town of Essex Council may elect to extend the implementation period, discontinue or amend the Plan, as it deems appropriate or necessary.
- The Plan and its Implementation Strategy will be reviewed and assessed by Development Services Staff annually and may be amended from time to time by Council resolution and/or by-law amendment to the Plan, at Council's discretion.
- Council has adopted Urban Design Guidelines to provide guidance to the property owner as well as staff and Council to ensure, where applicable, that all applications conform to desired design concepts and strategies for the development of lands within the boundaries of the Plan.
- The Implementation Strategy establishes the details of and obligations under each program available. Please refer below to Section 5.2 Program Descriptions.
- Council will establish the level of incentives offered and will, as part of its annual budget process, determine if changes in the incentive levels are necessary, desirable or warranted.
- Any substantive changes to the project area boundaries or the introduction of new programs will require an amendment to the Plan by by-law.
- Based on the program package described above, the resource requirements are:
 - Staff and professional resources to administer the program package;
 - Marketing, advertising and other delivery costs for the Plan;
 - Town approval to grant monies under the following programs.

5.0 Program Details

A description of each of the Plan programs is provided in this section. The allocation of resources toward all programs and to each program in the Colchester and County Road 50 Community Improvement Plan will be entirely at the discretion of Council for the Town of Essex.

A property owner may make application for a grant or services under one or more programs, subject to eligibility. Only one application can be made for a property under any program, unless development is phased in a manner acceptable to the Town.

Owners must make application in writing to the Town and meet all of the information requirements set out in the application package or as required by the Town.

All property owners participating in any program will be required to enter into an Acknowledgement Agreement with the Town of Essex. The Economic Development Officer for the Town of Essex or the Manager of Planning Services in his or her absence for the Town of Essex will be the approval authority for the execution of an Agreement. The Agreement will specify the terms of the grant and services and set out a description of the works approved. Depending on the program, the Agreement will be registered on title. All completed works must comply with the description of the works set out in the related Agreement and the terms and conditions therein.

5.1 Program Groups

Exclusively for lands within the Colchester and County Road 50 Community Improvement Plan Project Area, an eligible property owner has access to one or more of the following eight financial incentive programs:

Development Grant Programs

- Development Permit Fee Grant Program
- Development Charges Grant Program
- Tax Increment Equivalent Grant Program
- Parks Levy Equivalent Grant Program

Revitalization Grant Programs

- Façade Improvement Grant Program
- Outdoor Cafe, Patio, and Commercial Outdoor Space Grant Program
- Conversion and Rehabilitation Grant Program
- Professional Design Services Grant Program

5.2 Program Descriptions:

5.2.1 Development Permit Fee Grant Program

The **Development Permit Fee Grant Program** provides a grant to property owners undertaking works that require approval under the Planning Act or the Building Code Act or both. This program applies to Planning Act applications or construction permits to which fees, hereby referred to as development permit fees, apply to the following uses: a bed and breakfast conversion; the addition of a rental dwelling unit in a settlement area; the construction of a commercial or industrial building in a settlement area; the establishment of an on-farm diversified use or an agriculture related use.

Program Specific Provisions:

- A property owner intending to establish and operate one of the uses set out above are eligible to participate in this program.
- Eligible development permits are applications for any one or more of: an Official Plan Amendment; a Zoning By-Law Amendment; a Minor Variance; a Site Plan Control Agreement; Consent or Plan of Subdivision Approval; Removal of the Holding (h) designation; a Demolition Permit; a Building Permit; a Plumbing Permit; a Sign Permit and/or a Driveway Permit.
- The property owner will receive the grant equivalent of the development permit fee or combination of fees charged by the Town for the approved project.
- The grant payment is normally made to the property owner within 30 working days following final inspection and approval of the completed works.

5.2.2 Development Charges Grant Program

The **Development Charges Grant Program** provides a grant up to the equivalent of the municipal wide services component of the development charges fee applicable to the property owner undertaking works to which Development Charges apply.

Program Specific Provisions:

- Where development charges are applicable, eligible works include:
new rental dwelling units; development and redevelopment of commercial, Industrial or Institutional zoned lands or the expansion of existing commercial, Industrial or Institutional buildings and facilities; development and redevelopment of industrially zoned lands or the expansion of existing industrial buildings and facilities;
- The municipal wide services component of development charges paid by the property owner is returned by means of a grant equivalent to the lesser of 100 percent of that component or the agreed upon and subsequently verified costs of development or redevelopment accepted by the Town;
- The grant payment is normally made to the property owner within 30 working days following final inspection and approval of the completed works.

5.2.3 Tax Increment Equivalent Grant Program

The **Tax Increment Equivalent Grant Program** provides a grant equivalent to the municipality's annual incremental tax increase from a development that increases the assessed value of the property. This program does not apply to Greenfield lands, namely, farmed lands that require an Official Plan amendment and rezoning to permit an intended principal use or uses.

Program Specific Provisions:

- The Tax Increment Equivalent Grant Program applies to:
new commercial development and the expansion of existing commercial buildings, new industrial development and the expansion of existing industrial

buildings and facilities and the establishment of an on-farm diversified or agricultural-related use, .

- Grants will only be made to property owners undertaking work consistent with the Urban Design Guidelines, where applicable.
- Development of the land must result in an increase of a minimum of \$500,000 in the assessed value of the property.
- The pre-approved assessed value of the land will be the value of the land on the date of application for a building permit.
- The municipal grant amount is determined by the incremental property tax increase applied to the property as a direct result of the works set out in the grant application approved by the Town of Essex.
- A maximum grant equal to 100 percent of the incremental property tax increase payable to the Town is given for each of the first 5 years. Another period of time and payment schedule may be set by Council; however, the total amount of the grant will not exceed the total grant equivalent of 100 percent of the incremental property tax increase payable to the Town for the first 5 years, nor will it be less than 100 percent of the incremental tax increase for the first year.
- Council will determine the total amount of the grant based on, the employment generation potential of the project within the community, the level of investment, the costs of construction and land preparation, and, where applicable, the cost of building rehabilitation.
- The grant is paid annually to the property owner at such time and in such manner as approved by the Town of Essex for the time period set out in the agreement; however, the date of the first payment shall be one year after the Town, upon confirmation that all taxes owing have been paid by the owner, has received the Notice of Reassessment and, in subsequent years, after confirmation that the taxes owing for each year have been paid in full by the owner.

- If the use of the property changes while the acknowledgement agreement grant time period is in effect, such that the purpose and intent of the grant is declared by the Town to be null and void, the grant is immediately cancelled and any grant monies received will be recovered by the Town in such manner available to it, unless the Town deems it appropriate to enter into a new agreement with the property owner for continuation of the grant.

5.2.4 Façade Improvement Grant Program

The **Facade Improvement Grant Program** offers assistance to property owners who are undertaking commercial or industrial building façade improvements in settlement areas or who intend to renovate and use an existing farm building(s) for the establishment of an on-farm diversified use or an agriculture related use.

Program Specific Provisions:

- Eligible works include:
 - any repairs or rehabilitation of a building front façade, as approved by the Town, including the repairing, repainting or cleaning for the façade, restoring a facade with masonry, brickwork, wood and metal cladding, replacing cornices, eaves, parapets and other architectural features, repairing and replacing windows, entranceway modifications for accessibility, redesigning the store front, restoring the original facade appearance, replacing or repairing canopies and awnings, installing exterior lighting and installing energy-efficient fixtures or cladding.
 - The removal of inappropriate or out dated signage and installation of a new sign structure are eligible works under this grant when used in combination with any of the works described above.
- Grants will be made to property owners undertaking façade improvements consistent with the Urban Design Guidelines of the Plan, where applicable.

- The grant amount is 50 percent of the total cost of the approved works to a maximum grant of \$12,000 per building.
- Notwithstanding the provisions for the payment of grant monies under the Façade Improvement Grant set out immediately above, a 100 percent refurbishing grant amount of up to \$2,000 per building is available for any of the above-listed actions. Only works that are \$2000 or less will be eligible for this grant. Payment of this grant does not prejudice a subsequent application for the larger façade improvement grant above at the end of a twelve month interim period before such application will be accepted. The twelve month interim period may be reduced if, in that period, there is a change of ownership of the property or a new business replaces the business for which the grant was given. A property for which a Façade Improvement Grant was given or approved is not eligible for this refurbishing grant.
- Side and rear façade improvements are eligible, if the façade faces and abuts an alley or highway or a public parking area or there is direct public access to outdoor facilities accessory and complementary to the main use of the building, such as an outdoor patio or dining area.
- The grant payment is normally made to the property owner within 30 working days following final inspection and approval of the completed works.

5.2.6 Outdoor Café, Patio and Commercial Outdoor Space Grant Program

The **Outdoor Café, Patio and Commercial Open Space Grant Program** offers assistance to property owners who are undertaking the construction of outdoor cafes, patios or other commercial open space, that is accessory and complementary to a commercial use or an on-farm diversified or agriculture-related use within a building on the same lot.

Program Specific Provisions:

- Eligible works include: hardscaping and landscaping and other features to define, shelter, delineate and otherwise enhance the outdoor space.

- The following works are also eligible when used in combination with the items above: new accessible entrances to and from the designated outdoor area, new identification and directional signage, and facilities or structures for the storage or parking of bicycles. Furniture or other facilities that are not fixed in place are not eligible for this grant
- Grants will be made to property owners undertaking work consistent with the goals of the Colchester and County Road 50 Community Improvement Plan and the applicable Urban Design Guidelines therein.
- The grant amount is 50 percent of the total cost of the approved works to a maximum grant of \$4,000.
- If the use of the property changes within 5 years after the giving of the grant, such that the purpose and intent of the grant is declared by the Town to be null and void, the grant is immediately cancelled and any grant monies received will be recovered by the Town in such manner available to it, unless the Town deems it appropriate to enter into a new agreement with the property owner for continuation of the grant.
- Where the improvements encroach onto municipal property or a public right of way, the property owner and business operator must enter into an Encroachment Agreement with the Town. The property owner and business operator must indemnify and save the Corporation harmless from all claims for damages sustained by any person, by reason of the permission granted in the encroachment agreement. The property owner and business operator must maintain public liability and property damage coverage in the said encroachment area structure with the Corporation as a named insured and to provide proof thereof annually to the Town.
- The grant payment is normally made to the property owner within 30 working days following final inspection and approval of the completed works.

5.2.7 Conversion, Rehabilitation and Enhancement and Building Demolition Grant Program

Conversion Grant Component:

The **conversion component of this Program** offers assistance to property owners who are creating a bed and breakfast operation or who intend to utilize existing above the ground floor commercial building space or an existing dwelling to create a new rental dwelling unit(s), hotel rooms or suites or bed and breakfast rooms or suites, where permitted by the general zoning by-law. When related to these conversions, grant monies may also be made available for the provision of additional on-site parking, exterior security lighting and other external safety features mandated by the works required to complete the conversion approved under this application.

Program Specific Provisions:

- The grant amount for conversion is 50 percent of the total cost of the approved conversion to a maximum grant of \$5,000 per rental dwelling unit or per hotel unit or suite of rooms and \$1000 for a bed and breakfast bedroom or suite of rooms.
- The grant payment is normally made to the property owner within 30 working days following final inspection and approval of the completed works.

Rehabilitation Grant Component:

Dwelling Unit Rehabilitation:

The **rehabilitation component of this Program** offers assistance to property owners to bring existing rental dwelling units in a combined use building or dwelling up to the current minimum standards of energy efficiency under the Ontario Building Code.

- The grant amount for the rehabilitation of existing affordable rental dwelling units is 50 percent of the total cost of the approved rehabilitation works to a maximum grant of \$2,000 per rental dwelling unit.

Accessible Entrance:

- A grant is available for the reconstruction of an existing public entrance to make it accessible at an amount equal to 50 percent of the total cost to a maximum of \$6,000.
- The grant payment is normally made to the property owner within 30 working days following final inspection and approval of the completed works.

Landscaping and Buffering:

Grant monies can also be used by business operators for new landscaping, the screening and buffering of parking areas and other works that are specifically intended to improve the aesthetic appearance of the property from the street or to mitigate nuisances impacting an adjacent residential area.

- For aesthetic and buffering improvements to commercial, institutional or industrial properties, the grant amount is 50 percent of the total cost of the approved rehabilitation to a maximum of \$6,000 for the property. If the use of the building changes within 5 years after the giving of the grant, such that the purpose and intent of the grant is declared by the Town to be null and void, the grant is immediately cancelled and any grant monies received will be recovered by the Town in such manner available to it, unless the Town deems it appropriate to enter into a new agreement with the property owner for continuation of the grant.
- The grant payment is normally made to the property owner within 30 working days following final inspection and approval of the completed works.

Demolition Grant Component

Grant monies are available for the complete or partial demolition of a commercial or industrial building, including external components, such as storage facilities, steps or a vestibule, which are integral to the functioning of the building. Proposals for a complete demolition must be accompanied by an executed development agreement, unless the demolition will result in the fulfillment of a work order. Partial demolition is subject to approval by the Chief Building Official who must determine that demolition

is necessary for public safety or that the demolition is necessary to permit the reconstruction of a principal component of the building.

- The grant amount is 50 percent of the cost of demolition to a maximum of \$6,000.
- Grant approval will be conditional upon acceptance of a redevelopment plan for the site, if substantial or complete demolition is proposed. Council may consider the giving of the grant where a redevelopment plan is not in place but a temporary use of the site is proposed and accepted by Council.
- The grant payment is normally made to the property owner within 30 working days following final inspection and approval of the completed works.

5.2.8 Professional Design Services Grant Program

The Professional Design Services Grant Program is intended to provide a financial incentive in the form of a grant to help offset the cost of professional design services required or encouraged by the Town.

The Town may provide a grant for the services of an architect, landscape architect or similar design professional to property owners for the preparation of a conceptual design for the building facade and exterior restoration, including heritage restoration, and for improvements to the property's grounds, including new landscaping and the addition of outdoor facilities that enhance the business operation and the streetscape.

The professional service provided must be consistent with the Town's Urban Design Guidelines and utilized in combination with one of the following grant programs: Facade Improvement Grant Program, Outdoor Café, Patio and Commercial Outdoor Space Grant Program or the Conversion and Rehabilitation Grant Program.

Program Specific Provisions:

- Grants will only be made on behalf of property owners undertaking work consistent with the goals of the Town of Essex Urban Design Guidelines.

- This program offers reimbursement for professional design services to a maximum fee for service of \$2,000 per property for the development of a conceptual design plan or plans.
- The property owner must sign an Acknowledgement Agreement form at the time that the grant is approved.

6.0 Monitoring and Assessment

The Town will conduct periodic reviews of the programs being implemented under the Colchester and County Road 50 Community Strategic Plan and, on an annual basis, determine their effectiveness and whether modifications to a program should be made.

Development Services staff for the Town of Essex will provide Council with a regular status report for grant applications received under the Colchester and County Road 50 Community Improvement Plan. Planning staff for the Town of Essex will also monitor the CCIP program and report to Council on an annual basis each year with a recommendation on the future level of funding to ensure funding sources are considered with each annual budget.

Development Services staff will maintain a database to include the following:

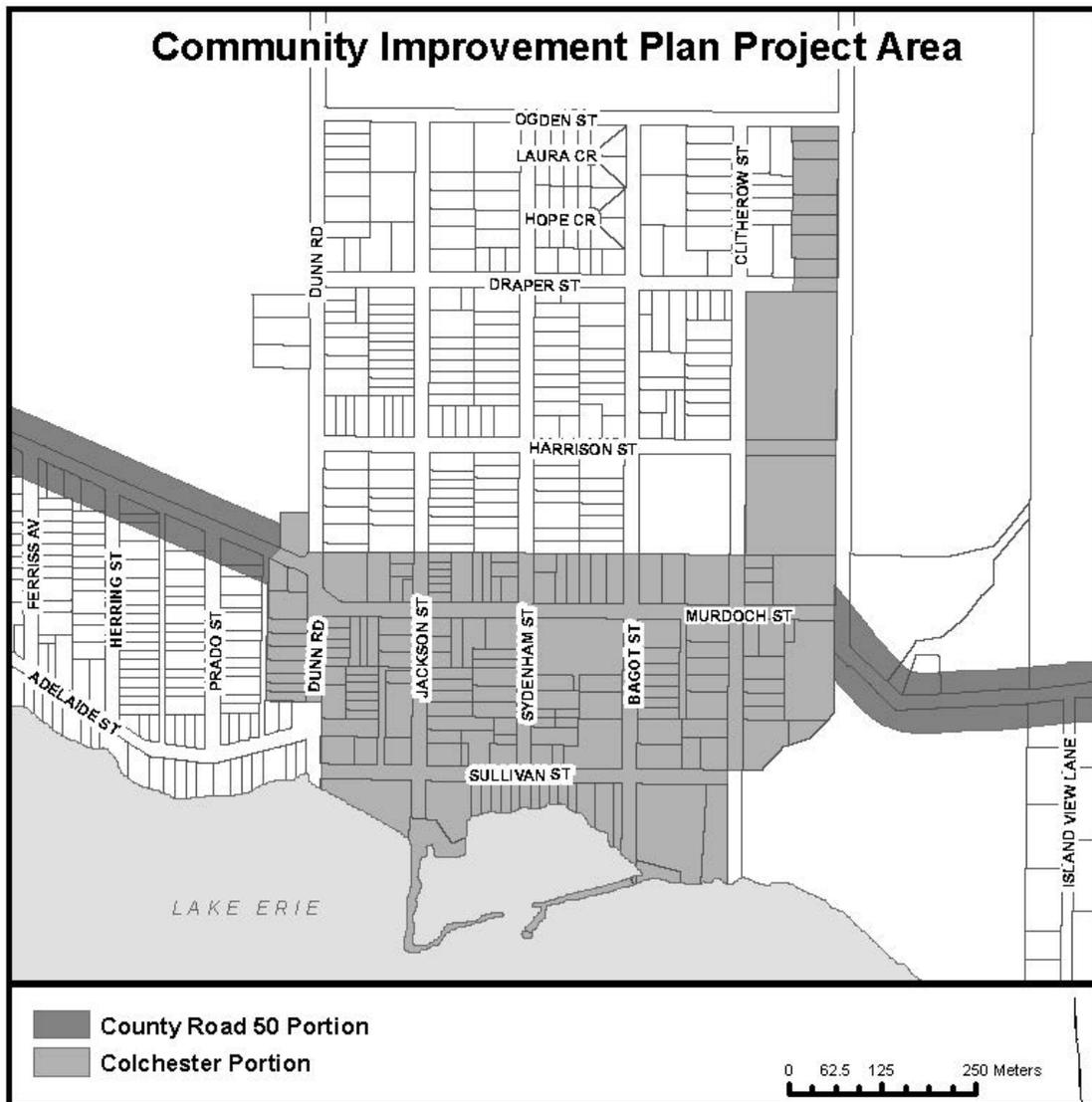
- number of approved applications and completed works for the year;
- the program utilized for each application;
- the amount of grant money provided for each program;
- the financial implications to the Town and budget for the above;
- Recommendations for the next years' budget requirements.

Development Services staff report will provide an annual recommendation on the merits of continuation, expansion or cessation of the Plan and its programs. Significant changes to the Plan proposed by staff or Council will require an amendment by by-law approved by Council. Administrative, technical changes and minor adjustments can be made without amendment.

7.0 Colchester and County Road 50 Community Improvement Plan Project Area Maps

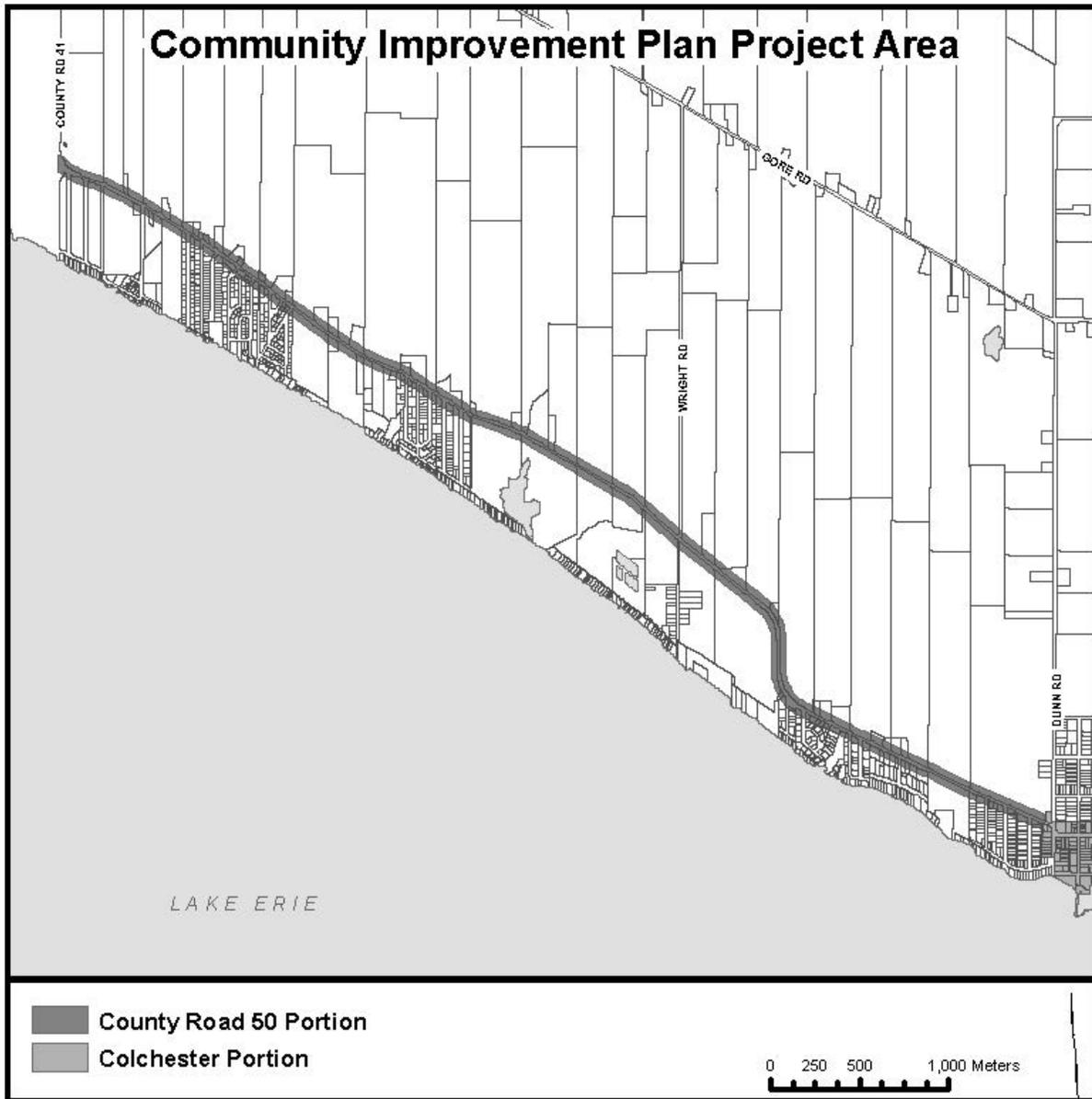
Map 1

Boundary Map of the Colchester Portion of the Community Improvement Plan Project Area



Map 2

Boundary Map of the County Road 50 Portions of the Community Improvement Plan Project Area



Map 3

Boundary Map of the County Road 50 Portions of the Community improvement Plan Project Area

