



Downtown Windsor Façade Improvement Program

A Program of the Downtown Windsor Business Improvement Association
474 Ouellette Avenue, Windsor ON N9A 1B2
Phone 519-252-5723 Fax 519-252-6817 www.downtownwindsor.ca

APPLICATION

- Subject to funding availability
- Applications are considered on a first in, first reviewed basis

This program is available to owners and tenants of buildings used for commercial purposes at street level located in the Downtown Windsor Business Improvement Area. Properties are eligible for an up to maximum of \$10,000.00 (\$15,000.00 for a corner property, provided improvements are proposed for both the front and corner-side wall of the building facing a public road or pedestrian right-of-way). More than one payment may be issued to a property, provided the total funding does not exceed the maximum. Applicants should be aware that the Façade program has limited funding. Therefore funds would be awarded to those applicants that display greater adherence that follows the Façade design guidelines.

Address of Property: _____

Name of Registered Owner: _____

Name of Applicant: _____

Mailing Address of Applicant: _____

Telephone: _____

Fax: _____

Email: _____

Please mark X: Tenant Owner

Estimated Cost of Proposed Façade Improvements

Attach two independent contractor estimates for each aspect of the job. Funding will be awarded on the basis of the lowest bid. The DWBIA reserves the right to solicit an independent contractor estimate if needed.

Name of Contractor/ Subcontractor with lowest bid: _____

Amount: _____

Second Contractor/Subcontractor: _____

Amount: _____



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Please place a detailed drawing/sketch of the proposed façade in the box provided below

- Indicate what fixtures are being replaced, such as new windows, doors, signage, or awnings.
- If you need additional space for description, please use the reverse of this page.
- Applications must provide for a minimum of three of the eligible façade improvements.

APPLICATION



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I/We are the owner(s) of the property at _____.

I/We attach a copy of the most recent registered deed for the property as proof of ownership.

I/We apply for funding in the amount of \$ _____ for the purposes of commercial façade improvements to the building at _____.

I/We agree that by signing and submitting this application, I/We will be bound by the terms and conditions as attached.

I/ We agree that if program funding is approved, a Letter of Understanding in the form or substantially in the form of the Sample Letter of Understanding as attached, will be executed and returned to the DWBIA.

I/We certify that the building façade has been inspected and complies with the Ontario Building Code, City by-laws and all applicable law.

I/We will obtain all necessary permits required for or in respect of the façade improvements.

I/We will ensure that the improvements will be carried out in accordance with the Building Code, City By-laws, and all other applicable law.

I/We will provide proof of payment i.e. photocopies of all invoices stamped 'paid' relating to the façade improvements.

I/We acknowledge that the completed façade improvements are subject to inspection by the DWBIA.

Date:

Signature of Owner(s)

Name of Corporation (if applicable)

I have the authority to bind the Corporation

Questions about this collection can be directed to the Executive Director, Downtown Windsor Business Improvement Association, 474 Ouellette Avenue, Windsor, Ontario, N9A 1B2, P: 519.252.5723, F: 519.252.6817, www.downtownwindsor.ca.

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APPENDIX 1: TERMS AND CONDITIONS

By signing and submitting this application, the Owner/Recipient acknowledges and agrees to the following terms and conditions:

1.0 Use and Purpose of Funding

- 1.1** This funding must be used only for the purposes of the commercial façade improvements as described on the application.
- 1.2** The recipient (“Recipient”) must notify the Downtown Windsor Business Improvement Association (DWBIA) of any proposed material changes to the façade improvements from what is contained in the application. The funding can be used for such changes only with the prior written consent of the Executive Director of the DWBIA (Executive Director).
- 1.3** The Recipient must not transfer or assign the funding or any part of it to another individual or corporation, without the prior written consent of the Executive Director.

2.0 Municipal Freedom of Information and Protection of Privacy Act

The information contained in this application is subject to the *Municipal Freedom of Information and Protection of Privacy Act*. All decisions are publicly available.

3.0 Payments

If funding is approved, the Recipient will be advised in writing as to the amount of the funding. The funding will be disbursed by cheque following:

- (a) completion of the façade improvements to the satisfaction of the Executive Director;
- (b) receipt of proof of payment of all invoices i.e. photocopies of all invoices stamped ‘paid’ or photocopies of cheques or credit card receipts relating to the façade improvements by the Executive Director;
- (c) submission of photographs of the building façade after the façade improvements have been completed.

4.0 Acknowledgement of Funding

The Recipient will acknowledge the support of the DWBIA on any materials, reports, events, publicity or signage which are paid for in whole or in part with the funding.

5.0 Accounting

- 5.1** The Recipient must keep and maintain all records, invoices and other documents relating to the funding in a manner consistent with generally accepted accounting principles and clerical practices, and must maintain such records for a period of three (3) years from the date of approval of the funding.
- 5.2** The Recipient authorizes the DWBIA at all reasonable times to inspect and copy any and all records, invoices and documents in the custody or control of the Recipient which relate

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to the funding. The right of inspection includes the right to perform a full or partial audit of the aforementioned records, as considered appropriate by the DWBIA.

6.0 Project Completion Time

The façade improvements must be completed no later than **December 31, 2010** unless the Executive Director has provided prior written approval of an extension.

In the event that any portion of the facade improvements remain incomplete, as determined by the DWBIA, on the final completion date, neither the funding nor any portion thereof shall be payable by the DWBIA and, the DWBIA shall not be liable for any loss, costs or damages arising as a result of the Recipient's failure to obtain funding due to the failure to complete the façade improvements within the project completion time frame.

7.0 Consultation

- 7.1** The DWBIA may involve individuals with appropriate expertise in the review process, which may include a peer/citizen review mechanism.
- 7.2** The DWBIA reserves the right to consult with other funding agencies to determine the eligibility of the applicant to receive funding.

8.0 Limitation of Liability and Indemnification

- 8.1** The DWBIA will not be liable for any damages, injury or any loss of use or profit of the Recipient arising out of, or in any way related to the funding or to the Recipient's operations.
- 8.2** The Recipient shall indemnify the DWBIA, its officers, employees and agents, against all costs, damages and expenses incurred as a result of a claim or proceeding related to the funding or to the Recipient's operations, unless such costs, damages or expenses arise from the negligence or wilful act of an officer, employee or agent of the DWBIA.

9.0 Repayment

- 9.1** The Recipient must, at the request of the Executive Director, repay to the DWBIA the whole or any portion of the funding, as determined by the DWBIA, if the Recipient:
 - (a) Has knowingly provided false information in his/her application;
 - (b) Uses funds for purposes not approved;
 - (c) Breaches any of the terms or conditions of the funding; or
 - (d) Breaches any of the provisions of the Ontario Human Rights Code in its operations.
- 9.2** The DWBIA may, in its sole discretion, require the Recipient to pay interest on any amount required to be repaid pursuant to this section at the prime rate of TD Canada Trust from the date for the request for repayment to the date of repayment.

10.0 Unused Funds

Any unused portion of the funds remains the property of the DWBIA.

11.0 Further Conditions



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The DWBIA shall be entitled, at any time, to impose such additional terms and conditions on the use of the funds which, in its sole discretion, it deems appropriate.

12.0 Report

The Recipient will provide to the Executive Director photographs of the building façade after the improvements to it have been completed and inspected.

13.0 Status of Applicant

The Recipient must be in good standing with the DWBIA, having met the terms and conditions of any previous funding provided by the DWBIA.

15.0 Letter of Understanding

The Recipient must execute and return to the Executive Director an executed copy of a Letter of Understanding.

- Other improvements agreed to by the Review Committee.

16.0 Review Committee

The Review Committee is comprised of members of the DWBIA Executive Committee, the DWBIA Executive Director and an outside architect, all of whom have voting privileges. The chair of the Review Committee shall be the Development Chair. Quorum shall be 50% + 1.



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APPENDIX 3: PHOTO / IMAGE CONSENT FORM

I, (print full name) _____, am the
commercial property owner of _____ that is the
subject of this application.

I authorize and hereby grant permission to the Downtown Windsor Business Improvement Association (DWBIA) to photograph and / or videotape my building, and / or to supervise any others who may do the photography, and/or videotaping, and / or to use and / or permit others to use information from the aforementioned images and videotapes in educational and promotional activities of the DWBIA without compensation.

Name of the Owner (please print)

Signature of Owner

Date: _____

Owners Contact Information:

Mailing Address: _____

City & Postal Code: _____

Telephone (Business): _____

Telephone (Residence): *optional* _____

Cell Phone: *optional* _____

Fax: *optional* _____

Email: *optional* _____

The personal information on this form together with the corresponding photographs and videotapes is may be reproduced in DWBIA publications/materials, including marketing and promotional materials, and the DWBIA official Web site. Questions about this collection can be directed to the Executive Director, Downtown Windsor Business Improvement Association, 474 Ouellette Avenue, Windsor, Ontario, N9A 1B2, P: 519.252.5723, F: 519.252.6817, www.downtownwindsor.ca.

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CHECKLIST

- *Subject to funding availability*
- *Applications are considered on a first in, first reviewed basis.*

Documents to be submitted along with the façade application form are:

- All 4 pages of the application form completely filled
- 2 contractor estimates
- Photograph of the current façade
- Sketch and / or architectural drawing of the proposed façade
- Proof of ownership (copy of the land deed or copy of the latest tax bill)
- If the tenant is applying for the grant, please provide a 'No-objection' letter from the property owner along with the above mentioned documents

NOTE:

- Please submit the Application Form to the to the Executive Director, Downtown Windsor Business Improvement Association, 474 Ouellette Avenue, Windsor, Ontario, N9A 1B2, P: 519.252.5723, F: 519.252.6817, www.downtownwindsor.ca.
- The DWBIA will contact you for an interview with the Review Panel if required.
- No work on the façade should commence prior to the interview.