



Certified to be a true and complete copy of By-Law Number 2008-025 passed by the Council of The Corporation of the Municipality of Kincardine on the 20th day of February 2008.

# BY-LAW

NO. 2008 - 025

Donna MacDougall February 29, 2008

Donna MacDougall, a Commissioner, etc., County of Bruce, while Clerk of The Corporation of the Municipality of Kincardine

## BEING A BY-LAW TO ADOPT A COMMUNITY IMPROVEMENT PLAN FOR THE KINCARDINE BIA COMMUNITY IMPROVEMENT PROJECT AREA

**WHEREAS** subsection 28 (4) of the Planning Act, R.S.O. 1990, c. P.13 authorizes the Council of a local municipality to adopt a community improvement plan for a community improvement project area;

**AND WHEREAS** By-law No. 2007-347 was passed November 14, 2007, the Council of The Corporation of The Municipality of Kincardine designated the Kincardine Business Improvement Area (BIA) as a Community Improvement Project Area;

**AND WHEREAS** a Community Improvement Plan attached hereto as Schedule "A" has been prepared for that Community Improvement Project Area;

**AND WHEREAS** the said Community Improvement Plan conforms too the Official Plan of the Municipality of Kincardine;

**NOW THEREFORE** the Council of The Corporation of the Municipality of Kincardine **ENACTS** as follows:

1. That the Kincardine BIA Community Improvement Plan, attached hereto as Schedule "A" and forming part of this By-law, is hereby adopted for the Kincardine BIA Community Improvement Project Area described in By-law No. 2007- 347.
2. That the Municipal Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing for approval of the said Community Improvement Plan.
3. That this by-law shall come into force and take effect on the day of the final passing thereof, subject to the approval of the Minister of Municipal Affairs and Housing.
4. That this by-law may be cited as the "Kincardine BIA Community Improvement Plan By-law".

**READ a FIRST and SECOND TIME** this 20<sup>th</sup> day of February, 2008.

  
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Mayor (Deputy) Clerk

**READ a THIRD TIME and FINALLY PASSED** this 20<sup>th</sup> day of February, 2008.

  
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Mayor (Deputy) Clerk



Schedule “A”

**Community Improvement Plan  
for the Municipality of Kincardine’s Façade Improvement Program (FIP)**

**INTRODUCTION:**

The Official Plan of the Municipality of Kincardine contains policies regarding community improvements that qualify the municipality to prepare and implement CIPs, and other mechanisms that are governed by Section 28 of the *Planning Act*.

The CIP establishes a program of financial assistance to stimulate private sector investment in the rehabilitation and improvement of the designated Community Improvement Project Area.

**Program Objective and Details**

The objective of the FIP is to tie separate areas of the community together by improving the collective visual appeal of the downtown area. The program is designed to enhance the appearance of businesses along Kincardine’s main street by building upon the Traditional theme of the original Business Improvement Area (BIA) streetscape. This will be accomplished through a coordinated effort to revert to the use of traditional heritage exterior colours and/or painting schemes that highlight specific architectural features.

**BACKGROUND:**

A number of buildings within the Program Area were built during the Victorian period (1850 to 1900). Many buildings have retained their original detailing, while some have been altered for various reasons, and others are contemporary infill building additions.

The Kincardine Economic Development Committee (EDC) has an interest in improving the overall look and feel of downtown Kincardine.

Stempski Kelly Associates Inc. were retained by the municipality to produce a façade improvement guideline for the Municipality of Kincardine. The guideline illustrates how façades can be altered to satisfy the Committee’s initiative to follow a Traditional Heritage theme.

The Façade Improvement Guidelines are attached as Appendix 1.

**ELIGIBILITY & PROGRAM AREA:**

**Eligibility**

Eligible properties are buildings used for commercial businesses within the Business Improvement Area, where the businesses are members of the BIA.

Business owners may be an owner or tenant of the building within which their business operates. The business owner must have signed documentation from the landlord, approving and endorsing the project. The form required is attached as Appendix 2.

**Responsibility of Applicant**

The applicant is responsible for the quality and timeless manner of their project. The Kincardine EDC will not be responsible for work not completed according to the plan outlined in the application.

### Factors under Consideration

- A complete façade project is more favourable than just a sign or flower box.
- The applicant must ensure communication has occurred with neighbouring businesses in order to ensure that neighbouring projects compliment one another. Documentation must be completed in the application.
- Signage matching the building using overhead lighting.
- The subcommittee prefers that an applicant use colours from the Heritage/Historical Paint Collection.
- A detailed breakdown of the project is enclosed along with supporting documentation.

### Program Area

The map below indicates the properties within the Business Improvement Area.



### FUNDING:

Funding awarded to successful applicants will subsidize up to 50% of costs (to a maximum, depending on building frontage) associated with improving the exterior façade of their place of business.

Basic funding formula is 50% of total project costs (not including taxes). To determine the funding cap for the occupied building:

1. Measure the linear distance (in feet) along the sides of the building that face the main street(s). If more than one business resides in one building the frontage measurement should reflect only the portion of the building that the business occupies.

2. For frontage measurements at or below 50 feet the funding cap is \$2,000.00.

Applicants may undertake the work themselves, but cannot submit labour costs as part of the project. Only quotes obtained from local contractors are eligible for funding.

The approved funding will be dispersed upon completion and final inspection of the project. In order to receive payment, the applicant must submit copies of all paid invoices to the Kincardine EDC.

The Kincardine EDC only has a specific amount of funding available for this project. Once it is dispersed, the project will be ended.

#### **METHODOLOGY:**

The façade improvements that are eligible for funding include:

- Painting and/or cladding of buildings
- Signage upgrades/replacement
- Frontal illumination for signage
- Masonry repair
- Awnings, shutters, trim, glass repair, vinyl graphics, wood repair
- Replacement of windows and doors returned to their original heritage look

#### **DELIVERABLES & GOVERNANCE:**

##### **Application Form**

The Application Form is attached as Appendix 2.

##### **Deadlines**

Application Deadline	Work Timeline	Submission of Paid Invoices by:
November 30, 2007	November 15, 2008	November 30, 2008
May 30, 2008	June 30, 2009	July 11, 2009
November 30, 2008	November 15, 2009	November 20, 2010

##### **Review , Evaluation & Approval**

Applications are evaluated by a subcommittee comprised of members from the Kincardine EDC, BIA and Heritage Kincardine immediately following the deadlines date(s). The subcommittee will review the applications and will either recommend approval or will request additional information. This process is expected to take 2-3 weeks.

If an application is declined, the applicant may submit again. If an application is approved, the applicant is only eligible for funding once.

The subcommittee will notify the applicant that their application has been approved and the applicant will be required to sign a legal contract before the project is started. The applicant will be assigned a subcommittee contact/liaison, who can provide guidance and support for the duration of the project.

Approval of the application does not include any approval for any necessary permits (e.g. Building, encroachment, etc.) that an applicant may need to complete a project. The applicant should contact the Municipal Office at (519) 396-3468 for information on by-laws, permits, etc.

**Assistance**

Assistance with colour choices is available by contacting the local paint supply business.

Assistance throughout the process is available through the subcommittee.

**APPENDICES:**

Appendix 1:  
Façade Improvement Guidelines

Appendix 2:  
Application Form