

# **Workplace Electric Vehicle Charging Incentive Program**

## **Program Guide**

**January 2018**

## Workplace Electric Vehicle Charging Incentive Program Guide

### Program Overview:

As part of the Climate Change Action Plan, the government is taking action to increase the number of electric vehicle (EV) charging opportunities in Ontario in an effort to accelerate the electrification of transportation. The Workplace Electric Vehicle Charging Incentive Program (Program or WEVCIP) will support employers and commercial building owners and managers that wish to provide level 2 EV charging stations for their employees or workplace tenants by providing 80 per cent of the initial costs, up to \$7,500 per approved charging space, subject to meeting eligibility and technical requirements.

### Guide:

The purpose of this Guide is to describe WEVCIP and outline requirements for eligible entities intending to submit an application for a Project, i.e. the provision of level 2 EV charging at a place of work for use by employees.

To be considered eligible for the Program, Applicants must meet all of the Program terms and conditions, including the eligibility criteria, set out in this Guide.

Some of the terms and expressions used in this Guide are defined in Appendix 1 (Definitions). These terms can be identified as they appear capitalized, e.g., Guide, Project, Owner.

### Applications:

Applications **must** be submitted through Grants Ontario:  
<http://www.grants.gov.on.ca/GrantsPortal/en/OntarioGrants/GrantsHome/>

### How to Reach Us:

For assistance with the Grants Ontario system:

By Email: [GrantsOntarioCS@Ontario.ca](mailto:GrantsOntarioCS@Ontario.ca)

By Phone: 416-325-6691 (Toronto) or 1-855-216-3090, 8:30 AM to 5 PM EST

For questions regarding Program requirements or eligibility:

## **Workplace Electric Vehicle Charging Incentive Program Guide**

By Mail: Workplace Electric Vehicle Charging Incentive Program  
Ontario Ministry of Transportation  
Policy and Planning Division  
Program Management Office  
777 Bay St., 27<sup>th</sup> Floor  
Toronto, ON M7A 2J8

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## **Introduction**

The province is continuing to move forward on implementing the Climate Change Action Plan (CCAP). CCAP aims to reduce greenhouse gas emissions to 15 per cent below 1990 levels by 2020, 37 per cent by 2030 and 80 per cent by 2050.

The first round of the Electric Vehicle Chargers Ontario (EVCO 2016) grant program was launched in December 2015 with a \$20 million investment. CCAP includes a plan to make additional investments in EV charging to help make Ontario the easiest jurisdiction in North America to charge an electric car. As such, the province plans to expand and strengthen the existing network of EV charging stations in cities, along highways and at workplaces, apartments, condominiums, and public places across Ontario.

The Program is specifically focused on the deployment of level 2 EV charging at workplaces across Ontario. This Guide defines the requirements, eligibility, and details of the Program for interested Applicants.

## **Key Dates**

The Program will begin accepting applications on January 16, 2018. Applications will be reviewed and processed in the order they are received, until the funding allocation for the Program is exhausted.

## **Context**

One of the key concerns for EV drivers is the distance the vehicles can be driven before having to recharge (also known as 'range anxiety'). As part of increasing the uptake of EVs in Ontario, the government has committed to the continued deployment of EV charging stations in workplaces, multi-unit residential buildings, downtowns, and town centres. Increasing the availability of charging opportunities enables EV drivers to recharge their vehicles, either at or on their way to their destination.

While EV owners most often charge their vehicles at home, workplace charging supports EV owners who may not have access to convenient residential charging. It also increases the convenience and affordability of EV ownership. For employers and commercial building owners and managers, making EV charging available helps to attract and retain employees and tenants and demonstrates leadership in innovation and environmental sustainability.

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## **1.0 Program Overview**

### **1.1 What is the Workplace Electric Vehicle Charging Incentive Program?**

The Program is designed to increase the availability of EV charging opportunities at workplaces across Ontario. The Program is an ongoing, eligibility-based intake program.

Applications will be reviewed and processed in the order they are received. Applications received that meet the eligibility requirements may be conditionally approved for funding. Following Project implementation as described in a Recipient's application and submission of documents demonstrating completion, the Recipient, if the Recipient has complied with the Program requirements/Contract, will be provided with Program Funds up to the incentive amount set out in the Notification of Approval from the Ministry. Recipients also commit to operating and reporting requirements, which are described in the Guide.

### **1.2 What are the expected outcomes of the Program?**

The province expects the following outcomes of the Program:

- An increase in the number of level 2 EV charging stations installed at workplaces across the province.
- Supporting employers who wish to provide EV charging for their employees who are or may become EV owners.
- Support for EV owners who wish to or must extend their EV range by charging their EV at work.
- Enabling a reduction in gasoline powered trips by increasing the effective electric range of both battery electric vehicles (BEVs) and plug-in hybrid electric vehicles (PHEVs).
- Increased public awareness of EVs, leading to increased EV ownership.

### **1.3 How do I participate in the Program?**

If you are interested in WEVCIP, you must:

1. Read this Guide in its entirety to ensure that you are eligible and that you will be able to meet the requirements of the Program. If you have any questions about the Program, please contact the Ministry.
2. Consult with your electricity utility, licenced electrical contractors, and EV charging service providers prior to submitting your application to obtain information on initial and ongoing costs associated with providing EV charging for your employees or tenants (for example, monthly fees associated with

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management services). Determine if your preference is to own or lease the charging equipment.

3. Any costs incurred prior to receiving a Notification of Approval from the Ministry will not be eligible for Program Funds.
4. Complete an application for the Program using the [Grants Ontario](#) portal.
5. If you are approved for an incentive, you will receive a Notification of Approval from the Ministry which will clearly indicate the Program Funds which you are eligible to receive for your Project.
6. If you are accepted to the Program, you will have six months to complete the Project and submit the required documentation (including proof of Project costs and Project completion) to the Ministry. The Ministry will review and, subject to compliance with Program requirements, release the Program Funds.
7. If your application is not accepted, you will receive a notification explaining the rationale for rejection. If there was an error on your application, you may make corrections and apply again. If you are deemed ineligible, you may reapply if you or your Project becomes eligible in the future.

### 1.4 How does a workplace undertake a Project?

A workplace accepted to participate in the Program can undertake their Project in a number of ways. These include:

1. Purchasing EV charging stations that meet the technical requirements of the Program, and working with a qualified electrical contractor to install the charging stations. Please note that as the Program requires that the charging stations include data management capabilities, there may be ongoing monthly fees associated with such service. The Ministry will not provide Program Funds for any ongoing fees associated with participation in the Program.
2. Leasing EV charging stations that meet the technical requirements of the Program, and working with a qualified electrical contractor to install the leased charging stations. Leased charging stations often include services such as data management, routine maintenance, and non-routine maintenance as part of monthly lease payments. Except for the costs described in section 4.1, the Ministry will not provide Program Funds for any ongoing fees associated with participation in the Program.
3. Leasing EV charging stations that meet the technical requirements of the Program as part of a 'turn-key' agreement that includes installation services. Leased charging stations often include services such as data management, routine maintenance, and non-routine maintenance as part of monthly lease



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payments. Except for the costs described in section 4.1, the Ministry will not provide Program Funds for any ongoing fees associated with participation in the Program.

### **2.0 Program Criteria**

#### **2.1 Who is eligible to apply?**

Incentives are limited to validly existing legal entities with a Canada Revenue Agency (CRA) business number. Eligible Applicants to the Program include businesses, municipalities, Indigenous communities or organizations, local distribution companies, universities, non-governmental organizations, not-for-profit organizations, conservation authorities, consolidated entities (school boards, colleges and hospitals), and other legal entities.

Eligible Applicants must provide parking spaces dedicated for their employee use. These dedicated employee parking spaces must be owned by or under the direct control (i.e. under lease) of the Applicant.

In cases where the Applicant is not the property owner, or the Project property requires consent of any third party, such as an Owner (including a condo corporation), the Owner must provide their consent in the appropriate section of the application form.

Commercial building owners or managers (which own or operate parking that is exclusively available for employees of their tenants) are also eligible to apply for an incentive.

#### **2.2 Who is not eligible to apply?**

The federal and provincial government, and their respective ministries, departments, entities, agencies, and Crown corporations are not eligible to apply. Individuals are also not eligible to apply.

#### **2.3 Where can these charging stations be installed?**

Charging stations funded by the Program must be installed at a workplace location in Ontario with at least 10 full time employees. For workplaces where the building owner or manager is the Applicant, the building must have at least 10 full time employees (combined among all tenants).

Residential properties are not eligible locations for charging stations funded by the Program, including cases where businesses are operated from a residential property.

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### 2.4 How much can each Applicant apply for?

Applicants are eligible to receive up to 80 per cent of the costs associated with the purchase (or down payment costs associated with a lease) and installation for eligible level 2 EV charging stations, up to a maximum of \$7,500 per approved charging space. A charging station that has two charging connectors which can simultaneously charge two vehicles and supports two dedicated parking spaces may be eligible for up to \$15,000.

Each location may be eligible for up to the greater of either 1) two incentives, or 2) a number of incentives equal to four per cent of employee parking spaces (rounded down), per location.

For example:

<b>Workplace example:</b>	<b>Workplace with 10 or more employees and 0 to 74 employee parking spaces</b>	<b>Workplace with 75 employee parking spaces</b>	<b>Workplace with 100 employee parking spaces</b>
Number of incentives available:	Up to 2 (up to \$15,000)	Up to 3 (up to \$22,500)	Up to 4 (up to \$30,000)

A complete table is included in Appendix 2.

Employee parking is considered parking spaces provided by the employer/workplace primarily for the use of their employees. Parking reserved for, or provided primarily for the use of visitors or customers should be excluded when calculating eligibility.

In the event that the Applicant is a building owner or manager and is applying on behalf of one or more tenants at a workplace location, and parking at the workplace is not restricted to tenants' employees (e.g. a public parking structure associated with a commercial building), the Applicant must apply a 50 per cent deduction to the total number of spaces when calculating the total number of employee spaces. For example, in a parking structure with 300 spaces, the Applicant can only apply for up to six incentives at this workplace (four per cent of 150 spaces).

Applicants are further limited to a maximum of 50 incentives per Program year, regardless of how many applications they submit or locations they apply for.

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Applications will be reviewed for an Applicant in the order they are submitted and received.

Incentive amounts are determined based upon total Eligible Project Cost components per approved charging space created. Eligible Project Costs include:

- Purchase or lease down payment costs of eligible EV charging stations (subject to lease agreement requirements);
- Site preparation and finishing costs (such as trenching, conduit installation, protective bollards, signage, painting of parking spaces for visual demarcation);
- Installation of eligible EV charging stations, including any necessary electrical equipment or upgrades (energy management equipment, transformers, electrical panel upgrades, conduit associated with the eligible EV charging stations).

For a lease agreement down payment to be considered an Eligible Project Cost, the lease agreement must be for a minimum of five years (from the date on which all eligible charging stations are first put into service), and must include operation/management services, routine maintenance, and non-routine maintenance (up to and including charging station replacement in the event of critical failure).

### **2.5 Who owns and operates the charging stations and for how long?**

If the Applicant is purchasing the charging stations, the Applicant must own and operate them for a minimum period of five years from the date on which all eligible charging stations are first put into service. If the Applicant chooses to lease the charging stations, the lease agreement must meet the requirements in section 4.1. In both cases, the charging station must remain in the Recipient's name for the entire five-year period (as the charging station owner or lessee).

### **2.6 Are incentives available to operate the charging stations?**

There are no incentives available for operating and maintenance costs. Where eligible charging stations are leased and the lease meets the requirements outlined in section 4.1, the initial down payment is an Eligible Project Cost.

### **2.7 How much will it cost someone to use the charging stations?**

During the five year operating period, it is recommended that the Recipient charge their employees a nominal fee for use of the charging stations. Recipients may choose a fee structure that meets their business requirements, and could include hourly, session/daily fees, or monthly/annual passes. Recipients may also choose how to collect fees from users (e.g. payroll deduction, credit card, etc.). Recipients must not generate revenue from EV charging fees that exceed the cost of electricity associated with the Project.

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### **2.8 What are the operational requirements of the charging stations?**

The charging stations must be available for use year-round by employees. The Recipient must maintain the charging stations in good working condition usable by employees, and if a charging station is out-of-order, repairs must be undertaken within 14 days. The Applicant must maintain the parking lot in all seasons, including any required winter maintenance such that the charging stations are accessible all winter.

The Recipient must dedicate any EV charging spaces for which incentives are provided to be for their employee EV parking only, and may also require that spaces be limited to vehicles actively charging. In cases where the Recipient is a building owner or manager and the charging stations are installed in parking accessible to the public, charging spaces must be dedicated to workplace employees only during normal working hours.

### **2.9 What are the usage requirements of the charging stations?**

Charging stations for which an incentive was provided under this Program must be operated for a minimum duration of five years after the In-service Date of the Project.

The charging stations are for use by employees of the Recipient (or in cases where a building owner or manager is the Recipient, employees of their tenants). The Recipient must install signage that clearly indicates that the spaces are for Recipient EV parking only (or optionally, EV charging only).

Applicants may make charging stations available to non-Applicant employees or the public outside of standard and posted employee work hours; in these cases the Applicant must ensure that charging station use is limited to employees during working hours through access control or other means (i.e. software restrictions).

### **2.10 Does the Recipient have to own the property on which the charging station is installed?**

A Recipient must either own the property where the Project is to be located, or in cases where the Project property requires consent of any third party, such as an Owner (including a condo corporation), the Owner must provide their consent in the appropriate section of the application form.

### **2.11 What happens if the Recipient moves during the five year operating period?**

If the Recipient moves during the five year operating period, they are required to relocate the charging stations at their own expense to the new location.

Recipients are expected to give 30 days' notice to the province in the event of a move.

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### **2.12 When does the Applicant need to complete its proposed Project?**

Upon approval of an Applicant's application, the Applicant must complete the Project within six months of the Notification of Approval and submit the required documentation proving the completion of the Project. All charging stations for which the incentive was approved must be in-service at the time of submission of the completion documentation. Once the Ministry has reviewed the documentation and confirmed compliance, it will provide the Recipient with the Program Funds.

A Completion Report must be submitted to show completion of the Project, which will include:

- A signed report indicating acceptance of Program terms and conditions;
- Site photos showing charging stations, signage, and site conditions;
- Electrical Safety Authority (ESA) certificate of final inspection; and
- Copies of documentation showing total Project installation costs (including receipts), and final charging station purchase agreements or lease agreements (with confirmation of funds paid by the Applicant).

### **2.13 How many Applications can an Applicant submit? Can an Application include multiple Projects?**

The Applicant can submit multiple applications, however only one application will be considered per location. Applications are reviewed on a first come first serve basis.

Applicants are only eligible to apply for a maximum of 50 incentives and are eligible for a maximum incentive value of up to \$375,000 for all applications submitted.

Applications received that would result in exceeding the Applicant's limit for incentives will not be considered and will be denied. Applicants are responsible to ensure that their application(s) adhere to the limitations noted above.

### **2.14 Are Applicants required to install provincial signage?**

Provincial signage on charging stations funded by the Program is not required. However, Recipients must indicate that EV charging at the Recipient's facility was supported by funding from the Province of Ontario in communication to employees about the charging stations (including email, verbal, and posters). Specific requirements will be set out in the Completion Report.

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### **3.0 Technical Requirements**

#### **3.1 Eligible Charging Station Requirements**

Level 2 EV charging stations installed as part of the Program must meet the following minimum technical requirements to be eligible for an incentive:

- Must be new;
- Must use AC input (208 to 240 VAC) of at least 20 Amps (per charging space);
- Must include a charge connector that is SAE J1772 compliant;
- Must support the remote collection of usage data, including the cumulative number of sessions and detailed session information including session fee (if applicable), session start date and time, session duration, electricity consumption, and vehicle state-of-charge at start and end of session; and
- Must be certified by an Accredited Certification Organization such as CSA, cUL, cETL or other certification marks approved by the ESA. In cases where the charging station is installed outdoors, it must be approved for outdoor use.

#### **3.2 Installation and Inspection of Charging Stations**

Electrical work undertaken for the site preparation and installation of EV charging stations must be in compliance with the law, including any licensing and ESA inspection requirements.

Proof of installation in the form of a certificate of inspection issued by the ESA is mandatory in order for installation expenses to be eligible for an incentive. If a licensed electrical contractor carries out the electrical work, the certificate of inspection can be obtained from the contractor. If an authorized person, other than a licensed electrical contractor carries out the electrical work, the certificate of inspection can be obtained from the ESA.

To find a licensed electrical contractor in their area, Applicants can visit the [ESA's website](#).

### **4.0 Eligible Project Costs**

#### **4.1 What Project Costs are eligible for Program Funds?**

Eligible Project Costs include site design, site preparation, purchase (or lease down payment) and installation of charging stations, and all necessary permits to undertake the Project.

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Some lease agreements will include site preparation, installation, and permits as part of the services.

Specifically, Eligible Project Cost components include:

- Purchase costs or lease down payment costs of eligible charging stations (subject to lease agreement requirements);
- Site preparation and finishing (including trenching, conduit installation, protective bollards, signage, painting of parking spaces for visual demarcation); and
- Installation of eligible EV charging stations, including any necessary electrical equipment or upgrades (energy management equipment, transformers, electrical panel upgrades, conduit associated with the eligible EV charging stations).

For a lease agreement down payment to be considered an Eligible Project Cost, the lease agreement must be for a minimum of five years (from the date on which all eligible charging stations are first put into service), and must include operation/management services, routine maintenance, and non-routine maintenance (up to and including charging station replacement in the event of critical failure).

### 4.2 What Project Costs are ineligible for Program Funds?

For all Projects, the following are Ineligible Project Costs:

- Any costs incurred prior to receiving a Notification of Approval from the Ministry;
- Ongoing operating costs (e.g., electricity consumption, operation, maintenance, electricity consumption, networking fees, etc.);
- Communications costs (i.e. marketing);
- Administrative costs incurred by the Recipient during the implementation of the Project (including but not limited to salary and wages, rent, travel or accommodations, meal expenses, legal fees, postage);
- Purchase/lease and/or installation of charging stations that do not meet the requirements set out in this Guide;
- Salary and wages of any Recipient employee, including any Recipient employee that is managing / overseeing the Project;
- Any legal fees relating to the establishment of an agreement with a tenant or a workplace;
- Any administrative costs incurred by the Applicant relating to the oversight of the Project (e.g., photocopying, phone calls); and,

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- Any other costs as determined by the Ministry from time to time and at its sole discretion.

### **5.0 Financial and Reporting Matters**

#### **5.1 What proportion of Eligible Project Costs can be requested from the Province?**

Incentives are limited to a maximum of up to 80 per cent of Eligible Project Costs incurred for the purchase/lease down payment and installation of eligible charging stations, up to a maximum of \$7,500 per eligible and approved charging space created. Actual Program Funds will be determined on the basis of documentation submitted by the Applicant.

#### **5.2 Is there a cap for Program Funds for a Project?**

Each application submitted by an Applicant is considered a Project. A Project may include multiple charging space incentive requests.

Each location may be eligible for up to the greater of either 1) two incentives, or 2) a number of incentives equal to four per cent of employee parking spaces (rounded down), per location. Applicant eligibility is limited to a maximum of 50 incentives or \$375,000 in total incentive funding. The incentive for each charging space is capped at \$7,500, and limited to 80 per cent of Eligible Project Costs per approved charging space created. There is no upper limit on the total cost the Recipient incurs for purchasing/leasing and installing charging stations.

#### **5.3 What financial due diligence is required upon receipt of Program Funds?**

The documentation showing completion of the Project will include proof of payment receipts/invoices showing total Eligible Project Costs. The incentive will be determined based upon the documentation submitted and will be limited to the maximum amount identified in the Notification of Approval.

#### **5.4 What happens if a Recipient incurs higher Eligible Project Costs than were estimated in the application?**

The province's contribution is limited to up to \$7,500 per charging space created and more specifically, to the maximum amount identified in the Notification of Approval. Recipients are responsible for funding any cost overruns related to their Project.



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### **5.5 When do Projects need to be completed?**

The Ministry requires that Recipients provide proof that all charging stations in their Project are operational and all required documentation be submitted to the Ministry within six months of receiving the Notification of Approval.

### **5.6 What are the reporting requirements?**

Once a Project is complete, the Recipient shall prepare a Completion Report. This report must be completed and submitted to the Ministry (including all required documentation). This will allow the Ministry to calculate and release the approved Program Funds for the Project.

The Recipient agrees to submit five annual reports to the Ministry (or a third party identified by the Ministry) showing the usage data covering the previous 12 months, starting on or about the first anniversary of the Project's In-service Date for a five year period. This data must be provided in a non-proprietary format and any personal/identifying information must be removed. This may also include a requirement to provide an API Key.

### **5.7 What data needs to be collected and submitted to the Ministry?**

The data collected and submitted to the Ministry (or a third party identified by the Ministry) includes:

- Gross revenue generated from charging user fees;
- The date, time and duration of each charging session;
- The kWh drawn for each charging session;
- The vehicle battery state of charge at the start and end of each charging session;
- The number of unique employees that have utilized charging services during the previous 12 months; and,
- The date, time, and duration of any service outages.

This may include the provision of an API Key to support automated data collection.

## **6.0 Project Evaluation Considerations**

The Program is eligibility-based and available funds will be dispersed to eligible Applicants on a first come first served/as approved basis until Program Funds are fully committed. To be eligible, an Applicant must demonstrate/and or attest to the following:

- Site selection – location must be a commercial workplace with 10 or more full time employees;

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- Charging station eligibility – number of incentives sought is within the eligibility criteria for the location and Applicant;
- Adherence to the requirements listed in this Guide, including (but not limited to):
  - Location requirements (2.3);
  - Operational requirements (2.8);
  - Land ownership/land owner consent requirements (2.10); and,
  - Submission of the Completion Report (2.12) and annual data reporting (for five years).

### **7.0 Submitting an application for the Workplace Electric Vehicle Charging Incentive Program**

Applicants must first enrol in the [Transfer Payment Common Registry](#) (TPCR). Applications must be completed and submitted electronically through [Grants Ontario](#).

As part of applying, Applicants must submit the same application form **twice** in the following manner:

1. Submit the completed application form electronically.
2. Print the completed application form, sign where appropriate, scan the form and upload a copy of the scanned form in the appropriate field in Grants Ontario.

### **8.0 General**

#### **8.1 Contract**

Program Funds will be provided to Recipients pursuant to Contracts.

Where Program Funds are provided to a Recipient under the Program, the Program Funds will be provided to the Recipient in accordance with the terms and conditions set out in the Contract between the Recipient and the Ministry. The Contract will consist of:

- (a) the application form submitted by the Applicant for the Program;
- (b) the Guide;
- (c) the Notification of Approval from the Ministry to the Recipient outlining the total funding eligibility, as well as other terms and conditions to which the Recipient must adhere; and
- (d) the Completion Report.

The above documents will constitute the entire agreement between the Ministry and the Recipient with respect to the subject matter contained in the Contract.

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A Contract will be effective as of the date of the Notification of Approval for the Program provided pursuant to the Contract and, subject to any provisions surviving its expiration, will expire five years from the Project's In-service Date.

In the event of a conflict or inconsistency between any of: (a) the Notification of Approval and any of the requirements of the Guide, the Notification of Approval will prevail to the extent of the inconsistency; and (b) the Guide and any of the information provided by a Recipient in an application form, the Guide will prevail to the extent of the inconsistency.

The invalidity or unenforceability of any provision of a Contract pursuant to the Program will not affect the validity or enforceability of any other provision of the Contract. Any invalid or unenforceable provision will be deemed to be severed.

Any provisions which by their nature are intended to survive the termination or expiration of a Contract under the Program including, without limitation, those related to, accountability, records, audit, inspection, liability, indemnity, and remedies will survive its termination or expiration and continue in full force and effect for a period of seven years from the date of expiry or termination of the Contract.

### **8.2 Non-compliance with the Terms and Conditions of a Contract**

Under a Contract, each of the following events will constitute an event of default:

- (a) In the opinion of the Ministry, the Recipient that has received Program Funds breaches any representation, warranty, covenant or other material term of the Contract, including, without limitation, failing to do any of the following in accordance with the terms and conditions of the Contract:
  - i. the Recipient fails to comply with any of the terms and conditions set out in the Contract including, without limitation, fails to carry out the Project in accordance with the Contract or to use Program Funding for the purpose of carrying out the Project;
  - ii. the Recipient fails to own or lease any of the charging stations acquired with Program Funds for five years after the Project's In-service Date;
  - iii. the Recipient fails to comply with the reporting requirements set out in the Guide;
  - iv. the Recipient or any of the charging stations for which Program Funding were provided no longer meets one or more of the eligibility requirements of the Program; or,

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- v. the Recipient fails to maintain any of the charging stations in good working condition usable by employees or fails to repair out-of-order charging stations within the timeframe set out in the Guide.
- (b) the Recipient makes an assignment, proposal, compromise, or arrangement for the benefit of creditors, or a creditor makes an application for an order adjudging the Recipient bankrupt, or applies for the appointment of a receiver; or
- (c) the Recipient ceases to operate.

If an event of default occurs, the Ministry may, at any time, take one or more of the following actions:

- (a) provide the Recipient with an opportunity to remedy the event of default upon terms and conditions set by the Ministry at its sole discretion;
- (b) reduce the amount of the incentive(s);
- (c) demand from the Recipient the payment of an amount equal to any funds the Ministry provided to the Recipient; and
- (d) terminate the Contract at any time, including immediately, without liability, penalty or costs to the Ministry upon giving notice to the Recipient. Termination will take effect as provided for in the notice.

For greater certainty, the rights and remedies of the Ministry under a Contract are cumulative and are in addition to, and not in substitution for, any of its rights and remedies provided by law or in equity.

### **8.3 Liabilities and Indemnities**

A Recipient that has received Program Funds is responsible for anything that may arise, directly or indirectly, in connection with the Project for which the Program Funds are received. The Ministry's involvement under the Program is for the sole purpose of, and is limited to, the provision of Program Funds.

Furthermore, a Recipient that has received Program Funds must indemnify and hold harmless the Indemnified Parties from and against any and all liability, loss, costs, damages and expenses (including legal, expert and consultant fees), causes of action, actions, claims, demands, lawsuits or other proceedings, by whomever made, sustained, incurred, brought or prosecuted, in any way arising out of or in connection with the Project or otherwise in connection with a Contract with the Ministry pursuant to the Program, unless solely caused by the negligence or willful misconduct of the Indemnified Parties.

A Recipient that has received Program Funds is also responsible for its own insurance and must carry, at its own costs and expense, the necessary and appropriate insurance

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that a prudent recipient in similar circumstances would maintain in order to protect itself and the Ministry and support the indemnification, as set out above, provided to the Ministry. For greater certainty, the Recipient will not be covered by the Province of Ontario's insurance program and no protection will be afforded to the Recipient by the Government of Ontario for any losses or proceedings that may arise out of the Program.

### **8.4 Compliance with the Law and Governing Law**

An Applicant/Recipient must comply with all federal and provincial laws and regulations, all municipal by-laws, and any other orders, rules and by-laws applicable to any aspect of the Project, the Program Funds, or both.

A Contract and the rights, obligations and relations of the Ministry and any Applicant/Recipient will be governed by and construed in accordance with the laws of the Province of Ontario and the applicable federal laws of Canada. Any actions or proceedings arising in connection with a Contract will be conducted in the courts of Ontario, which will have exclusive jurisdiction over such proceedings.

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### Appendix 1: Definitions

When used in this Guide or the associated application form, the words set out below that import the singular include the plural and vice versa:

“**Applicant**” means an organization that submits an application to the Program for the purpose of obtaining Program Funds.

“**API Key**” means a unique identifier or authentication token which enables the holder to access information about the charging station, and enables automated collection of data.

“**charging station**” refers to an EV charging station; a device used to provide electricity to an EV for the purpose of charging the vehicle’s onboard battery.

The charging station is designed to provide a safe connection between the source of electricity and the vehicle and communicates with the vehicle’s control system to ensure electricity flows at the proper voltage and current. While there are three types of charging stations, only level 2 EV charging stations are eligible.

- “Level 1” represents a charging station with a 120 volt alternating current (AC);
- “Level 2” represents a charging station with a 208 – 240 volt alternating current (AC); and
- “Level 3” represents a charging station with a high voltage, direct current (DC) - up to 480 volts.

“**Climate Change Action Plan**” or “**CCAP**” means Ontario’s five year plan to fight climate change, reduce greenhouse gas pollution and transition to a low-carbon economy.

“**Completion Report**” means the report, including documentation showing proof of costs incurred and proof of completion, which the Recipient must submit to the Ministry before receiving Program Funds.

“**Conflict of Interest**” includes any circumstances where: (a) and Applicant/Recipient; or (b) any person who has the capacity to influence an Applicant/Recipient’s decisions, has outside commitments, relationships, or financial interests that could, or could be seen to, interfere with the Applicant/Recipient’s objective, unbiased, and impartial judgement relating to the Project, the use of Program Funds, or both.

“**Contract**” means a contract described in Section 8.1 (Contract) of the Guide.

“**Electric Vehicle**” or “**EV**” means a vehicle propelled by an electric motor with a battery as the motor’s energy storage device, and using an external electricity source to recharge the battery. There are presently two types of EVs:

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- “Battery Electric Vehicles” or “BEVs” use an electric motor to propel the vehicle forward, powered by a battery that is recharged directly from a source of electricity.
- “Plug-In Hybrid Electric Vehicles” or “PHEVs” can be driven either by an electric motor or an internal combustion engine or can be driven only by its electric motor with an internal combustion engine assist and generator to recharge the battery. The battery may also be recharged directly from a source of electricity.

“**Eligible Project Cost**” means an eligible expenditure as described in this Guide.

“**Guide**” means this program guide entitled “Workplace Electric Vehicle Charging Incentive Program Guide”.

“**Indemnified Parties**” means Her Majesty the Queen in right of Ontario, Her ministers, agents, appointees, and employees.

“**Ineligible Project Cost**” means an ineligible expenditure as described in this Guide.

“**In-service Date**” means the date on which the charging station(s) included in the Project are available for use for the purpose of charging EVs.

“**Ministry**” means Her Majesty the Queen in right of the Province of Ontario as represented by the Minister of Transportation for the Province of Ontario.

“**Notification of Approval**” means a letter or notice provided to the Recipient from the Ministry which outlines the total funding eligibility based on the Project proposed by the Applicant, as well as other terms and conditions to which the Recipient must adhere.

“**Owner**” means a landlord/corporation/owner, or an authorized representative of the Owner, of the property on which a Project is proposed.

“**Program**” means the Workplace Electric Vehicle Charging Incentive Program.

“**Program Funds**” or “**Program Funding**” means the money the Ministry provides to a Recipient pursuant to a Contract to be used strictly towards Eligible Project Costs for a Project and in accordance with and as set out in the Contract.

“**Project**” means a project described in the application for Program Funding, including any modification to the project which has received the prior written approval of the Ministry.

“**Recipient**” means an Applicant whose Project has received a Notification of Approval from the Ministry.

“**WEVCIP**” means the Workplace Electric Vehicle Charging Incentive Program.

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### Appendix 2: Incentive Eligibility

Where parking spaces are primarily for employees only:

<b>Number of Employee Parking Spaces</b>	<b>Number of Incentives</b>
Up to 74	Up to 2
75-99	Up to 3
100-124	Up to 4
125-149	Up to 5
150-174	Up to 6
175-199	Up to 7
200-224	Up to 8
225-249	Up to 9
250-274	Up to 10
275-299	Up to 11
300-324	Up to 12
325-349	Up to 13
350-374	Up to 14
375-399	Up to 15
400-424	Up to 16
425-449	Up to 17
450-474	Up to 18
475-499	Up to 19
...	...
1250 and up	Up to 50

Where parking spaces are available to the public (i.e. parking garage):

<b>Number of Employee Parking Spaces</b>	<b>Number of Incentives</b>
Up to 149	Up to 2
150-199	Up to 3
200-249	Up to 4
250-299	Up to 5
300-349	Up to 6
350-399	Up to 7
400-449	Up to 8
450-499	Up to 9
500-549	Up to 10
550-599	Up to 11
600-649	Up to 12
650-699	Up to 13
700-749	Up to 14
750-799	Up to 15
800-849	Up to 16
850-899	Up to 17
900-949	Up to 18
950-999	Up to 19
...	...
2500 and up	Up to 50