SUBJECT: Commercial Heritage Improvement and Restoration Program (CHIRP) Spring 2008 Grant Application (PED08182) (Ward 13)

RECOMMENDATION:

(a) That a conditional grant agreement be issued within the terms of the Commercial Heritage Improvement and Restoration Program (CHIRP) for the restoration project located at 13-17 King Street West, Dundas, for the replacement of vinyl windows with woodframe windows, as detailed in Report PED08182.

(b) That the applicant be notified that their property taxes must be paid in full prior to any grant monies being advanced for completed work, and that no grant funds will be paid out until the condition is met and, if the property taxes are not paid in full within one year of the date of the Letter of Understanding entered into between the City of Hamilton and the applicant, that the grant offer will be considered void and withdrawn.

(c) That the grant portion for the project, in the total amount of $13,910.88, be funded from Capital Project Account 58201-812040 (CHIRP Reserve 102047).

(d) That the Director of Planning be authorized and directed to approve increases/decreases to the individual grant amount approved as long as the overall grant portion for the individual grant does not exceed $20,000, and said grant increase/decrease is in accordance with all program requirements.
(e) That the Director of Planning be authorized to approve a maximum extension period of ninety days to the applicant for the completion of the work, over and above the one-year period that the applicant is given, which commences the date Council approves the grant.

(f) That staff be authorized and directed to prepare and execute a Letter of Understanding with the applicant, with such Letter of Understanding being in a form satisfactory to the City Solicitor.

Tim McCabe
General Manager
Planning and Economic Development Department

EXECUTIVE SUMMARY:

Heritage Planning staff issued a Request for Applications (RFA) in March 2008 for projects qualifying for Commercial Heritage Improvement and Restoration Program (CHIRP) matching grants. One grant application was received in response, totalling $13,910.88. The application has been evaluated by City staff and is recommended in this report for matching grant approval. The proposed work includes the replacement of the vinyl windows on the front façade and the reproduction of the fenestration original to the building for the designated property located at 13-17 King Street West, Dundas (Laing Apartments).

BACKGROUND:

The Commercial Heritage Improvement and Restoration Program (CHIRP) was originally initiated in 2001, with full funding for the program being Council approved in 2004. Council approved the terms of CHIRP on September 29, 2004 (Appendix ‘A’ to report PED08182). The program provides financial assistance in the form of matching grants to a maximum of $20,000.00 per application for the conservation of commercial and industrial properties designated under Parts IV or V of the Ontario Heritage Act, or for properties with heritage conservation easements.

Council approved an allocation of $60,000 to this program in 2004, of which $12,934.16 was awarded following submissions of projects from property owners. In anticipation of increased program participation, an allocation of $120,000 was approved in 2005, with an estimated total of $60,480.87 awarded following submissions from property owners. A total of $95,582 was awarded in 2006, during which budgetary allocations were not made, leaving a residual allocation of $11,002.47. With a 2007 Council approved allocation of $120,000, a total of $39,900 was awarded, leaving a balance of $158,805.93. An approved allocation of $120,000 has been made for 2008, for both spring and fall cycles of the CHIRP 2008 program.
Projects that have previously been approved for funding are as follows:

<table>
<thead>
<tr>
<th>Application</th>
<th>Location</th>
<th>Status</th>
<th>Grant Amount</th>
<th>Work</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHIRP2004-001</td>
<td>1034 Garner Road West, Ancaster</td>
<td>Completed</td>
<td>$12,934.16</td>
<td>Roof</td>
</tr>
<tr>
<td>CHIRP2005-001</td>
<td>548 Old Dundas Road, Ancaster</td>
<td>Completed</td>
<td>$20,000.00</td>
<td>Roof</td>
</tr>
<tr>
<td>CHIRP2005-002</td>
<td>1034 Garner Road West, Ancaster</td>
<td>Completed</td>
<td>$16,281.12</td>
<td>Exterior Woodwork</td>
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<tr>
<td>CHIRP2005-003</td>
<td>35 King Street East, Hamilton</td>
<td>Completed</td>
<td>$20,000.00</td>
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</tr>
<tr>
<td>CHIRP2005-004</td>
<td>276 King Street West, Hamilton</td>
<td>Completed</td>
<td>$ 4,199.75</td>
<td>Roof</td>
</tr>
<tr>
<td>CHIRP2006-001</td>
<td>199 Glover Road, Stoney Creek</td>
<td>Completed</td>
<td>$15,582.00</td>
<td>Exterior Woodwork</td>
</tr>
<tr>
<td>CHIRP2006-002</td>
<td>46 Forest Avenue, Hamilton</td>
<td>Completed</td>
<td>$20,000.00</td>
<td>Roof</td>
</tr>
<tr>
<td>CHIRP2006-003</td>
<td>548 Old Dundas Road, Ancaster</td>
<td>Completed</td>
<td>$20,000.00</td>
<td>Roof</td>
</tr>
<tr>
<td>CHIRP2006-004</td>
<td>47 James Street South, Hamilton</td>
<td>Completed</td>
<td>$20,000.00</td>
<td>Pointing</td>
</tr>
<tr>
<td>CHIRP2006-005</td>
<td>68 King Street East, Hamilton</td>
<td>Completed</td>
<td>$20,000.00</td>
<td>Windows</td>
</tr>
<tr>
<td>CHIRP2007-001</td>
<td>548 Old Dundas Road, Ancaster</td>
<td>Completed</td>
<td>$19,900.00</td>
<td>Soffits/Fascia</td>
</tr>
<tr>
<td>CHIRP2007-002</td>
<td>51 Herkimer Street, Hamilton</td>
<td>In progress</td>
<td>$20,000.00</td>
<td>Roof, Exterior</td>
</tr>
<tr>
<td>Total 2004-2007</td>
<td></td>
<td></td>
<td>$208,897.03</td>
<td></td>
</tr>
</tbody>
</table>

Notification of the ongoing program was mailed out to all owners of commercial and/or industrial properties designated under Parts IV and V of the Ontario Heritage Act and/or properties with heritage easements. The call for CHIRP Spring 2008 applications was made in March 2008 to meet any construction work deadlines to be completed by the end of the 2008 building season.

**ANALYSIS/RATIONALE:**

Heritage Planning staff and Building and Licensing staff have reviewed the Spring 2008 application. The application satisfied the program requirements and guidelines. The location of the property is identified in Appendix ‘B’.
As is anticipated with such projects, this proposal is unique, a result of its specific heritage and business context. In discussions with the applicant, the project is scheduled to proceed in the summer of 2008, and is described in detail as follows:

**CHIRP2008-001**
**13-17 King Street West, Dundas (Laing Apartments), Dundas (Ward 13)**
**Designation By-law 3961-91**

The Laing Apartments are representative of late 19th Century commercial architecture in southern Ontario. The apartment block was constructed in 1882, replacing structures burned down the previous year. The three-storey structure is rectangular in plan, running parallel to King Street West in Dundas, and with a ground-floor storefront façade and residential second and third floors. The centre ground-level bay of the structure forms a focal point, with more elaborately detailed wooden lintels and entrance, and Corinthian pilaster. The building, combined with its immediate neighbours, contributes to a classic, small-town Ontario main-street streetscape. The design is Italianate, characterised by the unity of its design, with a flat roof, dominant cornice, and ornate window detailing. With the similar style in the adjacent buildings, the effect is a block typified by heavy cornice lines, string courses, brick pilaster and segmental round arched windows. The Reasons for Designation comprise the entire front façade including the original store front, and, in addition to the corner returns on the side elevations.

The structure remains in active use with ground floor shop-front businesses, and residential use on the second and third floors. The proposed work comprises the replacement of the vinyl windows on the front façade with double-hung wood-frame windows, to reproduce the fenestration original to the building. The requisite two quotes were obtained and the CHIRP matching-funds grant calculation is based on 50% of the lowest viable bid, including applicable taxes. The quote was for $27,821.75. The CHIRP grant permissible for this application is $13,910.88. The Heritage Permit required for this work has been obtained (HP2008-018).

The proposed repair and restoration work is deemed necessary to conserve the building fabric. Staff recommends approval of this CHIRP application for the funding of work to replace the existing vinyl windows to reproduce the fenestration original to the building as described above.
ALTERNATIVES FOR CONSIDERATION:

Under CHIRP, funding for conservation or maintenance of features related to the cultural heritage values of properties designated under Parts IV and V of the Ontario Heritage Act is a discretionary activity on behalf of Council. Council, as advised by its Municipal Heritage Committee, may consider two alternatives: agree to fund the applications or decline to fund the applications.

Decline to Fund

By declining funding, the municipality would be refusing an application that meets the criteria and budget for the CHIRP program approved by both the Council and Hamilton LACAC (Municipal Heritage Committee). Refusal of funding will not encourage owners of commercial properties designated under Parts IV and V of the Ontario Heritage Act to undertake the appropriate restorations and repairs necessary for the long-term protection of these heritage resources.

Accordingly, staff does not consider declining funding for this CHIRP applicant to be an appropriate conservation alternative. This alternative would not be in keeping with the “Triple Bottom Line,” and would not move the City closer to the vision for a sustainable community, as articulated by Vision 2020.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – The approved grants to date total $208,897.03. Approval of the one 2008 spring CHIRP application, totalling $13,910.88, will result in a balance of $264,995.05 in the remaining CHIRP budget. A portion of this balance has been committed but not paid out. Finance and Administration staff has been circulated for comment and concur with the recommendations.

Staffing – No staffing implications.

Legal – On approval of this CHIRP application, the applicant will enter into contractual agreements with the City, as per the terms of the CHIRP guidelines. A Letter of Understanding between the City of Hamilton and the applicant is to be executed.

POLICIES AFFECTING PROPOSAL:

For application CHIRP2008-001, Section 2.4 – Historic and Architectural Resources of the former Town of Dundas Official Plan promotes the preservation, restoration or appropriate re-use of historic and architecturally significant landmarks, buildings and districts throughout the Town (2.4.2.1), and the role that these buildings and districts play in supporting a healthy business and living environment in the Town (2.4.2.2).
RELEVANT CONSULTATION:

Staff of the Building and Licensing Division has reviewed this CHIRP application, conducted site visits, and are in continual consultation with the property owner on the proposed project. Staff concurs with the recommendation.

Pursuant to subsection 28(1) and 33(4) of the Ontario Heritage Act, the City of Hamilton LACAC (Municipal Heritage Committee) advises and assists Council on matters relating to Part IV and Part V of the Ontario Heritage Act. At its meeting of July 24, 2008, the City of Hamilton Municipal Heritage Committee considered this application, together with a staff report, and the staff recommendations (a) through (f) were considered and recommended for approval by the Committee to Council.

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No
Arts, culture, archaeological and cultural heritage are supported and enhanced.
Conservation of existing built heritage infrastructure is being supported.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
Consumption of all natural resources is reduced.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Investment in Hamilton is enhanced and supported.

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No
Benefit to local small businesses, use of local contractors supports the socioeconomic environment of the City.

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☑ Yes ☐ No
The City initiation of, and business participation in, this grant program demonstrates that Hamilton is an innovative organization leveraging resources in new ways to partner for success.

:JM
Attachs. (3)
Commercial Heritage Improvement and Restoration Program (CHIRP)

Program Description:

The Commercial Heritage Improvement and Restoration Program (CHIRP) is intended to provide financial assistance in the form of grant-aid for commercial and industrial property owners within the City of Hamilton. The program provides financial assistance for owners of commercial or industrial property designated under Parts IV or V of the *Ontario Heritage Act*, or those properties that have a heritage conservation easement registered on title.

The program aims to protect and improve the appearance of designated commercial and industrial properties throughout the City by providing funds for the conservation and restoration of important heritage features. This program seeks to encourage investments in long-lasting conservation initiatives and physical improvements to the heritage fabric of designated commercial and industrial heritage properties. It is understood that commercial activities, especially in traditional “Main Street” settings and industrial buildings in “brown fields”, still have the potential to contribute to the economic and physical vitality of the City of Hamilton, as well as improving community amenity, commerce and tourism opportunities.

Program Terms:

- Commercial and industrial property owners are eligible for the grant program on an annual basis.

- Eligible properties are to be identified by deed, and by municipal address, to identify multiple and separate commercial units with ground floor street frontages.

- Eligible properties must be assessed for municipal tax purposes as commercial or industrial.

- Residential properties are not eligible.

- Commercial and industrial uses must be in conformity with relevant policy documents of the City and the provisions of the Zoning By-law.
Eligibility requirements for the program relating to the work to be funded will be specifically identified by the City. Two separate estimates for eligible work are to be provided by a licensed contractor other than the owner. The owner may present estimates, but is required to have at least two prepared by contractors. The City's grant aid will be based upon the lowest estimate submitted. Cost increases or over runs may be considered by the City, but shall not exceed the maximum grant award of $20,000.

“Before” and “After” pictures are required as part of the application and processing of the final grant disbursement.

Grants and other sources of funding:

- The grant will be paid on a matching basis (50% Applicant’s funds/50% City funds), up to a maximum of $20,000, for eligible work under the Program.

- Where other government (Federal or Provincial) and/or non-profit organization sources of funding are anticipated, these must be declared as part of the grant application, and the City’s assistance will be reduced, as appropriate (e.g., 33% Applicant’s funds/33% City funds/33% Federal funds).

- Properties receiving grants through the Commercial Property Improvement Grant program are **not** eligible for the CHIRP grants.

- Grants are to be awarded on an annual cycle following a request for applications, with a deadline to be established by the City.

Application timeframes:

- Applications are to be reviewed by the City of Hamilton LACAC (Municipal Heritage Committee) in conjunction with any required heritage permit applications under the **Ontario Heritage Act**.

- City staff, e.g., a Building Inspector and Cultural Heritage Planner, will perform initial inspections and site visits of the heritage property intended to be conserved and/or restored, and subsequent final inspection to assure compliance with the original award of the grant and any permits pursuant to the **Ontario Heritage Act**.

- Proposed work is to be completed within one calendar year of the date of the Council award of a grant to be eligible for payment.

- Work completed must comply with estimates, and work proposed, and identified within the application.
Fees:

- An application fee of $250 is to accompany the application.
- The fee is non-refundable for applications recommended for funding.
- Unsuccessful applications may receive a $200 refund for applications.

Eligibility Requirements

- The applicant must be the property owner.
- Funding will not be applied retroactively to any work undertaken prior to grant approval.
- Applicants with property taxes in arrears at the time of application will not be processed.
- Applicants with property taxes in arrears at the completion of eligible work will not be funded until such time that the property taxes are fully paid.
- Proposed work cannot commence prior to application approval and pre-inspection by a City Building Inspector and a Cultural Heritage Planner.
- Existing uses must be in conformity with the applicable Zoning By-law regulations, and other relevant planning controls.

Eligible conservation work

- Any work that conserves or enhances elements specified in the Reasons for Designation accompanying the designating By-law under the Ontario Heritage Act.
- The conservation of significant architectural features is eligible. This may include the conservation or restoration of: doors, windows, verandahs, cupolas, chimneys, bargeboard or other decorative trim, parapets, cornices, hood mouldings and any other features important to the overall composition of the structure, as specified in the Reasons for Designation.
- The conservation of fences and outbuildings if specifically referred to in Reasons for Designation.
- The conservation or renewal of original siding and roofing materials, including repair and replacement, where necessary, of wood clapboard or board-and-batten, repair and repointing of masonry buildings, stucco repair,
repair or replacement of original roofing materials (slate, wood shingles, tile, etc.). Eligible work also includes removal of a modern material (synthetic siding, asphalt shingles, etc.) and replacement with documented original materials.

- The **reconstruction** of former and significant architectural features for which the appearance can be clearly determined from documentary sources (photographs, drawings, etc.) is eligible.

- The **reconstruction** of shop fronts which have been altered or replaced. The documentation should be in the form of historic photographs or drawings clearly showing the feature(s) to be reconstructed. Eligible work will be guided by the following reference material: Ontario Ministry of Culture’s *Architectural Conservation Note #8 The Conservation and Maintenance of Storefronts* and *Preservation Brief No. 11, Rehabilitating Historic Storefronts*, Technical Preservation Services, National Park Service.

- Cleaning of masonry buildings may be eligible if it is necessary for the building’s preservation. **Under no circumstances will grants be paid for any form of abrasive cleaning, (e.g. sandblasting or sodablasting) or high-pressure water cleaning.**

- Any property may receive one grant only for exterior painting in documented original colours. After this initial grant, it is expected that maintenance will be the owner's responsibility. Colours must be documented for the individual building or be proved to have been a common contemporary colour in the area.

- Painting of unpainted masonry is not eligible.

- Work necessary to restore the building to structural soundness is eligible, e.g. the correction of serious structural faults that threaten the building's survival. This does not include structural work to accommodate modern renovations (e.g. a new supporting beam over the opening for a patio door) or routine maintenance.

- Interior work is only eligible if specifically referred to in the *Reasons for Designation*. Eligible interior features, if specified in the *Reasons for Designation*, include woodwork, plasterwork, wall or ceiling murals, etc.

- New services (electrical, plumbing, heating, air-conditioning) and insulation are not eligible.
**Ineligible works:**

The following works, including repair, maintenance, reconstruction or improvements to the following are non-eligible for grant-assistance:

- Short-term, routine maintenance. This includes minor repairs (such as repairing a broken step or a broken window), painting (other than as specified above), repair of non-original siding or roofing materials (aluminum siding, asphalt shingles, etc.).

- Landscaping.

- Work on modern additions.

- Work on sheds or outbuildings not specifically referred to in the *Reasons for Designation*.

- Installation of modern doors and windows, unless replicas of the original.

- Installation of new storm or screen doors and windows.

- Chimney repairs other than restoration of a significant chimney.

- Repair of eavestrough, unless its nature is such that it is significant to the heritage of the structure.

- Repairs to or renewal of modern materials.

- Painting previously unpainted masonry.
Appendix 'B' to Report PED08182

Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number: CHIRP.2008-001    Date: July 07, 2008

Appendix "B"   Scale: 1:3000   Planner/Technician: JMDG

Subject Property

13-17 King St. W, Dundas

Ward 13 Key Map

N.T.S.
CHIRP 2008-001
15 King Street West (Laing Apartments), Dundas, Ward 13
### Commercial Heritage Improvement and Restoration Program

<table>
<thead>
<tr>
<th>File #</th>
<th>Address</th>
<th>Total Estimated Construction Costs</th>
<th>Requested Amount</th>
<th>Description of Improvements</th>
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<tbody>
<tr>
<td>CHIRP2008-001</td>
<td>13 King Street West, Dundas</td>
<td>$27,821.75</td>
<td>$13,910.88</td>
<td>Replacement of vinyl windows with wood-frame</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>$27,821.75</td>
<td><strong>$13,910.88</strong></td>
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