



Hamilton

**CITY OF HAMILTON**

**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Economic Development Division**

<b>TO:</b> Mayor and Members General Issues Committee	<b>WARD(S) AFFECTED:</b> WARD 13
<b>COMMITTEE DATE:</b> January 14, 2013	
<b>SUBJECT/REPORT NO:</b> Commercial Heritage Improvement and Restoration Program (CHIRP) – 16 Sydenham Street, Dundas (PED11042(a)) (Ward 13)	
<b>SUBMITTED BY:</b> Tim McCabe General Manager Planning and Economic Development Department	<b>PREPARED BY:</b> Hazel Milsome (905) 546-2424, Ext. 2755
<b>SIGNATURE:</b>	

**RECOMMENDATION:**

That grant funds in the amount of \$5,966.40 be released to Georgina Mitropoulos, the owner of the property at 16 Sydenham Street, Dundas, for work completed on the heritage building, notwithstanding that the one (1) year completion deadline under the Council-approved terms and guidelines for the Commercial Heritage Improvement and Restoration Program (CHIRP) has elapsed.

**EXECUTIVE SUMMARY**

At its meeting on March 23, 2012, Council approved a matching grant, in the amount of \$14,521.63, under the Commercial Heritage Improvement and Restoration Program (CHIRP) for restoration and repairs at 16 Sydenham Street, Dundas. A map identifying the location of the property and a photograph of the property are attached as Appendix "A" to Report PED11042(a).

Under the Council-approved terms of the Commercial Heritage Improvement and Restoration Program (CHIRP), the work must be completed within one (1) year of Council approval to receive grant funds. A portion of the work was completed during the one (1) year period, while the remaining work was completed in October 2012. Staff has released the grant funds for the work completed prior to March 23, 2012, however, do not have the authority to grant an extension and release the remaining funds for the work completed after the one (1) year period has elapsed. Staff is currently recommending that Council approve releasing the remaining grant funds in the amount of \$5,966.40.

The originally residential building has been adaptively re-used as Quatrefoil Restaurant. The reasons for the delay provided by the property owner were that the stucco repairs and the woodwork repairs could not be completed simultaneously and that the work was limited to days when the restaurant was closed (i.e., Sundays and Mondays).

**Alternatives for Consideration - See Page 4**

**FINANCIAL / STAFFING / LEGAL IMPLICATIONS**

**Financial:** The recommendation of Report PED11042(a) is to provide grant funds in an amount previously approved by Council and already accommodated within the program budget. Grants under the Commercial Heritage Improvement and Restoration Program (CHIRP) are funded from the CHIRP Reserve 102047.

**Staffing:** Administration of this grant can be accommodated within the Urban Renewal Section, Planning and Economic Development Department, as well as within the Corporate Services Department.

**Legal:** Under Section 33 of the Ontario Heritage Act, Heritage Permit HP2010-080 was approved for the scope of work detailed in Report PED11042(a) and the work has been completed in compliance with this approval.

**HISTORICAL BACKGROUND**

The Commercial Heritage Improvement and Restoration Program (CHIRP) was initiated in 2001, and funded for five (5) years starting in 2004. Allocations were made in 2004, 2005, 2007, 2008, and 2010. Council approved the terms of The Commercial Heritage Improvement and Restoration Program (CHIRP) (attached as Appendix “B” to Report PED11042(a)) on September 29, 2004. The Program provided financial assistance in the form of matching grants, to a maximum of \$20,000 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.

**SUBJECT: Commercial Heritage Improvement and Restoration Program (CHIRP)  
– 16 Sydenham Street, Dundas (PED11042(a)) (Ward 13) – Page 3 of 5**

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At its meeting on March 23, 2011, Council approved a matching grant, in the amount of \$14,521.63, under the CHIRP for restoration and repairs at 16 Sydenham Street, Dundas. Under the Council-approved terms of CHIRP, the work must be completed within one (1) year of Council approval to receive grant funds.

**POLICY IMPLICATIONS**

None.

**RELEVANT CONSULTATION**

The subject property is designated under Part IV of the Ontario Heritage Act and the Hamilton Municipal Heritage Committee advises and assists Council on matters relating to Part IV of the Ontario Heritage Act. The Hamilton Municipal Heritage Committee was consulted on the approved Heritage Permit (HP2010-080) for this work through its Heritage Permit Review Sub-Committee.

**ANALYSIS / RATIONALE FOR RECOMMENDATION**

The subject property contains a one-and-one-half storey stucco-clad house built by John Cowper who, with his descendents, had a business presence in Dundas into the 1860's that included furniture, undertaking, coal and wood sales, telegraph and express services, and hardware sales. The house is a good example of Gothic Revival architecture and is representative of its construction period.

The subject property was designated under Part IV of the Ontario Heritage Act by the former Town of Dundas by By-law No. 4530-00. The reasons for designation include the decorative bargeboard in the gable ends and eaves, finials on the gables, gothic windows and frames on the lower and upper storeys, the peaked transoms on the upper floor, the triple bay window with segmental surrounds on the north (rear) wall, the south, east, and north elevations, the back kitchen and basement doorways, and the entire gabled roofline. The originally residential building has been adaptively re-used as Quatrefoil Restaurant.

The following work has been completed and paid for by the applicant:

- Repair and painting of the original stucco cladding;
- Restoration and painting of the bargeboard, finials and gingerbread trim.

Two quotes were obtained for the work, and the approved CHIRP grant amount was based on 50% of the lowest viable quote, including applicable taxes. The lower quotes totalled \$25,702, plus \$3,341.26 HST, for a total of \$29,043.26. The approved CHIRP

Grant for this application was \$14,521.63. A Heritage Permit (HP2010-080) for the work was approved by the Director of Planning under his delegated approval authority in February 2011.

Under the Council-approved terms of CHIRP, the work must be completed within one (1) year of Council approval to receive grant funds. The stucco work was completed by December 31, 2011, while the woodwork repairs were completed in October 2012. Staff has released the grant funds in the amount of \$8,555.23 for the stucco work completed prior to March 23, 2012.

Staff does not have the authority to grant an extension of the time period and release the remaining funds for the restoration of the woodwork completed after the one (1) year period had elapsed. The reasons for the delay provided by the property owner were that the stucco repairs and the woodwork repairs could not be completed simultaneously and that the work was limited to days when the restaurant was closed (i.e., Sundays and Mondays).

The recommendation of Report PED11042(a) is that Council approve releasing the remaining grant funds in the amount of \$5,966.40. This amount does not exceed the amount of grant funding that was previously approved by Council and the funds are still available in the CHIRP Reserve 102047.

#### **ALTERNATIVES FOR CONSIDERATION:**

Non-acceptance of the recommendation contained in Report PED11042(a). The works have been completed and, based on the reason for the delay in the completion of the woodwork as provided by the property owner, this alternative is not recommended.

**Financial:** A grant in the amount of \$5,966.40 would not be advanced.

**Staffing:** Not applicable

**Legal:** Not applicable

#### **CORPORATE STRATEGIC PLAN**

Focus Areas: 1. Skilled, Innovative and Respectful Organization, 2. Financial Sustainability, 3. Intergovernmental Relationships, 4. Growing Our Economy, 5. Social Development, 6. Environmental Stewardship, 7. Healthy Community

##### **Skilled, Innovative and Respectful Organization**

- ◆ Council and SMT are recognized for their leadership and integrity.
- ◆ The approval of the recommendations of this Report demonstrates commitment to a previous grant approval.

**Financial Sustainability**

- ◆ Generate assessment growth/non-tax revenues.
- ◆ The completed conservation work has improved the condition of an active commercial property, and may result in a higher assessment value for the subject property and adjacent properties.

**Intergovernmental Relationships**

- ◆ Maintain effective relationships with other public agencies.
- ◆ The approval of these grants demonstrates a commitment to conserving cultural heritage resources, as directed by Provincial and Federal level policy.

**Growing Our Economy**

- ◆ Newly created or revitalized employment sites.
- ◆ A skilled and creative labour pool that supports new employers.
- ◆ A visitor and convention destination.
- ◆ The completed work created work for skilled and specialized trades people, and enhanced the condition and appearance of a commercial property in Dundas.

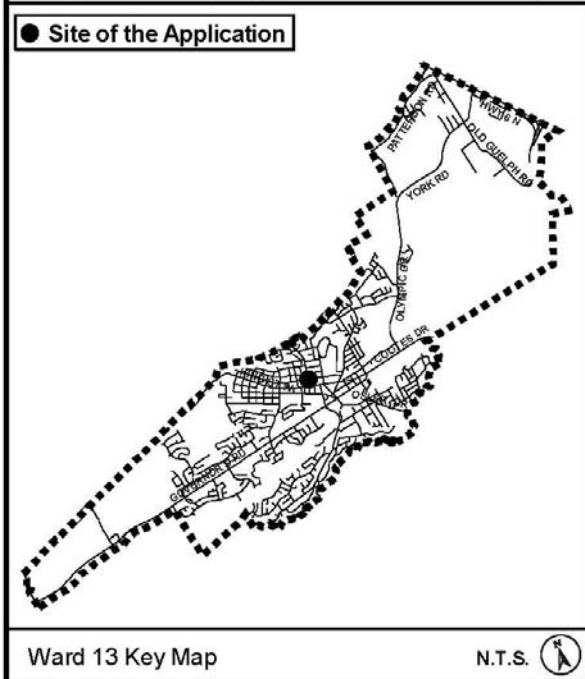
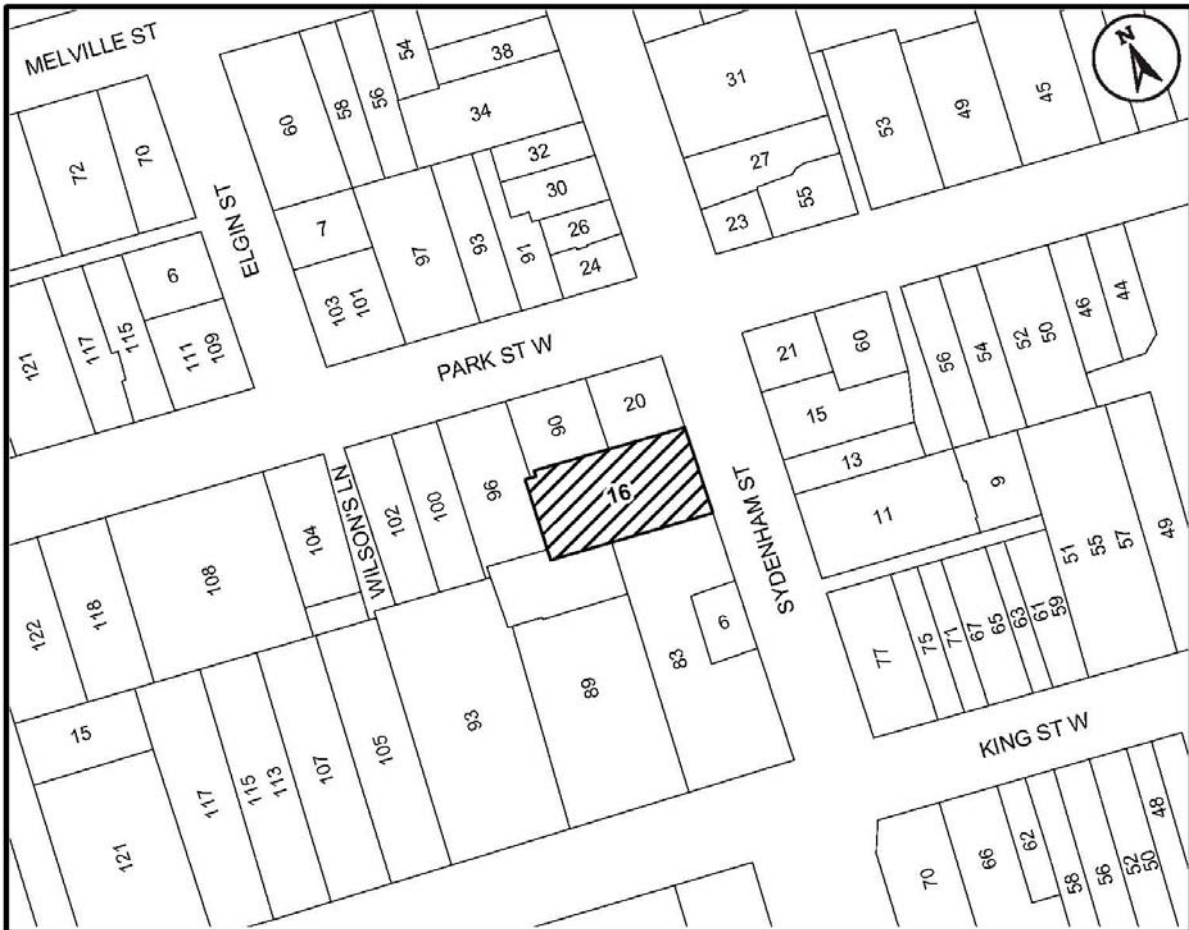
**Healthy Community**

- ◆ Plan and manage the built environment.
- ◆ The completed conservation work has improved the safety and appearance of a commercial property.

**APPENDICES / SCHEDULES**

- Appendix “A” - Location Map and Photograph
- Appendix “B” - CHIRP Program Guidelines

HM:hk  
Attachs. (2)



## Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

**Hamilton**

File Name/Number: CHIRP2010-002	Date: January 10, 2011
Appendix "A"	Scale: N.T.S.
Planner/Technician: JM/SW	

**Subject Property**

16 Sydenham Street, Dundas.





## 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 “brownfields”, 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.



**Appendix “B” to Report PED11042(a)**  
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- 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 \$20,000.00.
- “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 \$20,000.00 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 be identified within the application.

**Fees:**

- An application fee of \$255.00 is to accompany the application.
- The fee is non-refundable for applications recommended for funding.
- Unsuccessful applications may receive a \$200.00 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.