



The Town of Niagara-On-The-Lake

Telephone (905) 468-3266
Facsimile (905) 468-2959

1593 Four Mike Creek
Road
P.O. Box 190
Virgil, Ontario
L0S 1T0

Report: MHC-19-041

Committee Date: October 08, 2019

Report To: Municipal Heritage Committee
Subject: 135 Johnson Street
Heritage Restoration and Improvement Grant and Heritage Permit
Construct wood storm windows and window shutters

1. RECOMMENDATION

It is respectfully recommended that:

1.1 the Heritage Restoration & Improvement Grant ("Heritage Grant") and the Heritage Permit Applications to construct and install 22 wood shutters and 11 wood storm windows, as per the quote and specifications provided by Canada Custom Shutters at \$8,899.88 and Crowland Sash \$4,746.00, respectively, with the Town and Niagara Region each providing \$3,411.47 in grant funding (Regional funding subject to availability) be approved for 135 Johnson Street, subject to the following conditions:

- a) all requirements of the Heritage Grant Program implementing By-law 3989-05, as amended, be met;
- b) the applicant enter into a Heritage Grant Agreement with the Town prior to the release of grant money, for the approved Heritage Grant at 135 Johnson Street.
- c) the Director of Community and Development Services reserves the right to reduce the amount of grant funding released if the final invoices for the project are less than the approved amount in condition 1.1.

1.2 that condition 1.1 of this report be cleared to the satisfaction of the Director of Community and Development Services.

2. PURPOSE / PROPOSAL

The purpose of this report is to provide a recommendation to Council concerning Heritage Permit and Heritage Grant applications (attached as **Appendix A**) to

construct and install 22 wood shutters and 10 wood storm windows at 135 Johnson Street with respect to the policies of the Queen-Picton Heritage Conservation District Plan.

3. BACKGROUND

3.1 Site Description

The subject property is known municipally as 135 Johnson Street, and referred to as the Greenlees House. The subject property is an L-shaped lot located on the northeast corner of Johnson Street and Gate Street (see map in **Figure 1**). The subject property fronts onto Gate Street (being the shortest line line along a street) where there is a detached garage.

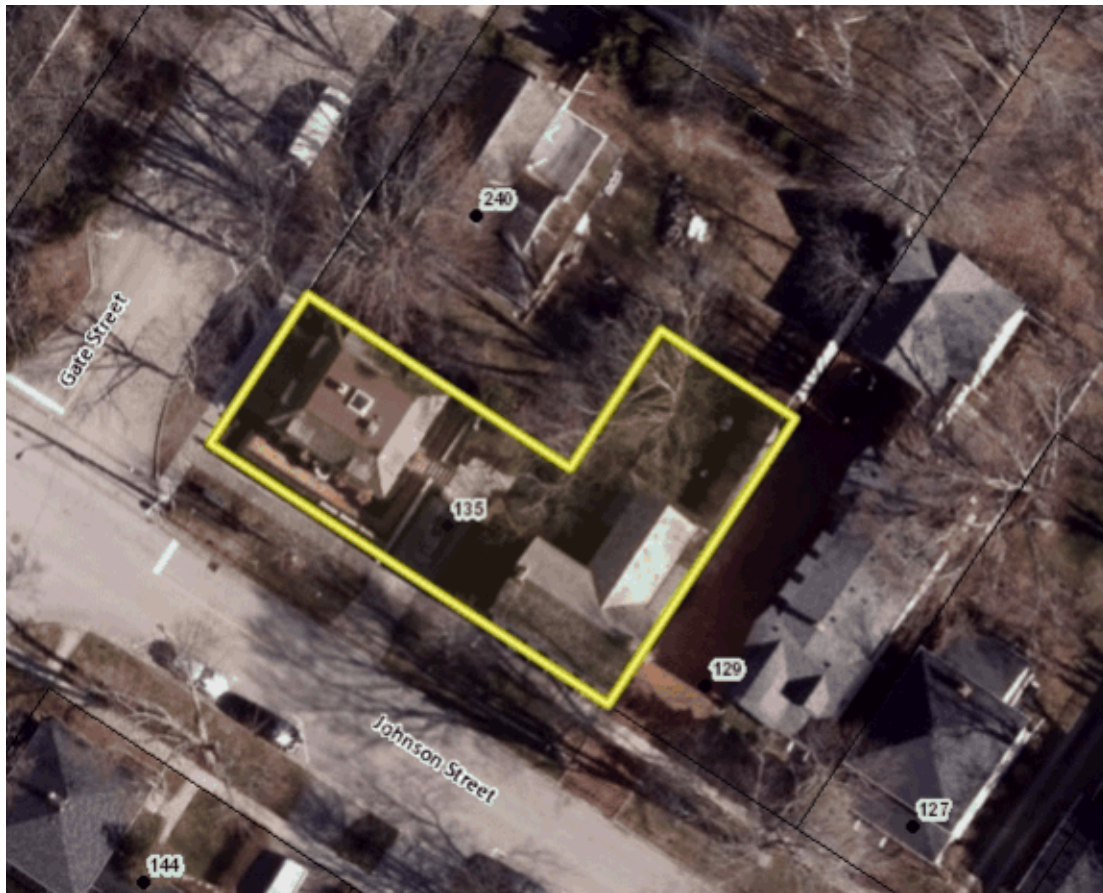


Figure 1 - Subject property shown in yellow.

The Greenlees House is a neoclassical style residence constructed circa 1822. In 1821 John MacMonigle sold a small lot adjoining his Gate Street property to George Greenlees. A year to two later this simple two-storey clapboard house was built, set close to the street line as were many early Niagara houses. Large brick chimneys placed at either end served four interior fireplaces.

4. DISCUSSION / ANALYSIS

4.1 Ontario Heritage Act, R.S.O. 1990, c. O.18

The subject property is located within the Queen-Picton Heritage Conservation District (herein referred to as the "District"), designated under Part V of the *Ontario Heritage Act* (herein referred to as the "OHA"). Section 42 (1) of the OHA states:

Erection, demolition, etc.

No owner of property situated in a heritage conservation district that has been designated by a municipality under this Part shall do any of the following, unless the owner obtains a permit from the municipality to do so:

- 1. Alter, or permit the alteration of, any part of the property, other than the interior of any structure or building on the property.*
 - 2. Erect, demolish or remove any building or structure on the property or permit the erection, demolition or removal of such a building or structure.*
- 2005, c. 6, s. 32 (1).*

No alterations can take place on the subject property until Council approval and a Heritage Permit has been received by the applicant. It is the applicant's responsibility to obtain all necessary planning and building approvals.

4.2 Queen-Picton Heritage Conservation District Plan, 1986

The subject property is identified as a category 'A' building, being the most significant building type in the District. The Queen-Picton Heritage Conservation District Plan (herein referred to as the "District Plan") makes it clear that category 'A' buildings are meant to be conserved in original form with minimal further changes and provides the following description and policies for category 'A' buildings:

The historic and/or architectural qualities of the 'A' building stock in the Queen-Picton residential district are considered a valuable and integral part of the heritage conservation district. Indeed this building stock is the foundation of the district plan, and is of value in its own right and as it contributes to the streetscape composition as a whole. The intent is to conserve the 'A' building stock in its original form with a minimum of further changes, but in accordance with the following criteria:

Colours - Original colours shall be used in conservation. Where lost, colours used through paint and materials shall be historically accurate colours of quiet, subtle, natural shades.

Materials - Original building fabric should be conserved. Where renewed, materials appropriate and typical of the heritage district shall be used with an emphasis on natural fabric such as brick, stone and wood as opposed to metals and plastics.

The existing storm windows are aluminum, a material that is not encouraged within the District. The existing wood shutters are in poor condition. The applicant is proposing louvered wood shutters and wood storm windows which are materials that

are typical and characteristic within the District. The wood storm windows are appropriate and compatible with the policies of the District Plan.

The shutters are proposed to be painted a Benjamin Moore dark green, that is almost black, called "Black Forest Green" (HC-187). Although the proposed colour is not part of the Town's approved heritage colours list, it is a compatible colour within the HCD for shutters. The proposed wood storm windows should be painted white to match the existing windows on the dwelling.

4.3 Standards and Guidelines for the Conservation of Historic Places in Canada, 2010

The primary purpose of the Standards and Guidelines for the Conservation of Historic Places in Canada (the "Standards and Guidelines") is to provide sound, practical guidance to achieve good conservation practice. This document establishes a consistent, pan-Canadian set of conservation principles and guidelines.

Standard 8 of the Standards and Guidelines provides the following recommendation:

Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.

Section 4.3.5 of the Standards and Guidelines provides the following recommendations when windows are identified as character-defining elements of an historic place:

Designing and constructing a new window, door or storefront when it is completely missing, with a new design that is compatible with the style, era and character of the historic place, or a replica based on documentary evidence.

Removing or altering non character-defining windows, doors or storefronts, or their associated functional or decorative elements, from a period other than the restoration period.

The construction of wood storm windows will positively contribute to the heritage attributes of the District through the use of a more appropriate material, wood, and the removal of non-character defining aluminum storm windows.

4.4 Heritage Grant Program

Town Council has approved \$35,000 for the Heritage Grant program in 2019.

Applications for the Heritage Grant program are assessed against the program criteria (described in **Appendix B**). This system is utilized to ensure that grant funding is best distributed to projects in need and to as many properties as possible.

Conservation of original and early materials is considered to be a best practice in conservation. Conservation of functional attributes are given preference over attributes that are strictly aesthetic. The same applies for projects that propose to replicate lost or damaged heritage attributes. Although a criteria-based system is used, all projects related to the conservation and maintenance of heritage properties are important and the stewardship role of heritage property owners is integral in the maintenance of cultural heritage resources.

This project is eligible for Heritage Grant funding as the proposed works "maintain or preserve significant architectural features." The shutters can be considered a significant feature. Further, the proposed wood storm windows and shutters will contribute to the on-going preservation of all wood windows on the dwelling.

Residential properties are eligible for 50% of project costs up to a maximum of \$10,000. The lower of the quotes for the full project was submitted by Canada Custom Shutters at \$8,899.88 and Crowland Sash at \$4,746.00 for a total of \$13,645.88 (attached in **Appendix A**). The following chart provides an overview of the proposed funding:

Total project cost	\$13,645.88
50% of eligible project costs (or maximum allowable funding)	\$6,822.94
Cost to Niagara Region (subject to availability only)	\$3,411.47
<i>Cost to Town of Niagara-on-the-Lake</i>	\$3,411.47

5. STRATEGIC PLAN

Not applicable.

6. OPTIONS

Not applicable.

7. FINANCIAL IMPLICATIONS

A \$200 application fee for residential properties has been submitted for the processing of the Heritage Grant Application. There is no fee for a Heritage Permit Application and any staff review and administrative costs are borne by the Town.

The Town and the Niagara Region share the costs of approved grants on a 50/50 basis. However, the portion provided by the Niagara Region is subject to funding availability and is not guaranteed, only the Town's portion is guaranteed subject to fulfillment of program requirements.

If the final invoice for the specified project is greater than the amount of funding

originally approved with the cost estimate the applicant will not receive more funding. This measure is to ensure that the number of pre-approved projects does not exceed the amount of funding available. If the final invoice for the specified project is less than the original amount of funding approved, the applicant will only receive 50% of the final cost which leaves funding available for other heritage property owners.

8. COMMUNICATIONS

The recommendations of the Municipal Heritage Committee will go to Council for final approval. Sections 33 and 42 of the OHA set out that, within 90 days after the notice of receipt is served on the applicant, Council may give the applicant:

- (a) the permit applied for;*
- (b) notice that the council is refusing the application for the permit; or*
- (c) the permit applied for, with terms and conditions attached.*

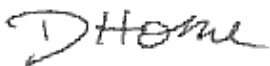
The OHA should be consulted in regard to process and for further information.

If the application for a Heritage Grant is approved by Council, the applicant would be required to enter into a Heritage Grant Agreement with the Town. Heritage Grant money will be released only after Staff have conducted a site visit to photo document and confirm the project has been completed as per the approved specifications and after the final invoice is provided to Staff. If the work has not been completed as approved, or if alterations have been undertaken that damage the cultural heritage value of the property, the Heritage Grant money will not be released.

9. CONCLUSION

Applications have been submitted for a Heritage Grant and Heritage Permit to construct and install 22 wood louvred shutters and 11 wood storm windows at 135 Johnson Street. The application meets the policies of the District Plan and best practices in heritage conservation and is therefore recommended for approval subject to the above conditions.

Respectfully submitted,



**Denise Horne, MA, Diploma Heritage Conservation
Planner II**



Mark Iamarino, MCIP, RPP

Senior Planner

ATTACHMENTS



Appendix A.pdf Appendix B.pdf

First Capital of Upper Canada - 1792



Department of Community & Development Services
1593 Four Mile Creek Road
P.O. Box 100, Virgil, ON L0S 1T0
905-468-3266 • Fax: 905-468-0301

Date Received: _____

Time Received: _____

Application No. _____

(For Office Use Only)

B. Applicant/Agent Information – Please Print

Date: August 4, 2019.

Name of Property Owner: THE ANDREW TAYLOR TRUST.

Mailing Address of Property Owner:

135 JOHNSON STREET P.O. Box 391.
Street Address

NIAGARA ON THE LAKE. L0S 1T0.
City/Town Postal Code

Telephone No: 416-508-4041. Fax No: 905-371-9616.

Email: refractivemdgmail.com

Agent Information (if applicable)

Name of Agent: N.A.

Mailing Address:

Street Address

City/Town Postal Code

Telephone No: _____ Fax No: _____

Email: _____

C. Property Information

Municipal Address for which this application is being submitted.

Street Address 135 JOHNSON ST. P.O. BOX 391.

City/Town NIAGARA ON THE LAKE Postal Code L0S 1J0

Roll Number: (RP 30 R 3361) 2627 010-044-06400-0000

Lot Number: 99 Plan Number: 86

Existing Use:

SINGLE FAMILY RESIDENTIAL.

Are the property taxes paid in full on this property?



Yes



No

Are there any outstanding work orders on this property?



Yes



No

D. Project Description

i) Please describe restoration works and improvements that are eligible for the grant. (See the attached Program Guide for definition of "eligible work")

Proposed Interior Restoration/Repair Eligible for Matching Grant.

1. REPLACE ALUMINUM STORM WINDOWS
WITH WOODEN STORM WINDOWS.
(ELEVEN WINDOWS TOTAL).
2. RESTORE (IF POSSIBLE) OR REPLACE
WINDOW SHUTTERS. (TWENTY-TWO SHUTTERS.)

Proposed Exterior Restoration/Repair Eligible for Matching Grant

1. REPLACE ALL STORM WINDOWS. (ELEVEN)
2. RESTORE/REPLACE ALL EXISTING SHUTTERS.
(TWENTY-TWO).

Proposed Interior/Exterior Improvements not eligible for Matching Grant

N.A.

ii) Cost Summary (please attach two detailed cost estimates for work to be performed)

- | | | |
|----|-------------------------------------|----------------------|
| a. | Eligible Interior Work | \$ _____ |
| b. | Eligible Exterior Work | \$ _____ |
| c. | Heritage Design Study (if required) | \$ _____ |
| d. | TOTAL ELIGIBLE COSTS | \$ <u>13,645.88.</u> |
| e. | Other Work (not eligible) | \$ _____ |
| f. | Total Construction Costs | \$ <u>13,645.88.</u> |

iii) Amount of Grant Applied For: (25% cost of item "d" above) \$ 3411.47
(See Program Guide for maximum amount of grant and maximum portions allowable for heritage design study)

iv) Construction Schedule (Construction of all works must be completed within one (1) year of construction start date)

Approximate Start Date of Construction: December 1, 2019.

Approximate End Date of Construction: April 1, 2020.

E. Financing of Project

Have you applied for or will you be obtaining any other sources of government funding? (includes federal, provincial etc.)

Yes ☐

No ☒

If yes, please list other sources and amounts of government funding.

Program _____ \$ _____

Program _____ \$ _____

F. OWNER AUTHORIZATION

I, ANDREW TAYLOR. am the owner of the

land that is subject of this application, and I hereby authorize my agent/solicitor

ANDREW TAYLOR. to make this application
and to act on my behalf in regard to this application.

Dated at the Niagara-on-the-Lake, this 4 day of August.

2019.
Year

ANDREW TAYLOR.
Name of Owner

Andrew Taylor
Signature of Owner

G. SWORN DECLARATION

I/WE HEREBY APPLY for a grant under this program.

I/WE HEREBY AGREE to abide by the terms and conditions of the grant program.

I/WE HEREBY AGREE to enter into a grant agreement.

I/WE HEREBY CERTIFY that the information contained in this application is true, correct and complete in every respect and agrees that the Town of Niagara-on-the-Lake reserves the right to verify any information contained herein by such inquiry as it deems appropriate, including inspection of the property for which this application is being made.

I/WE HEREBY GRANT permission to the Town of Niagara-on-the-Lake or its agents, to inspect my/our property that is subject of this application.

I/WE HEREBY AGREE that the grant may be reduced or cancelled if the work is not completed, not completed as approved or if the contractors are not paid.

I/WE HEREBY AGREE that the program for which application has been made herein is subject to cancellation and/or change at any time by the Town of Niagara-on-the-Lake in its sole discretion, subject to the terms and conditions specified in the Program. All grants/loans will be calculated and awarded at the sole discretion of the Town of Niagara-on-the-Lake. Notwithstanding any representation by or on behalf of the Town of Niagara-on-the-Lake, or any statement contain in the program, no right to any grant arises until it has been duly authorized and paid. The Town of Niagara-on-the-Lake is not responsible for any costs incurred by the Owner/Applicant inn any way relating to the program, including, without limitation, costs incurred in anticipation of a grant.

Dated at the _____, this 4 of AUGUST,
Town of Niagara-on-the-Lake Day Month
2019
Year

ANDREW SYLOR. [Signature]
Name of Owner or Authorized Agent Signature of Owner or Authorized Agent

135 Johnson

DAVE GIBBS
GENERAL MANAGER



CALL: (905) 754-8708 140 TOLBOED
OFF: (905) 541-0820 Holland Landing, Ontario,
DAVE@CANADACUSTOMSHUTTERS.COM CANADA L9N 1G1



CANADA CUSTOM
SHUTTERS

Manufacturing Fine Quality Shutters Since 1987

QUOTE #: 1
DATE: 8/28/2019
PAGE: 1 OF 2

CLIENT INFO

QUOTED FOR: Andrew Taylor
CUSTOMER TAG: 135 Johnson Street, Niagara
EMAIL: refractivevd@gmail.com
PHONE #: (905) 468-0180

Quantity	Item Description	Unit Price	Line Total
22	Solid Western Douglas Fir Exterior Shutters, Finished in waterborne polyurethane paint, 100% North American Lumber & Proudly Made in Ontario 10 Year Limited Warranty (See Attached Drawing for details)		\$7,876.00

TERMS: 4 WEEKS MIN. REQUIRED FOLLOWING DEPOSIT FOR COMPLETION OF PROJECT
50% DUE UPON KICKOFF, 50% DUE UPON COMPLETION
ANY PACKAGING, SHIPPING OR INSTALLATION REQUIREMENTS COME AT AN EXTRA CHARGE
WE THANK YOU FOR YOUR BUSINESS

SUBTOTAL: \$ 7,876.00
Check Measure: \$ -
Installation: \$ -
HST: \$ 1,023.88
TOTAL: \$ 8,899.88

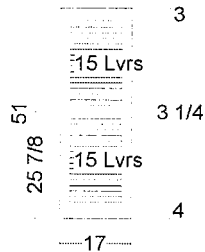
Canada Custom Shutters

140 Toll Rd.
Holland Landing, ON L9N 1G8
(905) 953-0801 Fax: (905) 953-8247

Custom Shutter Quotation

Sales Rep: DAVE
08/28/2019

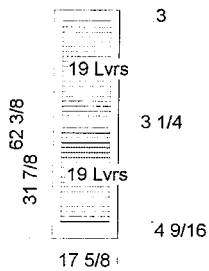
135 JOHNSON



No. 1-10

10 Openings of 1 5/8" HD EXT FIXED Shutt
Paint: TBD
None Hinges
3 1/4" DR @ 25 7/8"

Net Panels: No Frame
Fold #1,2,3,4,5,6,7,8,9,10: L
\$3065.12



No. 11-22

12 Openings of 1 5/8" HD EXT FIXED Shutt
Paint: TBD
None Hinges
3 1/4" DR @ 31 7/8"

Net Panels: No Frame
Fold #11,12,13,14,15,16,17,18,19,20,21,22: L
\$4810.88

Shutters	\$7,876.00
Special Strips	\$0.00
Other	\$0.00
Installation	0.00
Shipping	0.00
13.00% Sales Tax	1,023.88
TOTAL:	\$8,899.88

Initials _____

135 shutters



65 Shaw Street, Welland, Ontario, L3B 5W9
Bus: 905-735-5001 Fax: 905-735-4123

September 13, 2019

Andrew Taylor

Phone: 416-508-4041

E-Mail: refractivemd@gmail.com

TO SUPPLY ONLY:

Product: Wooden Storm Sash
Screen: Single Pane – Putty Glazed
Finish: Finish Painted – White

Qty	Description
6	32" x 62" x 1 1/8" – One/One Light
5	32" x 51" x 1 1/8" – One/One Light

**** It is recommended that the store sash be fitted and numbered for each individual opening prior to glazing and finish painting.**

Cost	\$4,200.00
HST (13%)	\$546.00
Total	<u>\$4,746.00</u>

Lead Time: 4 – 6 weeks from order date.

Deposit: \$2,100.00 at time of order.

Payment Terms: Where further work is required to fulfill the contract, then unless otherwise specified, the owner may withhold payment of a maximum of 10% of remaining balance to cover such further work. Once that further work has been completed, that amount is due and payable to the Contractor. Notwithstanding any withholding, the Owner is responsible for paying the Crowland Sash & Frame Ltd the full amount of the work lien holdback when due, in accordance with provincial lien legislation. **A 3% surcharge will apply to all credit card transactions.**

INITIAL: _____

ACCEPTANCE

Per the terms, you are hereby authorized to furnish all materials to complete the work mentioned in said quotation.

Signature: _____ **Date:** _____

Any alteration or deviation from the afore mentioned quotation involving extra cost of materials and/or labour will only be executed upon orders for same and will become an extra charge over the sum mentioned in this quotation. All agreements must be made in writing. This quotation is made based on current material costs. **A delay in acceptance of more than 30 days will require a review of quotation and rescheduling of date before the agreement becomes binding.**

Drew Chapman Carpentry

A Division of 716988 Ontario limited

August 8th, 2019

QUOTATION

Dr. Andrew Taylor
135 Johnson Street
Niagara-On-the-Lake
Ontario
L0S 1J0

To replicate 11 pair of early period, fixed louvre shutters.
To fit and install with period hardware and shutter dogs.
To prime and paint 2 coats of black.

\$23,900.00

To build and fit 11 storm windows.
To prime paint and install.

\$ 7,700.00

Subtotal: \$31,600.00
HST: 4,108.00

Total: \$35,708.00

RR 1, 1717 York Road, Niagara-On-The-Lake, Ontario L0S 1J0 (905) 262-6105

HC-188

HC-188

Black Forest Green

HC-187

HC-187

HC  Benjamin Moore HC

Appendix B

Heritage Grant Program Criteria 2016

	Criteria	Previous Grant	# Grants last in 5 years	Cultural Heritage Value	Scope of Project	Condition of Feature	Restores Original or Early Feature	Replicates Original Features/ Painting	Compatibility with District Plan / Best Practices	Historic Materials, finishes	Total	Total Project Cost	50% of Eligible Cost or max permitted	Region Share	Town Share
Property Address															
20 Platoff Street		2018	**	***	***	**	***		***	***	19	\$ 16,102.50	\$ 8,051.25	\$ 4,025.63	\$4,025.63
392 Mississagua Street		2016	**	***	***	*		**	***	***	17	\$ 7,627.50	\$ 3,813.75	\$ 1,906.88	\$1,906.88
16 Queen Street		2017	**	***	**	**		**	***	***	17	\$ 18,260.80	\$ 9,130.40	\$ 4,565.20	\$4,565.20
15284 Niagara River Parkway		2011	***	***	***	***		**	***	***	20	\$26,493.49	10,000.00	5,000.00	\$5,000.00
135 Johnson Street		2018	**	***	***	**		**	***	***	18	\$13,645.88	6,822.94	3,411.47	\$3,411.47
18 Prideaux Street		Never	***	***	***	*		**	***	***	18	\$21,357.00	10,000.00	5,000.00	\$5,000.00
285 Simcoe Street		Never	***	***	***	*		*	***	***	17	\$7,910.00	3,955.00	1,977.50	\$1,977.50
58 Johnson Street		2016	**	***	***	*		*	***	***	16	\$18,871.00	9,435.50	4,717.75	\$4,717.75
159 King Street		2015	**	**	***	*		*	***	***	15	\$21,018.00	8,791.16	4,395.58	\$4,395.58
			0 *** 1-2 ** 3-5 *	A *** B **		Severe Risk *** Medium Risk ** Little Risk *		Max. of 2 stars				\$151,286.17	\$ 70,000.00	\$35,000.00	\$35,000.00

\$70,000.00

Criteria	\$0.00
1. The last time a grant was provided for the property.	
2. Overall cultural heritage value of the property as determined by the Town’s classification for assessing cultural heritage value or interest.	
3. Scope of proposed work is clear and logical.	
4. Condition of the heritage feature to be restored where risk of loss due to deterioration or acts of God will be considered the project most in need.	
5. Proposed work serves to restore original or early materials of existing architectural heritage attributes and/or other character defining elements.	
6. Project serves to help replicate lost or damaged architectural heritage attributes and/or other character-defining elements that were once part of the building fabric or property. Existing heritage attributes cannot be compromised in the process and must be justified using appropriate research and documentation methods. Functional heritage attributes will be given preference over projects that contribute to the aesthetics of identified attributes.	
7. Proposed works are compatible with Heritage Conservation District Plan and best practices in Heritage Conservation as per the Standards and Guidelines for the Conservation of Historic Places in Canada.	
8. The proposed work makes use of historically appropriate materials and finishes.	
9. If the applicant has been in contravention of the Ontario Heritage Act or has completed work without a heritage permit within the last 3 years all points will be lost in the table.	