



# The Town of Niagara-On-The-Lake

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

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**Report: MHC-19-044**

**Committee Date:**

**October 08, 2019**

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**Report To: Municipal Heritage Committee**

**Subject: 159 King Street**

**Heritage Restoration & Improvement Grant and Heritage Permit  
Build, Paint and Install Shutters**

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## 1. RECOMMENDATION

It is respectfully recommended that:

1.1 the Heritage Restoration & Improvement Grant (the "Heritage Grant") and the Heritage Permit Applications to build, paint and install 10 (ten) pairs of wood shutters with period appropriate hardware as per the quote and specifications provided by Drew Chapman Carpentry at \$21,018.00, with the Town and Niagara Region each providing \$4,395.58 in grant funding (Regional funding subject to availability) be approved for 159 King 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 159 King Street; and
- c) the Director of Community and Development Services reserves the right to reduce the amount of grant funding released if the final invoice for the project is 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

Applications have been submitted for a Heritage Grant and a Heritage Permit to build, paint and install 10 pairs of wood shutters fit with period appropriate hardware.

The purpose of this report is to review the proposed alterations to ensure conformity with the Queen-Picton Heritage Conservation District Plan. The application is attached as **Appendix A**.

### **3. BACKGROUND**

#### **3.1 Site Description**

The subject property at 159 King Street is located on the west side of King Street south of Prideaux Street and across from Simcoe Park, in the residential area of the Queen-Picton Heritage Conservation District (see **Figure 1**).



**Figure 1 - Map of Subject Property**

The existing dwelling on the subject property is a small 1.5-storey residence of the late nineteenth century (see **Figure 2**). The proportions of the residence are simple, with a gabled front elevation and a full width single storey verandah (currently under reconstruction). The windows are all segmentally arched and the front door has a fan light and side lights.



**Figure 2 - Dwelling on subject property**

### 3.2 Previous Applications

A Heritage Grant was approved by Council in 2015 for exterior alterations including restoration of the wood clapboard siding. A Heritage Permit was also approved by Council in 2015 for the reconstruction of the front porch (still underway).

## **4. DISCUSSION / ANALYSIS**

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

The subject property is located within the residential area of the Queen-Picton Heritage Conservation District (herein referred to as the "District"), which is designated under Part V of the Ontario Heritage Act (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 property until Council approval and a Heritage Permit has been received by the applicant. It is the applicant's responsibility to ensure that all necessary approvals have been obtained.

#### 4.2 Queen-Picton Heritage Conservation District Plan

The building is identified as a "B" building in the Queen-Picton Heritage Conservation District Plan (District Plan), where the dwelling is of contextual value to the District. Section 5B.3 of the District Plan contains the following description and applicable policies for alterations to category "B" buildings:

*The "B" building stock is an integral and valuable part of the heritage conservation district mainly for its contribution to the streetscape composition as a whole. These buildings are of contextual value rather than outstanding architectural or historical value. The policy of this plan is to encourage their conservation. If alterations are undertaken, however, it is encouraged that they be undertaken in a complementary manner to maintain the integrity of the streetscape in accordance with the following criteria:*

*Colours - Colours used through paint and materials shall be historically accurate colours being of quiet, subtle, natural shades.*

*Materials - 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 applicant is proposing to build wood shutters, to be painted black. Both the material and colours are appropriate and compatible within the District.

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.

Section 4.5.2 of the Standards and Guidelines for the Conservation of Historic Places in Canada Standards and Guidelines provides the following applicable recommendations for the maintenance of wood:

*Replacing missing historic features by designing and installing new windows, doors and storefronts based on physical and documentary evidence, or one that is compatible in size, scale, material, style and colour*

There are no longer shutters on the building, however the property owner has indicated that there were shutters on the dwelling previously (as evidenced by the holes in the clapboard where shutters were previously mounted). Best practices recommends basing new shutters on documentary evidence. Unfortunately, in this circumstance, there is no documentary evidence of what previous shutters were in



place on the building. As such the applicant is proposing the use of louvred shutters which are common and appropriate within the District.

#### 4.4 Heritage Grant Program

Town Council has approved \$35,000 for the grant program in 2019. If approved, this application would use up the last of the available grant funding for 2019.

Applications for the Heritage Grant program are assessed against the program criteria (described in **Appendix B**). This system is utilized to so that Heritage 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 our cultural heritage resources.

This project is eligible for grant funding as works that "maintain or preserve significant architectural features." The shutters will be fully functional and will therefore contribute to the on-going preservation of the wood windows.

#### 4.5 Heritage Grant Funding Breakdown

Residential properties are eligible for 50% of project costs up to a maximum of \$10,000. Two quotes were provided in support of the application (attached in **Appendix A**). The lower of the two quotes is recommended for approval at \$21,018.00 as provided by Drew Chapman Carpentry.

However, the subject property has received the lowest rating according to the program criteria and would therefore be eligible for the remaining funding for 2019 at \$8,791.16, as opposed to the full \$10,000.00. The following chart provides an overview of the proposed funding:

Total project cost	\$21,018.00
50% of eligible project costs (or maximum allowable funding) <b>as per remaining funding</b>	\$8,791.16
Cost to Niagara Region (subject to availability only)	\$4,395.58
Cost to Town of Niagara-on-the-Lake	\$4,395.58

## **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 is done so 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 require that, within 90 days after the notice of receipt is served on the applicant, the 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.

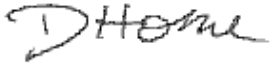
If the application for a Heritage Grant is approved by Council, the applicant would be required to enter into a Heritage Grant Agreement with the Town. Grant money will be released only after Staff have conducted a site visit to photo document and ensure the project has been completed as per the approved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

## **9. CONCLUSION**

Applications have been submitted for a Heritage Grant and Heritage Permit to build, paint and install 10 (ten) pairs of wood shutters with period appropriate hardware at 159 King Street. The application meets the policies of the District Plan and best practices in heritage conservation and is therefore recommended for approval. The recommended amount of funding is limited based on the remainder of funding

available for 2019.

**Respectfully submitted,**



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



**Mark Iamarino, MCIP, RPP  
Senior Planner**

ATTACHMENTS



Appendix A.pdf Appendix B.pdf

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First Capital of Upper Canada - 1792

## Appendix A



Date Received: \_\_\_\_\_

Time Received: \_\_\_\_\_

Application No. \_\_\_\_\_

(For Office Use Only)

### B. Applicant/Agent Information – Please Print

Date: August 21/19

Name of Property Owner: Drew & Cindy Chapman

Mailing Address of Property Owner:

1717 York Rd, RR#1

Street Address

Niagara-on-the-Lake L0S1J0

City/Town

Postal Code

Telephone No: 905-321-8545 Fax No: \_\_\_\_\_

Email: sindychapman@hotmail.com

### Agent Information (if applicable)

Name of Agent: \_\_\_\_\_

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.**

159 Kung Street  
Street Address  
Niagara-on-the-Lake L0S 1T0  
City/Town Postal Code

Roll Number: 2627 010 - 003 - 16400 - 0000

Lot Number: 86 33 Plan Number: 86

Existing Use: 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.**

[illegible]

Proposed Exterior Restoration/Repair Eligible for Matching Grant

- To build 10 pair of Victorian arched shutters
- To fit with period hardware, install, prime and paint.

Proposed Interior/Exterior Improvements not eligible for Matching Grant


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

- |    |                                     |                     |
|----|-------------------------------------|---------------------|
| a. | Eligible Interior Work              | \$ _____            |
| b. | Eligible Exterior Work              | \$ <u>21,018.00</u> |
| c. | Heritage Design Study (if required) | \$ _____            |
| d. | <b>TOTAL ELIGIBLE COSTS</b>         | \$ <u>20,000</u>    |
| e. | Other Work (not eligible)           | \$ _____            |
| f. | Total Construction Costs            | \$ _____            |

iii) Amount of Grant Applied For: (50% cost of item "d" above) \$ 10,000  
(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: June, 2020

Approximate End Date of Construction: August 2020  
December

### **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, Drew Chapman am the owner of the  
land that is subject of this application, and I hereby authorize my agent/solicitor  
\_\_\_\_\_ to make this application  
and to act on my behalf in regard to this application.

Dated at the \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_  
Month

\_\_\_\_\_  
Year

\_\_\_\_\_  
Name of Owner

\_\_\_\_\_  
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.

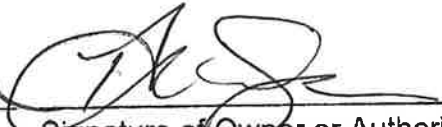
I/WE HEREBY CERTIFY that the information contained in this application is true, correct and complete in every respect and agrees that the Town of Niagara-on-the-Lake reserves the right to verify any information contained herein by such inquiry as it deems appropriate, including inspection of the property 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 in any way relating to the program, including, without limitation, costs incurred in anticipation of a grant.

Dated at the \_\_\_\_\_, this 23<sup>rd</sup> of August  
Town of Niagara-on-the-Lake Day Month  
2019  
Year

Drew Chapman   
Name of Owner or Authorized Agent Signature of Owner or Authorized Agent

# ***Drew Chapman Carpentry***

*A Division of 716988 Ontario limited*

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August 21<sup>st</sup>, 2019

## **QUOTATION**

Mr. & Mrs. Drew Chapman  
159 King Street  
Niagara-On-the-Lake  
Ontario L0S 1J0

To build 10 pair of Victorian arched shutters.

To fit with period hardware, install, prime and paint.

Subtotal:	\$18,600.00
HST:	<u>2,418.00</u>

Total:	\$21,018.00
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***RR 1, 1717 York Road, Niagara-On-The-Lake, Ontario L0S 1J0 (905) 262-6105***



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

August 21, 2019

Sindy Chapman

Phone: 905-321-8545

E-Mail: [sindychapman@hotmail.com](mailto:sindychapman@hotmail.com)

### TO SUPPLY ONLY:

**Product:** Pine Victorian Open Louvre Shutters  
**Finish:** Prime Painted

10 Pair – Arch Top Shutters 16 1/2" x 68 1/2" – 66 1/2" x 1 1/4" c/w Dowell

Cost	\$12,000.00
HST (13%)	\$1,560.00
Total	<u>\$13,560.00</u>

**Lead Time:** 4 - 6 weeks from order date.

**Deposit:** \$6,000.00 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.**





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

August 26, 2019

Sindy Chapman

Phone: 905-321-8545

E-Mail: [sindychapman@hotmail.com](mailto:sindychapman@hotmail.com)

**ADDITIONAL PRICING:  
 TO FIT & INSTALL ONLY:**

**Product:** 10 Pair of arched top shutters including hardware.  
**Finish:** Brush paint with 2 coats Black

**Cost:** \$6,600.00

**HST (13%):** \$858.00

**Total:** \$7,458.00

**Lead Time:** 4-6 weeks from order date.

**Deposit:** \$3,000.00 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.

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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 <b>Ontario Heritage Act or has completed work without a heritage permit</b> within the last 3 years all points will be lost in the table.	