



Report to: Development Services

Meeting Date: September 24, 2013

SUBJECT: Approval of the Continuation of the Markham Designated Heritage Property Grant Program
PREPARED BY: Regan Hutcheson, Manager, Heritage Planning, ext 2080

RECOMMENDATION:

- 1) That the report entitled "Approval of the Continuation of the Markham Designated Heritage Property Grant Program", dated September 24, 2013, be received;
- 2) And that the Markham Designated Heritage Property Grant Program Guidelines (attached as Appendix "B" to this report), be approved for an additional three year period (2014-2016);
- 3) And that a by-law be adopted to implement the program generally in the form attached as Appendix "C" to this report;
- 4) And that the existing reserve fund entitled "Designated Heritage Property Grants" continue to be used as the funding source for the program;
- 5) And that the Designated Heritage Property Grant Reserve Fund be allocated \$90,000 in funding for the three year period (2014-2016) from a transfer of \$90,000 from the Heritage Loan Reserve Fund; and
- 6) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report is to obtain approval for the continuation of the Markham Designated Property Grant Program for an additional three year period based on an allocation of \$30,000 per year for a total commitment of \$90,000.

BACKGROUND:

Council approved the creation of the Markham Designated Heritage Property Grant Program in 2010

On January 19, 2010, Markham Council approved the Markham Designated Heritage Property Grant Program to encourage the preservation, restoration and enhancement of heritage buildings in Markham by providing a financial incentive to private owners of designated properties for the repair and restoration of existing heritage features and the restoration of missing heritage features. The Program was approved and funded for a four year period (2010-2013). The Program was extremely well received by property owners who appreciated the direct financial assistance from the City.

Details of the Heritage Property Grant Program

The full details of the program are presented in the Guidelines document and the By-law. Highlights include:

- Total funding in the amount of \$120,000 was allocated to the program over a four year period (2010-2013) based on a targeted allocation of \$30,000 per year;
- Assistance to the owner was in the form of a grant representing 50% of eligible work up to a maximum limit of \$5,000 per property for eligible work;
- Minimum amount of eligible work - \$500;
- Properties had to be designated under the Ontario Heritage Act (Part IV or Part V). In the case of Part V (Heritage Districts), only properties identified in a district plan as being of cultural heritage value or interest (contributing properties) were eligible;
- Ineligible Projects- Commercial façade projects in heritage districts as there is a separate program and projects under 20 years old in Markham Heritage Estates as these owners had received a financial incentive through reduced lot prices;
- Grants were awarded on an annual cycle following a request for applications with a spring deadline established;
- Only one grant was permitted per calendar year per property;
- Subject property had to be in conformity with municipal by-laws and regulations;
- Eligible work primarily involved the repair, restoration or re-creation of heritage features or components (cornices, parapets, doors, windows, masonry, siding, woodwork, verandas, etc.);
- Eligible costs included the cost of materials, equipment and contracted labour (but not donated labour or materials). A grant of up to 50% for architectural/ design/ engineering fees to a maximum of \$1,000 (as part of the maximum permitted grant of \$5,000) was available;
- Two separate estimates of work (due to the specialized nature of the work) were to be provided by a licensed contractor (other than the owner) for consideration;
- Applications were reviewed by City (Heritage Section) staff and the Heritage Markham Committee, and recommended submissions were forwarded to Council for approval;
- Grant commitments were valid for 1 year and expired if the work was not completed within that time period (however an extension could be granted);
- Grants were only paid upon an inspection by staff of the work and submission of receipts to the satisfaction of the City;
- Approved applicants were required to enter into a Letter of Understanding with the City.

Council has also created a number of other heritage financial assistance programs to address specific issues

Council currently offers the following financial assistance programs to the heritage community:

Heritage Property Tax Program - offers an annual property tax refund to help offset the additional maintenance costs associated with conserving the heritage features on a designated property. Municipal and education tax components can be reduced by 30%. Requires a Heritage Easement with the City.

Heritage Loan Fund - Offers a short term loan (5 years) of up to \$15,000 at a reduced interest rate to restore heritage features or replicate lost features on a designated property. The program was created in 1981 and was initially funded in the amount of \$200,000 from the tax base.

Commercial Façade Improvement Grant - provides matching grants of up to \$15,000 to assist in the restoration or improvement to exteriors of commercial properties in heritage districts (\$10,000 maximum for non-heritage properties).

Commercial Signage Replacement Grant - provides assistance up to \$1,000 to replace inappropriate commercial signage in a heritage district. This matching grant helps to fund the production and installation of new signage.

Ontario Heritage Act allows Council to provide grants

Sections 39 and 45 of the Ontario Heritage Act allows a Council of a municipality to provide grants to owners of property designated under the Act for the purpose of paying (in whole or in part) the cost of alteration of such designated property on terms and conditions as Council may prescribe.

OPTIONS/ DISCUSSION:

The four year Program was well used and has generated private investment

Markham Council has approved 44 applications for funding assistance as part of this Program totaling \$157,296. Of these approvals, 22 applications have been completed to date representing \$82,233 in grant assistance (See chart below and Appendix “A”). A number of the uncompleted projects associated with the grant assistance are still in progress at this time and have received an extension to the grant deadline. The approved work has included: chimney and veranda reconstructions, reintroducing historic shutters, repainting in historic colours, window and door restoration and replication, production of wooden storm windows, and restoration of masonry walls.

Year	Approved Applications	Grant Commitment	Completed Applications	Grant Amount Paid
2010	10	\$29,560	5	\$20,635
2011	9	\$28,630	8	\$26,642
2012	12	\$55,398*	6	\$27,485
2013	13	\$43,708*	3	\$12,471
Total	44	\$157,296	22	\$87,233

Note

* Council approved a transfer of funds from the Commercial Façade Improvement Grant Program to this program to allow additional applications to be funded above the original annual commitment of \$30,000

Investing in heritage conservation also helps the local economy by increasing property values, employing local contractors, purchasing supplies from local businesses, and preserving our local heritage resources for future generations. Over the last four years, on average, every grant dollar awarded has resulted in \$3.95 in private investment. To date, the grants have generated \$344,358 in private investment in the local economy (see chart below and Appendix “A” for details on the economic impact of this grant assistance program).

Year	Grant Amounts	Total Private Project Amounts	Multiplier Effect
2010	\$20,635	\$116,737	\$1 to \$5.66
2011	\$26,642	\$107,700	\$1 to \$4.04
2012	\$27,485	\$91,392	\$1 to \$3.32
2013	\$12,471	\$28,529	\$1 to \$2.29
Total	\$87, 233	\$344,358	\$1 to \$3.95

The continuation of the Program is recommended for an additional three years

As per the staff report of January 2010 which recommended the creation of the Program, staff was to report to Council in the fourth year of the program on the potential continuation of the Program.

It is recommended that the Designated Heritage Property Grant Program be extended for an additional three years in the amount of \$30,000 per year. The \$90,000 funding for the Program would be obtained from the accrued interest generated from the Heritage Loan Fund Reserve.

It is recommended that the administration and procedures of the Program remain unchanged. However it is suggested that the Guideline document and associated by-law be amended to reflect the City status of the municipality and to provide further clarity as required (see Appendix "B" and "C").

FINANCIAL CONSIDERATIONS AND TEMPLATE:

Funding the Program

It is recommended by staff that \$90,000 of the required funding for this grant program be transferred from the existing Heritage Loan Fund Reserve. The loan fund was established in 1981 with an allocation of \$200,000 (tax based) and has been invested successfully for many years when interest rates were high. The current balance is \$304,090.64 representing \$104,090.64 in interest. Therefore, staff recommends the following:

- Continue the Designated Heritage Property Grant Reserve Fund in the amount of \$90,000 for a three year period (2014-2016) from the following funding sources:
 - A transfer of \$90,000 from the Heritage Loan Reserve Fund;
- Retain \$214,090.65 (\$304,090.64 - \$90,000) in the Heritage Loan Reserve Fund;
- Allocate \$30,000 per year for three years (2014-2016) for this Program through the annual Capital Budget Process;
- Any funds remaining in the annual budget of the Program and not allocated for a specific calendar year be transferred for use to the next calendar year;
- Report to Council in the final year on the Program. Any funds remaining in the Grant Program at the end of the three year period could be transferred back into the Heritage Loan Fund Reserve or, subject to the approval of Council at the time, continue to be used for a future Designated Heritage Property Grant Program.

This program will not have any financial impact on the current tax base as it will be funded from the Heritage Loan Fund Reserve.

HUMAN RESOURCES CONSIDERATIONS

Not Applicable


ALIGNMENT WITH STRATEGIC PRIORITIES:

This project aligns with the Growth Management priority by working to preserve resources and features of cultural heritage value in order to create a better quality of community


BUSINESS UNITS CONSULTED AND AFFECTED:

Reviewed by Financial Services, and Heritage Markham Committee

RECOMMENDED BY:



Rino Mostacci, M.C.I.P., R.P.P.
Director, Planning and Urban Design



Jim Baird, M.C.I.P., R.P.P.
Commissioner of Development Services.

ATTACHMENTS:

Appendix "A"	Economic Impact of Grant Assistance
Appendix "B"	Markham Designated Heritage Property Grant Program and Guidelines
Appendix "C"	By-law

**Economic Impact of Grant Assistance
Designated Heritage Property Grant Program**

Year 2010- Completed Projects

Address	Project	Grant Amount	Total Project Amount
23 Peter Street	Structural repairs and veranda	\$5,000	\$68,775
180 Main Street N	Veranda restoration	\$5,000	\$19,549
1 Kalvinster	Foundation, Storm windows and door	\$5,000	\$16,376
48 Church Street	Repointing masonry	\$1,750	\$3,675
309 Main Street N	Veranda restoration	\$3,885	\$8,362
Total		\$20,635	\$116,737
Economic Impact		\$1.00	\$5.66

Year 2011 – Completed Projects

Address	Project	Grant Amount	Total Project Amount
180 Main St N	Brick repairs and tinting	\$5,000	\$10,283
5000 Steeles Avenue Ebenezer United Church	Roof restoration work	\$5,000	\$28,972
25 John St	Window replacement	\$4,516	\$36,400
50 Peter Street	Repair masonry	\$960	\$2,145
9899 Hwy 48	Chimney repair	\$3,333	\$6,667
2665 Bur Oak Ave Rhenish Church	Window restoration, storm windows/door	\$5,000	\$13,769
149 John Street	Repairs/painting	\$2,000	\$6,300
249 Main Street U	Repairs/painting	\$833	\$3,164
Total		\$26,642	\$107,700
Economic Impact		\$1.00	\$4.04

Year 2012 – Completed Projects

Address	Project	Grant Amount	Total Project
5000 Steeles Avenue Ebenezer United Church	Gothic Window restoration	\$5,000	\$31,109
2665 Bur Oak Ave Rhenish Church	Window restoration, /2 nd Storey	\$5,000	\$11,300
8 Alexander Hunter Pl	Chimney restoration	\$3,390	\$6,949
6 David Gohn Circle	Veranda restoration	\$3,022	\$6,045
16 George St	Foundation repairs	\$5,000	\$12,255
128 Main Street	Cedar roof	\$5,000	\$21,587
370 Main Street N	Repairs/painting	\$1,073	\$2,147
Total		\$27,485	\$91,392
Economic Impact		\$1.00	\$3.32

Year 2013 – Completed Projects

Address	Project	Grant Amount	Total Project
33 Joseph Street	Window and siding restoration	\$5,000	\$14,151
25 John Street	Masonry work	\$2,471	\$4,943
527 William Forster Road	Chimney restoration, historic shutters	\$5,000	\$9,435
Total		\$12,471	\$28,529
Economic Impact		\$1.00	\$2.29

Four Year Summary – Completed Projects

Grant Total	\$87,233
Total Projects Amount	\$344,358
Economic Impact	\$1.00 to \$3.95 ratio

NOTE

Please note that there are still a number of grant projects still in progress of being completed (especially 2013 applications). Some projects from previous years have requested and received extension to the project completion deadline.

**City of Markham
Designated Heritage Property
Grant Program**

Guidelines

2014 to 2016

This program is administered under the provision of these Guidelines
and By-law 2013-XX, being a By-law to establish a Designated Heritage Property Grant
Program 2014-2016

**Planning and Urban Design Department
Heritage Section**



Designated Heritage Property Grant Program

1.0 Purpose of the Program

The purpose of the Designated Heritage Property Grant Program is to offer financial assistance on a cost sharing basis to owners of properties of cultural heritage significance towards the conservation and restoration of property's heritage attributes.

2.0 Definitions

'Act' means the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended from time to time;

'Applicant' means the owner of the property applying for a grant, or their agent, if such agent is authorized in writing by the owner to act as agent for making the application;

'Eligible Heritage Property' means real property, including all buildings and structures thereon, located in the City of Markham, that has either been designated under Part IV of the Act or is within a heritage conservation district designated under Part V of the Act and which has been identified in a Heritage Conservation District Plan as being of cultural heritage value or interest [Classes A and B in Thornhill, Class A (and B at the discretion of Council on the recommendation of Heritage staff) in Unionville and Type A in Markham Village];

'Eligible Conservation Work' means that which is described in section 5.1 of this document;

'Eligible Property' means that which is described in section 3.0 of this document;

'Guidelines' means the City's Heritage Property Grant Program Guidelines, as may be amended from time to time;

'Heritage Attributes' means the principal external features, characteristics, context and appearance that contribute to the cultural heritage significance of an eligible property;

'Heritage Markham' means the City's municipal heritage advisory committee;

'Manager' means the Manager, Heritage Planning, for the City of Markham and includes his or her delegates;

3.0 Eligibility

3.1 Eligibility Requirements

- Only **Eligible Heritage Properties**, as defined herein, are eligible for this program.

- The **Eligible Heritage Property** must not be in arrears or default of any municipal taxes, local improvements charges or any other monies owed to the City (fees or penalties).
- The **Eligible Heritage Property** must not be the subject of a contravention, work order or outstanding municipal requirements, unless the consent of the Commissioner of Development Services is obtained. A contravention includes offences under a municipal by-law, Act or regulation for which enforcement proceedings have been commenced, but not necessarily finalized, that relates specifically to the building or land for which a grant is sought or given.
- Existing use of property must be in conformity with applicable zoning by-law regulations and other relevant planning controls.
- Projects undertaken between the deadline for applications of the previous year and the current year deadline will be considered eligible for grant assistance, provided that all other eligibility requirements of the program are met.

3.2 Eligible Applicants

Owners and tenants of an **Eligible Heritage Property** may apply for assistance. Tenants are required to provide documentation of the property owner's consent to the improvements. Written consent may be either in the form of a lease indicating the lessee's authority for property renovation and repair, or written documentation of the property owner's agreement to the proposed alterations.

Heritage resources owned by any level of government are not eligible except in the following cases:

- (a) where the property is under long term lease to an individual and the tenant or lessee is the applicant; or
- (b) where a non-profit community group has assumed, by long-term lease or legal agreement, responsibility for the building and the non-profit community group is the applicant.

3.3 Commercial Façade Improvements

Commercial façade projects (front elevation) for commercial properties in heritage conservation districts are ineligible as there is a separate financial assistance program for this type of project.

3.4 Markham Heritage Estates Properties

Properties in Markham Heritage Estates subdivision are ineligible as property owners already receive a financial incentive through reduced lot prices, unless the relocated building has been on the new lot for at least 20 years.

4.0 Grant Information

4.1 Amount of Grant Assistance

The amount of a grant is calculated as a maximum of fifty percent (50%) of the eligible cost of the **Eligible Conservation Work**, as approved by the City. Approved applicants who undertake at least \$500 in improvements are eligible to apply for a grant of up to 50% of the cost with a maximum limit of \$5,000 in grants per property for **Eligible Conservation Work**.

The owner of the property must pay the remaining fifty percent (50%) of the eligible costs as part of its contribution to the **Eligible Conservation Work**. Subject to approval, an applicant may use the City of Markham Loan Fund as part of the matching component for grant assistance.

The costs of labour, materials and equipment related to the **Eligible Conservation Work** may be considered part of the cost of the **Eligible Conservation Work** provided proof of such costs are verified by invoices. Donated labour and materials are not considered part of the eligible costs or part of the owner's matching contribution.

Two cost estimates for the **Eligible Conservation Work** are to be provided by independent professional/licensed contractors other than the owner. The grant will not necessarily be calculated based upon the lowest estimate, but will be based on the most appropriate quote for the proposed work as determined by Heritage Section staff, taking into consideration the cost quoted, the scope of work described and the capabilities of the contractor to complete the work. The grant will not address cost increases or over runs.

4.2 Frequency of Grant

Subject to approval, an **Eligible Heritage Property** may receive one grant per calendar year. If a grant is provided, the work must be completed and inspected before another grant application may be submitted to the municipality.

4.3 Completion of Work

Grant commitments are valid for one (1) year and expire if the work is not completed within that time period. This timeframe may be extended at the discretion of the **Manager**.

5.0 Eligible Projects

5.1 Eligible Conservation Work

For the proposed work to be eligible for a grant, it must be **Eligible Conservation Work**, which means the following:

- (a) any conservation work which directly and appropriately preserves, restores or enhances specific **Heritage Attributes** and does not detract from or diminish the cultural heritage value of the property or the district including:
 - (i) preservation or conservation of existing exterior architectural elements or features which are significant (i.e. repair of deteriorated original elements such as doors and windows, siding and roofing materials, architectural trims, verandas, historic chimneys, fences and other significant features; repointing and cleaning of masonry only if the materials and methods will not cause harm to the historic masonry);
 - (ii) re-construction of significant exterior architectural elements or features which still exist, but are beyond conservation or repair (this would include accurate reconstructions of original features using materials, sizes and configurations which match the original);
 - (iii) restoration or re-introduction of significant exterior architectural elements or features which have been lost, but for which the appearance can be clearly determined from archival or documentary sources, or physical evidence that supports the existence of the missing feature (i.e. removal of modern material such as vinyl and aluminum siding and replacement with original material).
 - (iv) introduction or repair of protective elements to protect original features (i.e. wooden storm windows).
- (b) any work necessary to restore the building to structural soundness including the correction of serious structural faults which threaten the building's survival (i.e. introduction of supporting beam, alterations to correct a failing foundation), but not routine maintenance;
- (c) any work which directly and appropriately preserves, restores or enhances specific **Heritage Attributes** associated with historic cemeteries and their features such as mausolea, dead houses, stone walls, wrought iron gates and fences which are part of the original design, but not specific grave markers, tombs or monuments;
- (d) exterior painting in documented original colours to a maximum grant contribution of \$2,000 or 25% of the cost, whichever is the lesser. This

is a one time only grant per property. After the initial grant, it is expected that paint maintenance will be the owner's responsibility. This would not preclude the property owner from submitting a future grant application for other eligible works.

- (e) other alterations which the **Manager**, in his or her sole discretion, determines are important to the cultural heritage significance of the property.

Where a **Eligible Heritage Property** contains non-heritage additions or elements, or the proposed work involves new additions, only the **Heritage Attributes** of the property will be subject to grant assistance.

The final determination of what constitutes **Eligible Conservation Work** is at the discretion of the **Manager**, in consultation with **Heritage Markham**, with reference to the Guidelines, and the final decision is made by the Council of the City of Markham.

5.2 Ineligible Work/Projects

Ineligible work includes, but is not limited to, the following:

- (a) Interior work, unless related to structural issues;
- (b) Short term, routine maintenance;
- (c) Work on modern additions or work to accommodate modern renovations to a building of cultural heritage value;
- (d) Landscaping;
- (e) Paving;
- (f) Lighting unless repair or restoration of a Heritage Attribute;
- (g) Signs and commemorative plaques;
- (h) **Eaves-trough**, unless considered significant architectural features of the building such as those with decorative elements or those made from long-lasting materials such as copper and lead;
- (i) Mechanical systems and insulation;
- (j) Skylights;
- (k) Poor or defective work;
- (l) Non-permanent fixtures;
- (m) Commercial façade projects (front elevation) in heritage conservation districts; and
- (n) Projects in Markham Heritage Estates subdivision unless the building or structure has been on the lot for at least 20 years.

5.3 Eligible Costs

Eligible costs shall be the cost of materials, equipment and contracted labour to complete eligible conservation, restoration or preservation work, documented by invoices to the satisfaction of the **Manager**. Labour provided by the applicant or tenant of the building will not be an eligible cost.

Other reimbursable expenses include professional architectural/ engineering/ design fees, to a maximum grant of \$1,000 (as part of the maximum permitted grant).

The grant is paid, subject to compliance with these **Guidelines**, upon completion of the previously approved work.

5.4 Approval Considerations

The following considerations will apply when reviewing all applications for grant assistance:

- a) Preference will be given to applications where the integrity of the **Eligible Heritage Property** may be threatened if the proposed conservation work is not undertaken
- b) Preference will be given to applications proposing work visible to the general public;
- c) The project should generally comply with acknowledged heritage conservation principles, policies and guidelines including, but not limited to, a specific Markham heritage conservation district plan, policies of the Ontario Ministry of Culture, and the Standards and Guidelines for the Conservation of Historic Places in Canada;
- d) The scope of the work is clear, logical and demonstrates the maximum retention of the historic fabric and **Heritage Attributes**;
- e) Grant assistance can only be obtained for projects which have received municipal approval prior to work being initiated. However, approved projects undertaken between the deadline for applications of the previous year and the current year deadline will be considered eligible for grant assistance, provided that all other eligibility requirements of the program are met.
- f) The grant program should not reward poor stewardship.

6.0 Application Details

6.1 Application Deadline

Grants are to be awarded on an annual cycle following a request for applications within a deadline established by the **Manager**, and published from time to time on the City's website and in other media, at the discretion of the Manager.

6.2 Application Requirements

1. Application Form

The **Applicant** is required to complete an application form available from the Planning and Urban Design Department (Markham Civic Centre). The **Applicant** is encouraged to engage a professional (architect, engineer or designer) to assist with decisions on alterations and provide the necessary drawings.

2. Information to Accompany Application

The application must include all the details necessary for a full understanding of the proposed work, and shall include:

- a) A professionally prepared and scaled drawing of the proposed work, including any specific details as may be required by the **Manager**. Depending on the nature and extent of the work, a building permit and the required drawings may be required.
- b) Samples of proposed materials or colours, and any product information.
- c) the cost estimates required by clause 4.1 hereof.

6.3 Application Process

The Designated Heritage Property Grant Program will be administered by Markham's Planning and Urban Design Department. The Heritage Planning Section will co-ordinate the program.

Step 1. Determine if you are eligible (pre-application consultation)

Prior to submitting a formal application for financial assistance, it is recommended that the following steps be undertaken:

- a) Determine if the property is eligible to receive funding. Contact the Heritage Section.
- b) Discuss any restoration or rehabilitation proposal with the Building Department to determine any zoning or other building regulations.
- c) Discuss any restoration or rehabilitation proposal with a Heritage Section staff member
- d) If an application appears eligible, consider reviewing it with **Heritage Markham** for feedback purposes.
- e) Secure a grant application form from the Development Services Counter and complete and return it with the necessary documentation.

This pre-application consultation stage should help to avoid ineligible proposals.

Step 2. Submit your application

Submit a completed application with all required materials before the deadline date.

Step 3. Staff Review

The application will be reviewed by City Staff to ensure that it meets all the eligibility requirements, including confirmation that no municipal requirements are outstanding.

Step 4. Grant Review Committee

The review of all grant applications will be undertaken by Heritage Section staff. All applications will be forwarded to **Heritage Markham** for its consideration and recommendation. Heritage Section staff will report on applications that are recommended for approval to Council, through the Development Services Committee. The submissions will be reviewed against the **Guidelines**, and grants will be recommended for the projects that are most deserving in the opinion of Heritage Staff.

Step 5. Approval by Council

All grants will require approval by Council, through the Development Services Committee.

Step 6. Notification/ Legal Agreement

Applicants who secure grant approval will be notified and required to enter into a Letter of Understanding with the municipality. This document establishes a formal arrangement between the **Applicant** and the City and outlines the amount of the grant, and the project completion date. The Letter of Understanding must be signed and returned to the City.

If an application is unsuccessful, a letter will be sent confirming that a grant will not be issued.

Step 7. Undertaking the Improvements

Nothing contained in the grant application procedures or approval relieves the applicant from obtaining all necessary municipal planning and building department approvals. All work must be carried out in accordance with the requirements of the Ontario Building Code and municipal by-laws.

The applicant is required to obtain the consent of the **Manager** for any changes to the project which are proposed during the course of the work.

Step 8. Issuing the Grant

Before a grant will be paid by the City, the following must occur:

- (a) the **Eligible Conservation Work** must be completed within one (1) year from the date of approval of the grant by Council, and be completed to the satisfaction of the **Manager**.

In exceptional cases, the timeframe for project completion may be extended. In such cases, a written request, stating the reasons for required for the extension, must be submitted by the applicant for review and approval at the discretion of the **Manager**;

- (b) The **Eligible Conservation Work** must be completely paid for by the owner with documentation to verify such payment (i.e. copies of paid invoices), and the work completed to the satisfaction of the **Manager**;
- (c) the **Manager** must be in receipt of all required documentation as identified in the **Guidelines** (i.e. paid invoices), and any other documentation reasonably required by the **Manager**;
- (d) the completed **Eligible Conservation Work** must reflect the **Eligible Conservation Work** that was approved by Council or as amended by the **Manager**. Heritage Section is responsible for the inspection to ensure that works have been completed as proposed.
- (e) The City reserves the right to withhold the payment of all or a portion of the grant if the work has not been substantially completed in accordance with the approved plans and specifications
- (f) If the cost of the completed work is less than the original amount upon which the grant was calculated, the grant will be revised to reflect fifty percent (50%) of the new cost.

7.0 General Information

7.1 Funding Availability

Funding for this grant program will be considered on an annual basis by Markham Council as part of its overall annual budget process. Individual grants are approved subject to the availability of funding.

7.2 Continuation of the Program

The City, in its sole discretion, may change or discontinue this program at any time.

7.3 By-law

This program has been created by municipal by-law. Please see "By-law 2013-XXX, being a By-law to establish a Designated Heritage Property Grant Program 2014-2016" for further details.

For further information, please contact:

Heritage Section
Planning and Urban Design Department
City of Markham
101 Town Centre Boulevard
Markham, ON L3R 9W3

905-477-7000, ext. 2585

905-475-4739 (FAX)

heritage@markham.ca

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DESIGNATED HERITAGE PROPERTY GRANT PROGRAM

The purpose of this program to encourage the preservation, restoration and enhancement of heritage buildings in the City of Markham by providing financial assistance to owners of designated heritage properties for the repair and restoration of existing heritage features and the restoration of missing heritage features. See the Grant Guidelines for full details.

PROPERTY INFORMATION			
Municipal Address:	Street No.:	Street Name:	Unit Num.:
Commercial Name (if applicable)			
Designation By-law #:		Heritage Conservation District:	
OWNER and APPLICANT INFORMATION			
Property Owner Information (check one)		Person(s)	Company
Registered Land Owner:	Surname:	First Name:	
Name	(if Company)	Company Officer:	
Address:	Street No.:	Street Name:	Unit Num.:
City:	Province:	Postal Code:	
Telephone:	No. ()	Fax: ()	E-Mail:
Applicant Information (if different than Owner):			
Application Contact:	Surname:	First Name:	
Name	(if Company)	Company Officer:	
Address:	Street No.:	Street Name:	Unit Num.:
City:	Province:	Postal Code:	
Telephone:	No. ()	Fax: ()	E-Mail:
I hereby make the above application for a Designated Heritage Property Grant, declaring all the information contained herein is true and correct, and acknowledging the City of Markham will process the application based on the information provided.			
The personal information on this form is collected under the authority of the Section 39 and 45 of the Ontario Heritage Act, R.S.O. 1990, c.O.18, as amended and the City of Markham Designated Heritage Property Grant Program By-law, as amended. The information collected will be used by the City of Markham to administer and enforce the Designated Heritage Property Grant Program. Questions about the collection can be directed to the Development Services-Heritage Section, City of Markham, 101 Town Centre Blvd., Markham, ON, L3R 9W3, Telephone: 905 475 4861, email: developmentsservices@markham.ca .			
Signature:		Title:	
Printed Name of Signatory:		Date:	

DESIGNATED HERITAGE PROPERTY GRANT PROGRAM

Additional Information to Accompany Application		
<ul style="list-style-type: none"> ➤ A professionally prepared and scaled drawing of the proposed work (i.e. for replication of specific heritage features such as a window or trim-work) to fully illustrate the proposed eligible conservation project, if applicable. ➤ Samples of proposed materials or paint colours, if applicable. ➤ Please consult with Heritage Staff prior to submission to determine what type of additional information should be submitted to best support your application 		
Cost Estimates		
Please attach two (2) independent contractor estimates for the eligible conservation work.		
Name of Preferred Contractor		
Amount	\$	
Name of Second Contractor		
Amount	\$	
Grant Request		
Cost of Eligible Conservation Work (material, equipment, labour)	\$	
Professional Fees	\$	
Other	\$	
Total Estimate	\$	
For Further Information:		
Planning and Urban Design Department- Heritage Section DEVELOPMENT SERVICES COMMISSION 101 TOWN CENTRE BOULEVARD MARKHAM, ONTARIO, L3R 9W3		
Telephone 905-477-7000, ext. 2585 Fax 905-475-4739 heritage@markham.ca		
FOR OFFICE USE ONLY		
Date Rec'd :		
Application Information Rec'd	YES	NO
Application Rec'd By:		
Entered into AMANDA by:	Date:	
Application Number:		



BY-LAW 2013-XXX

Being a By-law to establish a Designated Heritage Property Grant Program (2014-2016)

WHEREAS the Council of The Corporation of the City of Markham is authorized, pursuant to Section 39 of the Ontario Heritage Act, R.S.O. 1990, c.O.18, as amended (the "Act"), to pass by-laws providing for the making of a grant or loan to the owner of a property that has been designated under Part IV of the Act (a "designated property"), as being of cultural heritage value or interest, for the purpose of paying for the whole or any part of the cost of alteration of such property on such terms and conditions as the Council may prescribe;

AND WHEREAS the Council of The Corporation of the City of Markham is authorized, pursuant to Section 45 of the Act, to pass by-laws providing for the making of a grant or loan to the owner of any building or structure and the land appurtenant thereto that is situate within an area that has been designated by by-law under Part V of the Act, as a heritage conservation district, for the purpose of paying for the whole or any part of the cost of alteration of such property on such terms and conditions as the Council may prescribe;

AND WHEREAS the Council of The Corporation of the City of Markham deems it advisable and in the public interest to provide a grant program for designated properties on the terms set out in this by-law as an incentive to encourage property owners to renovate and restore such buildings, and thereby contribute to the overall character and identity of the City of Markham;

AND WHEREAS on January 19, 2010, the Council of The Corporation of the Town of Markham approved the Heritage Property Grant Program as a four year project, and Council approved the Grant Program Guidelines on the same date;

AND WHEREAS on September 24, 2013, the Council of The Corporation of the City of Markham approved the continuation of the Heritage Property Grant Program for an additional three year period, and Council approved revised Grant Program Guidelines on the same date:

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM HEREBY ENACTS AS FOLLOWS:

DEFINITIONS

- 1.1 In this by-law, unless otherwise specified in this by-law:
- (a) 'Applicant' shall mean the owner of the property applying for a grant, or their agent, if such agent is authorized in writing by the owner to act as agent for making the application;
 - (b) 'Contravention' shall mean an offence under a municipal by-law, statute or regulation for which enforcement proceedings have been commenced that relates specifically to the building or land for which a grant is sought or given;
 - (c) 'Designated Heritage Property' shall mean real property including all buildings and structures thereon that have been designated by municipal by-law as being of cultural heritage value or interest pursuant to Parts IV and V of the Act;
 - (d) 'Eligible Conservation Work' shall mean that which is described in sections 5.1 and 5.2 of this by-law;
 - (e) 'Eligible Property' shall mean that which is described in sections 4.1 to 4.5 of this by-law;
 - (f) 'Guidelines' shall mean the City's Heritage Property Grant Program Guidelines, as may be amended from time to time;
 - (g) 'Heritage Attributes' shall mean the principal exterior features, characteristics, context and appearance that contribute to the cultural heritage significance of an eligible property;
 - (h) 'Heritage Markham' shall mean the City's municipal heritage advisory committee;
 - (i) 'Manager' shall mean the City's Manager, Heritage Planning and includes his or her delegates;
 - (j) 'Preservation and/or Conservation' shall mean the act or process of applying measures necessary to sustain the existing form, integrity and materials of a cultural heritage property;
 - (k) "Program" shall mean the City's Designated Heritage Property Grant Program; and

- (l) 'Restoration' shall mean the process of accurately revealing, recovering, replicating or representing the state of a heritage property at a particular period in its history, while still protecting the cultural heritage value of the property.

TERM AND AMOUNT OF GRANT PROGRAM

- 2.1 The Heritage Designated Property Grant Program shall be established in the amount of ninety thousand dollars (\$90,000) with funds allocated to the program over a three (3) year period at a minimum of thirty thousand dollars (\$30,000) per year from the date of the passing of this by-law.
- 2.2 If a grant has been approved by Council, but not paid out on the day this Program expires, the grant amount shall still be provided in accordance with this by-law.
- 2.3 Any funds remaining in the Program at the end of the three year period shall be transferred to the Heritage Loan Reserve Fund.

SPECIFIC GRANT AMOUNT AND OWNER CONTRIBUTION

- 3.1 Each grant may be awarded in the amount of up to half the cost (50%) of the Eligible Conservation Work up to a maximum of five thousand dollars (\$5,000).
- 3.2 The owner of the property shall match the City's grant amount as part of its contribution to the Eligible Conservation Work.
- 3.3 The owner may use any funds available to him or her from the City of Markham Heritage Loan Reserve Fund as part of the owner's matching contribution to the Eligible Conservation Work.
- 3.4 Donated labour and materials shall not be considered part of the costs or part of the owner's matching contribution.
- 3.5 The costs of labour, materials and equipment related to the Eligible Conservation Work may be considered part of the cost of the Eligible Conservation Work provided proof of such costs are verified by invoices.
- 3.6 A property may receive only one grant per calendar year.
- 3.7 Before another grant is considered by the City, the work associated with the current grant must be completed, inspected and approved by the Manager.

- 3.8 Whether a grant is awarded, and the amount of the grant, shall be subject to available funding within annual program budgets of the City.
- 3.9 A property may receive only one grant for exterior painting to a maximum of \$2,000 or 25% of the cost, whichever is the lesser.

ELIGIBLE PROPERTY

- 4.1 For a property to be considered Eligible for a grant, the property must be:
- (a) designated under the Ontario Heritage Act (the "Act"):
 - (i) for a single property, a designation by-law under Part IV of the Act must have been passed and registered; or
 - (ii) for a property located within a heritage conservation district, a designation by-law must have been passed under Part V of the Act and only properties identified in the District Plan as being of cultural heritage value or interest [being Classes A and B in Thornhill, Class A (and B at the discretion of Council on the recommendation of Heritage Staff) in Unionville, and Type A in Markham Village] are eligible; and
 - (b) located within the City of Markham; and
 - (c) free of property tax arrears, any fees or penalties owed to the City, compliance orders, enforcement orders, contraventions of municipal requirements and the like.
- 4.2 Where a Designated Heritage Property contains non-heritage additions or elements, or the proposed work involves new additions, only the Heritage Attributes of the property will be subject to grant assistance.
- 4.3 Heritage resources owned by any level of government are not eligible except in the following cases:
- (a) where the property is under long term lease to an individual; or
 - (b) where a non-profit, community group has assumed, by long-term lease or legal agreement, responsibility for the building.
- In these cases, such parties may make an application for a grant as the agent of the owner.
- 4.4 Commercial façade projects (front elevation) for commercial properties in heritage conservation districts are not eligible for this Program as there is a separate financial assistance Program for this type of project.

- 4.5 Properties in Markham Heritage Estates subdivision are not eligible for this Program unless and until the building has been located on the property in Markham Heritage Estates for a minimum of twenty (20) years.

ELIGIBLE CONSERVATION WORK

- 5.1 For the proposed work to be eligible for a grant, it must be Eligible Conservation Work, which means the following:
- (a) any conservation work which directly and appropriately preserves, restores or enhances specific Heritage Attributes and does not detract from or diminish the cultural heritage value of the property or the district including:
 - (i) preservation/conservation of existing architectural elements or features which are significant;
 - (ii) re-construction of significant architectural elements or features which still exist, but are beyond conservation or repair;
 - (iii) restoration or re-introduction of significant architectural elements or features which have been lost, but for which the appearance can be clearly determined from archival or documentary sources, or physical evidence that supports the existence of the missing feature.
 - (iv) introduction or repair of protective elements to protect original features.
 - (b) any preservation/conservation work necessary to restore the building to structural soundness including the correction of serious structural faults which threaten the building's survival, but not routine maintenance;
 - (c) any preservation/conservation work which directly and appropriately preserves, restores or enhances specific Heritage Attributes associated with historic cemeteries and their features such as mausolea, dead houses, stone walls, wrought iron fences and gates which are part of the original design, but not specific grave markers, tombs or monuments; and
 - (d) exterior painting in documented original colours;
 - (e) any architect, designer and engineering professional fees to a maximum of one thousand dollars (\$1,000) as a component of the maximum grant amount for work directly related to the proposed preservation/conservation, rehabilitation or restoration project; and

- (f) any other alterations which the Manager, in his or her sole discretion, determines are important to the cultural heritage significance of the property.
- 5.2 The final determination of what constitutes Eligible Conservation Work is at the discretion of the Manager, in consultation with Heritage Markham, with reference to the Guidelines, and the final decision is made by Markham Council.
- 5.3 Eligible Conservation Work will be generally guided by the following policies and principles: individual heritage conservation district plans, Conservation Principles from the Ontario Ministry of Culture and the Standards and Guidelines for the Conservation of Historic Places in Canada.
- 5.4 Projects undertaken between the deadline for applications of the previous year and the current year deadline will be considered eligible for grant assistance provided that all other eligibility requirements of the Program are met.

INELIGIBLE WORK/ PROJECTS

- 6.1 Ineligible work will include, but is not limited to, the following:
 - (a) Interior work, unless related to structural issues;
 - (b) Short term, routine maintenance, including painting, other than as permitted herein;
 - (c) work on modern additions or work to accommodate modern renovations to a building of cultural heritage value;
 - (d) landscaping;
 - (e) paving;
 - (f) lighting unless repair or restoration of a heritage attribute;
 - (g) signs and commemorative plaques;
 - (h) eaves-troughs, unless considered significant architectural features of the building such as those with decorative elements or those made from long-lasting materials such as copper or lead;
 - (i) mechanical systems and insulation;
 - (j) skylights;
 - (k) poor or defective work; and
 - (l) non-permanent fixtures.
- 6.2 Commercial façade projects (front elevation) in heritage conservation districts are ineligible as there is a separate financial assistance program for this type of project.

ADMINISTRATION OF THE PROGRAM

- 7.1 The Designated Property Grant Program shall be administered by the Manager.
- 7.2 The overall administration of the Program shall be in compliance with this by-law and the Guidelines.
- 7.3 At minimum, the Program shall be offered at least once per calendar year.
- 7.4 All applications shall be considered by Council for approval after having been reviewed and a recommendation provided by Heritage Planning staff and Heritage Markham.
- 7.5 Approval of a grant does not absolve the owner from obtaining all other approvals required by law to under the project.
- 7.6 Before a grant will be paid by the City, the following must occur:
- (a) the Eligible Conservation Work must be completely paid for by the owner with documentation to verify such payment, and completed to the satisfaction of the Manager;
 - (b) the Eligible Conservation Work must be completed within one (1) year from the date of approval of the grant by Council in order to receive the grant;

In exceptional cases, the timeframe for project completion may be extended. In such cases, a written request, stating the reasons required for the extension, must be submitted by the applicant for review and approval is at the discretion of the Manager;
 - (c) the Manager must be in receipt of all required documentation as identified in the Guidelines, and as requested by the Manager;
 - (d) the completed Eligible Conservation Work must reflect the Eligible Conservation Work that was approved by Council or as amended by the Manager.
- 7.7 The City reserves the right to withhold the payment of all or a portion of the grant if the work has not been substantially completed in accordance with the approved plans and specifications.
- 7.8 If the cost of completed work is less than the original amount upon which the grant was calculated, the grant will be revised to reflect 50% of the new cost.

7.9 Any monies remaining in the budget for this Program and not allocated during a calendar year shall be transferred for use to the next calendar year for use as part of the Program.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
XX DAY OF XX, 2013.

KIMBERLEY KITTERINGHAM,
CITY CLERK

FRANK SCARPITTI, MAYOR