

Commercial Heritage Improvement and Restoration Program (CHIRP)

Program Description:

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

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

Program Terms:

- Commercial and industrial property owners are eligible for the grant program on an annual basis.
- Eligible properties are to be identified by deed, and by municipal address to identify multiple and separate commercial units with ground floor street frontages.
- Eligible properties must be assessed for municipal tax purposes as commercial or industrial.
- Residential properties are not eligible.
- Commercial and industrial uses must be in conformity with relevant policy documents of the City and the provisions of the Zoning Bylaw.
- Eligibility requirements for the program relating to the work to be funded will be specifically identified by the City. Two (2) separate estimates for eligible work are to be provided by a licensed contractor other than the owner. The owner may present estimates but is required to have at least two (2) prepared by contractors. The City’s grant aid will be based upon the lowest estimate submitted. Cost increases or over runs may be considered by the City but shall not exceed the maximum grant award of \$20,000.
- “Before” and “After” pictures are required as part of the application and processing of the final grant disbursement.

Grants and other sources of funding:

- The grant will be paid on a matching basis (50% Applicant's funds/50% City funds) up to a maximum of \$20,000 for eligible work under the Program.
- Where other government (Federal or Provincial) and/or non-profit organization sources of funding are anticipated these must be declared as part of the grant application and the City's assistance will be reduced as appropriate (e.g., 33% Applicant's funds/33% City funds/33% Federal funds)
- Properties receiving grants through the Commercial Property Improvement Grant program are **not** eligible for the CHIRP grants.
- Grants are to be awarded on an annual cycle following a request for applications with a deadline to be established by the City.

Application timeframes:

- Applications are to be reviewed by the City of Hamilton LACAC (Municipal Heritage Committee) in conjunction with any required heritage permit applications under the *Ontario Heritage Act*.
- City staff, e.g., a Building Inspector and Cultural Heritage Planner, will perform initial inspections and site visits of the heritage property intended to be conserved and/or restored, and subsequent final inspection to assure compliance with the original award of the grant and any permits pursuant to the *Ontario Heritage Act*.
- Proposed work is to be completed within one (1) calendar year of the date of the Council award of a grant to be eligible for payment.
- Work completed must comply with estimates, and work proposed and identified within the application.

Fees:

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

Eligibility Requirements

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

- Existing uses must be in conformity with the applicable Zoning By-law regulations, and other relevant planning controls.

Eligible conservation work

- Any work that conserves or enhances elements specified in the *Reasons for Designation* accompanying the designating by-law under the *Ontario Heritage Act*.
- The **conservation** of significant architectural features is eligible. This may include the conservation or restoration of: doors, windows, verandahs, cupolas, chimneys, bargeboard or other decorative trim, parapets, cornices, hood mouldings and any other features important to the overall composition of the structure as specified in the *Reasons for Designation*.
- The **conservation** of fences and outbuildings if specifically referred to in *Reasons for Designation*.
- The **conservation** or renewal of original siding and roofing materials including repair and replacement where necessary of wood clapboard or board-and-batten, repair and repointing of masonry buildings, stucco repair, repair or replacement of original roofing materials (slate, wood shingles, tile, etc.). Eligible work also includes removal of a modern material (synthetic siding, asphalt shingles, etc.) and replacement with documented original materials.
- The **reconstruction** of former and significant architectural features for which the appearance can be clearly determined from documentary sources (photographs, drawings, etc.) is eligible.
- The **reconstruction** of shop fronts which have been altered or replaced. The documentation should be in the form of historic photographs or drawings clearly showing the feature(s) to be reconstructed. Eligible work will be guided by the following reference material: Ontario Ministry of Culture's *Architectural Conservation Note #8 The Conservation and Maintenance of Storefronts* and *Preservation Brief No. 11, Rehabilitating Historic Storefronts*, Technical Preservation Services, National Park Service.
- Cleaning of masonry buildings may be eligible if it is necessary for the building's preservation. **Under no circumstances will grants be paid for any form of abrasive cleaning, (e.g., sandblasting or sodablasting) or high-pressure water cleaning.**
- Any property may receive one (1) grant only for exterior painting in documented original colours. After this initial grant, it is expected that maintenance will be the owner's responsibility. Colours must be documented for the individual building or be proved to have been a common contemporary colour in the area.
- Painting of unpainted masonry is not eligible.
- Work necessary to restore the building to structural soundness is eligible, e.g., the correction of serious structural faults that threaten the building's survival. This does not include structural work to accommodate modern

renovations (e.g. a new supporting beam over the opening for a patio door) or routine maintenance.

- Interior work is only eligible if specifically referred to in the *Reasons for Designation*. Eligible interior features, if specified in the *Reasons for Designation*, include woodwork, plasterwork, wall or ceiling murals, etc.
- New services (electrical, plumbing, heating, air-conditioning) and insulation are not eligible.

Ineligible works:

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

- Short-term, routine maintenance. This includes minor repairs (such as repairing a broken step or a broken window), painting (other than as specified above), repair of non-original siding or roofing materials (aluminum siding, asphalt shingles, etc.).
- Landscaping.
- Work on modern additions.
- Work on sheds or outbuildings not specifically referred to in the *Reasons for Designation*.
- Installation of modern doors and windows unless replicas of the original.
- Installation of new storm or screen doors and windows.
- Chimney repairs other than restoration of a significant chimney.
- Repair of eavestrough unless its nature is such that it is significant to the heritage of the structure.
- Repairs to or renewal of modern materials.
- Painting previously unpainted masonry.

**COMMERCIAL HERITAGE IMPROVEMENT AND
RESTORATION PROGRAM
FORMS FOR APPLICATION**

APPLICATION FORM	
Application Number: <i>(assigned by staff)</i>	
Application Fees: <i>(\$250.00 to be paid with submission of application)</i>	<i>Paid</i> Yes: <input type="checkbox"/> No: <input type="checkbox"/>

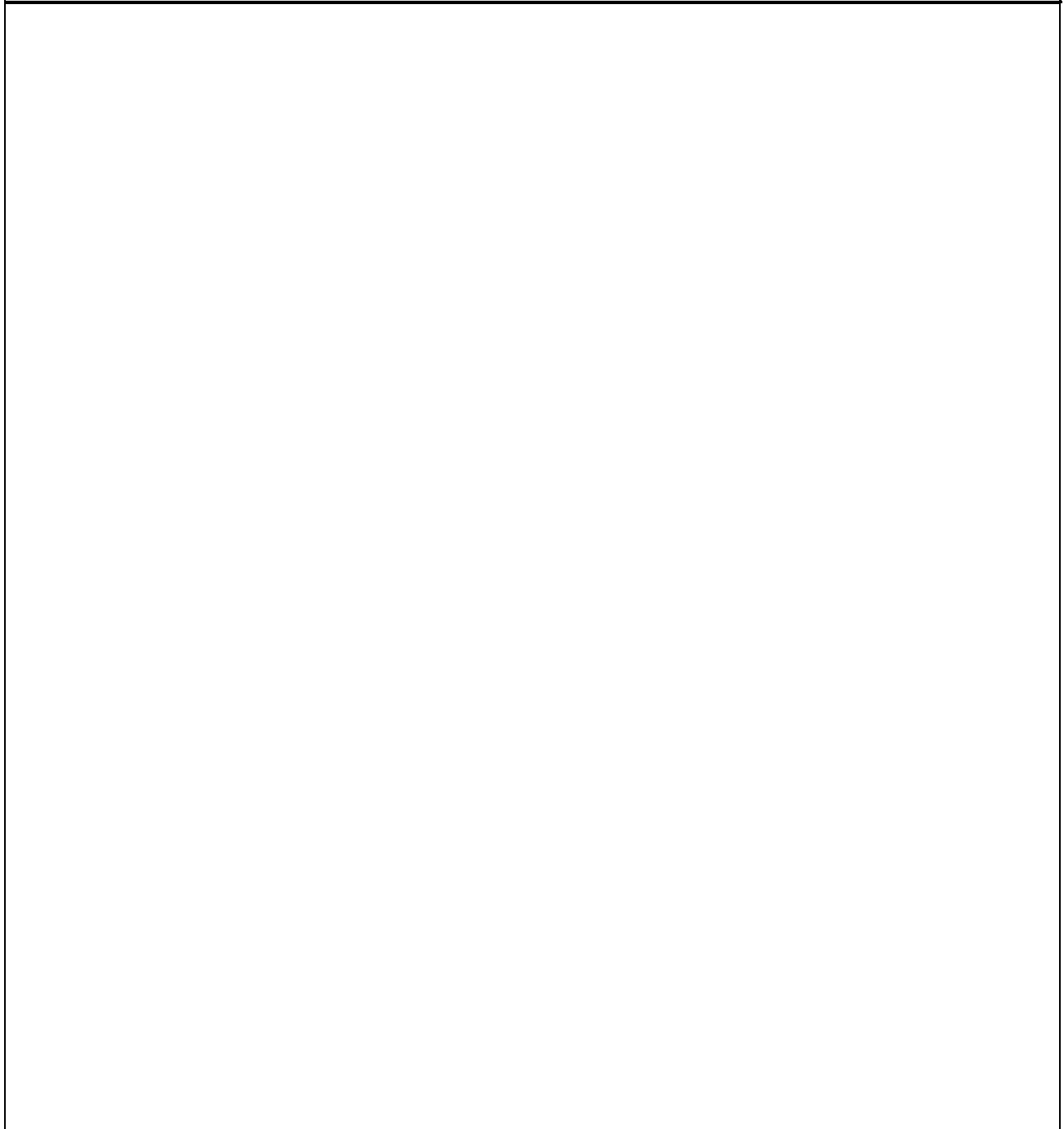
APPLICANT INFORMATION	
Property Address:	
Property Owner:	
Tenant Name:	
Mailing Address:	
Telephone Number:	
Facsimile Number:	
Cell Phone Number:	

PROPERTY INFORMATION	
Registered Plan Numbers:	
Lot No(s):	
Assessment Roll Number(s):	

WORK ESTIMATES FROM 2 LICENSED CONTRACTORS	
Name of Preferred Contractor:	
Amount:	
Name of Second Contractor:	
Amount:	
Total Construction Cost:	
Total Grant Requested:	

- 1. Please provide two (2) separate estimates for eligible work by a licensed contractor other than the owner. The grant to be awarded is based on the lowest viable estimate submitted.**
- 2. Please ensure that the estimates are detailed and that they are comparable in scope.**
- 3. If the application is for two or more types of project (eg. window repair and masonry repointing), the contractor's estimate must be broken down to show costs of each.**
- 4. Attach at least one (1) copy of architectural or design plan by a professional or prepare a sketch showing the proposed improvements.**
- 5. Applications that do not have the required estimates on the due date will not be eligible, however, upon submission of additional information, the application may be resubmitted on the following CHIRP cycle.**

ATTACH A PICTURE OF THE PROPERTY "BEFORE"



TERMS & CONDITIONS OF GRANT

PURPOSE OF THE GRANT:

- This grant may only be used for the purposes of commercial and/or industrial improvements as indicated on the application form.
- The grant amount assigned is non-transferable between properties, property owners, authorized tenants or another individual or corporation.

MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT:

- Applications made under the terms of this program for which funding decisions are made are also made publicly available.

PAYMENT OF THE GRANT:

Applications for which grants have been approved will be made available by notifying the *Applicant* in writing, and will be disbursed by cheque made payable to the owner/tenant (named Applicant) following:

- Completion of the proposed improvements to the satisfaction of the City and Review Committee;
- Proof of payment of all invoices (copies stamped paid);
- Confirmation from the City that all taxes are paid current;
- Compliance with all terms and conditions of the application procedure, inspection procedures and completion of work within the proscribed time frame;
 - Generally one year from the acceptance and approval date of the application.

COMMITTEE REVIEW PROCESS:

- The City will employ appropriate expertise in the review and approval of the application as may be required to ascertain the validity of the work proposed, and estimates for the work proposed.

LIMITATIONS OF LIABILITY & INDEMNIFICATION, FURTHER CONDITIONS:

- City staff, officers and agents shall be saved harmless arising out of any actions or approvals granted, or any building code infractions associated with the completed work;
- The City shall be entitled to at any time impose such additional terms and conditions on the use grant which, in its sole discretion, it deems appropriate.

GRANT REPAYMENT:

The grant recipient (*Applicant*) must repay to the City the whole or any portion of the grant, as determined by the City, if the recipient (*Applicant*):

- Ceases operation within one year of the application approval date;
- Dissolves as a company or a business;
- Merges or amalgamates with another business, corporation or individual;
- Commences or has commenced proceedings in bankruptcy;
- Knowingly provides false information on the application form, or throughout the process of the application;
- Uses grant monies for anything other than approved works forming part of the application;
- Breaches any terms or conditions of the grant.

UNUSED PORTIONS OF THE APPROVED GRANT:

- Unused portions of the grant remain the property of the City;
- Any surplus money which may result from the approved grant will be paid back immediately to the City;
- The City may also withhold any portion of the grant above the final construction costs if the final cost differs from the estimates provided with the application;
- The City requests that proper accounting procedures be used in relation to the payment of invoices for improvements and works conducted under the terms of the grant.

LETTER OF AGREEMENT/UNDERSTANDING:

- A detailed letter of understanding will be executed and returned to the appropriate agent of the City if a grant is approved and prior to any disbursement of funding under the terms of the grant.

**SIGNATURE OF OWNER/AUTHORIZED AGENT
AFFIDAVIT OR SWORN DECLARATION
DATE OF APPLICATION SUBMISSION**

I, _____ of the _____
make oath and say or solemnly declare that the information contained in this application is true,
and that the information contained in the documents that accompany this application is true.

Sworn (or declared) before me at the _____

in the _____

this _____ day of _____, 20__ .

Signature of Commissioner or Witness

Signature of Applicant

Authorization:

If the Applicant is not the owner of the land that is the subject of this application, the written authorization of the Owner that the Applicant is authorized to make the application must be included with this application.

REVIEW COMMITTEE CONSIDERATIONS

(For Internal Use Only)

1. Name of Commercial &/or Industrial Property Owners or Tenants:

2. Confirmation of Property Ownership/Tenancy:

3. Confirmation of Property Taxes Paid in Full:

4. Use in Conformity with Zoning By-Law, regulations and other relevant planning controls:

5. Meets other agencies' requirements where applicable:

COUNCIL REVIEW OF APPLICATION

(For Internal Use Only)

1. Date of Council Review (Report attached)

2. Council Decision:

Approved:

Denied:

3. Special Conditions (if any):

APPLICATION PERFORMANCE CRITERIA (STAFF)

1. Planning Applications: (Status of required applications or those in process)

LETTER OF UNDERSTANDING/AGREEMENT

This will confirm that City Council, at its meeting held _____, approved a maximum grant in the amount of \$ _____ conditional upon compliance by the *Applicant* with the terms and conditions of the Commercial Heritage Improvement and Restoration Program, for the property municipally known as _____.

The grant is assigned to _____, owner of the subject property, and is not transferable.

The works to be carried out on the subject property, to which the grant shall be applicable, shall be as follows:

- a) _____
- b) _____
- c) _____

In reviewing the application and documents provided under the subject program for _____, submitted by _____, the grant will be released upon the following terms and conditions being met:

1. The *Applicant* shall comply with all provisions, terms and conditions of the Commercial Heritage Improvement and Restoration Program;
2. All representations made by the *Applicant* are true and accurate with respect to any matter affecting this grant;
3. The *Applicant* shall provide to the City's Community Planning and Design Section final colour photographs of the property upon completion of all works clearly showing the works undertaken;
4. The *Applicant* shall obtain and submit to the Community Planning and Design Section a City Building Inspector's final inspection confirming all works have been carried out satisfactorily;
5. The *Applicant* shall provide to the City's Community Planning and Design Section paid invoices for all work undertaken on the property for which the grant is applicable;
6. The works are to be completed by _____;
7. The City shall not be responsible for any loss, loss of profit, liabilities, damages, costs and expenses whatsoever to or of the *Applicant* or any third party arising from the works undertaken and/or anything related to the grant program or the grant funds provided and the *Applicant* shall defend and keep the City harmless and indemnified from all such loss, liabilities, damages, costs and expenses whatsoever.

PICTURES OF THE PROPERTY "AFTER"

Note: "After" pictures are required for processing of the final grant disbursement. Please submit along with your paid invoices and a City Building Inspector's final inspection report.

