

AGENDA
and Schedule "A"
to the minutes of the
Windsor Heritage Committee
meeting held
Wednesday, April 9, 2014
at 5:30 o'clock p.m.
Room 405, 400 City Hall Square East

1. **CALL TO ORDER**

2. **ADOPTION OF THE MINUTES**

Adoption of the minutes of the meetings held January 8 and January 29, 2014 (*previously distributed*)

3. **DECLARATIONS OF CONFLICT**

4. **DELEGATIONS**

Mr. Vern Myslichuk, regarding *Item 5.1*

5. **BUSINESS ITEMS**

5.1 **Low-Martin House, 350 City Hall Square West**

Consider request for a grant of \$52,500 from the Community Heritage Fund, with an option of an additional \$7,035. The report of the Heritage Planner dated March 4, 2014 entitled "Low-Martin House, 2021 Ontario Street -Heritage Grant" is *attached*.

5.2 **Ontario Heritage Trust Awards**

Determine if and who the Committee may choose for 2014 recognition. Background information is *attached*.

6. **COMMUNICATIONS AND ANNOUNCEMENTS**

6.1 **Heritage Week, February 17-23, 2014**

Also Council presentation March 3

6.2 **Land title search**

Authorization from the Ministry to waive tariff fees at Land Registry offices. Letter from the Ministry of Tourism, culture and Sport dated March 6, 2014 regarding the waiving of normal tariff fees at Land Registry Offices for Municipal Heritage Committee members - *attached*.

6.3 **Doors Open 2014**

Next meeting April 16, 2014

6.4 **Archaeological Site**

Status of request

7. **DATE OF NEXT MEETING**

To be determined in June or July 2014.

8, **ADJOURNMENT**

**THE CORPORATION OF THE CITY OF WINDSOR
Office of the City Clerk - Planning Department**

MISSION STATEMENT:

"Our City is built on relationships-between citizens and their government, businesses and public institutions, city and region- all interconnected, mutually supportive, and focused on the brightest future we can create together."

LiveLink REPORT #: 17069	Report Date: March 4, 2014
Author's Name: John R. Calhoun	Date to Committee: March 12, 2014
Author's Phone: 519-255-6543 ext. 6179	Classification #:
Author's E-mail: jcalhoun@city.windsor.on.ca	

To: Windsor Heritage Committee

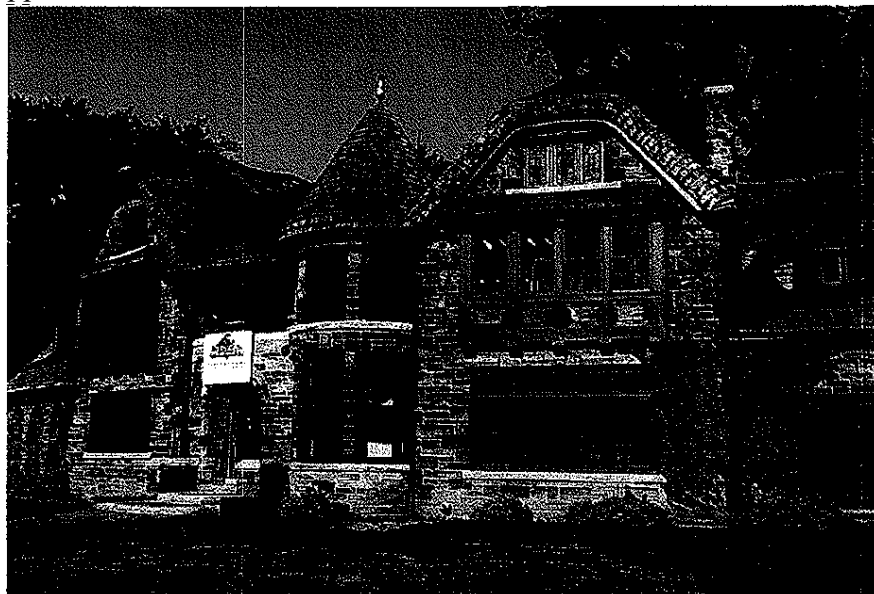
Subject: Low-Martin House, 2021 Ontario Street - Heritage Grant

1. RECOMMENDATION: City Wide: _____ Ward(s): ,1

That a grant in the amount of \$52,500.00 from the Community Heritage Fund, for the Low Martin House, 2021 Ontario Street **BE APPROVED**; and

That the Windsor Heritage Committee consider, as is within their mandate, approval of the additional amount of \$7,035.00 which is in excess of the guidelines for allowable maximum grants;

Provided that funds up to the approved amount will be disbursed when work is complete, and work receipts produced. The Chief Building Official and City Planner will determine if work is according to applicable codes and historic standards.



(photo submitted by applicant)

EXECUTIVE SUMMARY:

N/A

2 . BACKGROUND:

On February 13, 2013, owner Vern Myslichuck submitted an application for the Community Heritage Fund (Appendices 'B' and 'C'), identifying total costs of \$202,777 + HST.

The Low-Martin House has long been considered one of Windsor's outstanding heritage buildings. It was included in the first group of non-designated listings in the municipal Register in August 2007. It was designated under Part IV of the *Ontario Heritage Act* by Council via By-law No. 58-2008 passed on April 14, 2008. After a request by the current owner, this by-law was replaced on October 15, 2012 with By-Law No. 148-2012. (See Appendix 'A'.) The change removed interior features from the designation.

In 2008, Council approved (Council M213-2008) a grant of \$52,274 from the Community Heritage Fund to the previous owner for roof replacement. The existing roof was asphalt shingles; the replacement roof was wood shingles, with a design similar to that documented to be original. As provided in the guidelines of the Fund, the grant was for one-half the difference in costs between replacement of the existing material and the use of documented earlier material. The work was completed and the grant paid; no other such grants have been approved for the property.

3 . DISCUSSION:

Proposal:

The recommendation would provide a City grant for part of the cost of needed repairs. The work has largely been completed.

Legal provisions:

Part IV, clause 39. (1) of the *Ontario Heritage Act* provides that "The council of a municipality may pass by-laws providing for the making of a grant or loan to the owner of a property designated under this Part for the purpose of paying for the whole or any part of the cost of alteration of such designated property on such terms and conditions as the council may prescribe."

The City's Community Heritage Fund exists to encourage the conservation of the built heritage through the provision of financial assistance to owners wishing to acquire and/or conserve designated heritage properties. The policies for Community Heritage Fund grants are outlined on the City website (<http://www.citywindsor.ca/residents/planning/Plans-and-Community-Information/Know-Your-Community/Heritage-Planning/Heritage-Preservation-Incentive-Programs/Heritage-Fund/Pages/default.aspx>). This fund is limited to designated properties, and generally for heritage attributes listed in the designation by-law.

Architectural Considerations:

The copper eavestroughs added with this project replace an original feature removed about 2008 and lost. Otherwise the work done to the exterior consists of repair, or replacement of the most

deteriorated elements with similar new material, with no change in design. The exterior work done thus far appears to be well within established good conservation practices.

Official Plan Policy:

The Windsor Official Plan includes (9.3.6.1.), "Council will manage heritage resources by: (e) providing support and encouragement to organizations and individuals who undertake the conservation of heritage resources by private means".

4. RISK ANALYSIS:

For the Community Heritage Fund, no City funds will be expended until the project is determined by the Planning and Building departments to be complete according to good practices.

The previous owner signed a heritage easement to the City before funds for the roofreplacement were granted. That easement is binding upon subsequent owners.

5. FINANCIAL MATTERS:

Expenditures in addition to the Community Heritage Fund grant are entirely those of the property owner. The owner is aware that work undertaken before grant approval might not be funded. The owner is requesting the "maximum allowable grant" with no loan request.

For repairs, the guidelines provide: "The amount of any loan/grant combination for any one designated property in any single year may be appropriate to the extent of the restoration work proposed, and to the historic and/or architectural significance of the property. As a general principle, awards will be limited to a maximum of \$50,000 unless the Windsor Heritage Committee so recommends and Council approves. The award from the Community Heritage Fund will generally be given according to the following formula: Grant: 15 percent of the award in the form of a grant & Low Cost Loan: 85 percent of the award."

Thus the maximum grant is \$7,500 per year. In recent years applicants have been encouraged to request two years of grants, or \$15,000, if they are not expecting to ask again for two years. As stated in the guideline above, the Committee may recommend higher amounts.

Another guideline is for replacement with historic material instead of a newer material: "In the event the property owner proposes to return to documented original materials/construction techniques (i.e. cedar shingle roof) a grant in the amount of half the cost difference between modern materials and the original material may be considered." No maximum amount is stated.

The funding recommendations are based upon the numbers summarized on page 42 of Appendix 'C', the attachment to the funding request.

Part 1 (repairs to windows, doors, balconette): \$97,500.00 +HST= \$110,175.00 x 15%
= \$16,526.25

Part 2 (repairs to back porch): \$32,500.00 +HST= \$36,725.00 x 15% = \$5,508.75
15% of Part 1 and Part 2 = \$16,526.25 + \$5,508.75 = \$22,035.00

Part 3 (replacement of eavestroughs with historic material): \$72,777.00 +HST= \$82,238.01

If Part 3 replaced by typical material, \$6,405.00 +HST= \$7,237.65
Difference between historic and typical material= \$82,238.01 - \$7,237.65 = \$75,000.36
Half the difference between historic and typical= \$37,500.18, rounded to \$37,500

As is stated above, the guideline for the maximum grant amount for repairs is \$7,500.00 per year, or \$15,000.00 for a two year period. Further, so long as the prescribed formula is followed, there is no restriction on the amount which can be awarded for the costs associated with the replacement of items with historical materials.

In keeping with these guidelines, Administration recommends approval of the following grant amounts:

\$15,000 for two years' maximum grant for Parts 1 and 2 plus half the difference of Part 3:
 $\$15,000 + \$37,500 = \$52,500$

Additionally, as is within its mandate, the Committee may wish to consider and recommend to Council that the following amount which is in excess of the guidelines also be approved as a grant:

\$22,035 (being the total amount as per the formula for Parts 1 and 2) minus the \$15,000.00 for parts 1 and 2 already recommended for approval= \$7,035

The Community Heritage Fund (reserve fund 157) currently has an available balance of \$44,736, which is the total balance of \$413,340, less \$368,604 of encumbrances and a minimum balance requirement. (The encumbrances include \$250,000 for Assumption Church; of which a maximum of \$50,000 could be awarded in the next twelve months only if half the work on the east wall is done.) The City Council approved \$36,800 in the 2014 budget; that amount will be transferred next month for an available balance of \$81,536. No other grant requests are pending.

6. CONSULTATIONS:

Prior to the funding application, the Heritage Planner met with the owner on-site to discuss the heritage attributes. Some discussions resulted in the change of the designation by-law in 2012. Good conservation principles, including the Standards & Guidelines for the Conservation of Historic Places in Canada, were discussed.

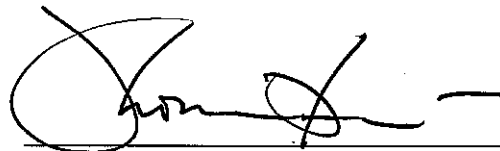
7. CONCLUSION:

Approval is recommended for the request by Vern Myslichuk for a grant between \$52,500 and \$59,535 from the Community Heritage Fund, for repairs to the windows, doors, balcony and rear porch, and replacement of the eavestroughs at the Low-Martin House located at 2021 Ontario Street.

The owner should be commended for an outstanding rehabilitation of one of Windsor's iconic buildings.



John R. Calhoun
Heritage Planner



Thom Hunt
City Planner/ Executive Director

Valerie Critchley _____
City Clerk/Licence Commissioner and
Corporate Leader Public Engagement and
Human Services

JC

NOTIFICATION:				
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