

## THE CORPORATION OF THE TOWN OF MISSISSIPPI MILLS

### BY-LAW NO. 09-16

**BEING** a by-law to establish a heritage grants program.

**WHEREAS** the Town of Mississippi Mills values its architectural heritage;

**AND WHEREAS** since 1974 over 35 properties have been designated for the conservation of their historical or architectural value or interest;

**AND WHEREAS** the Province of Ontario discontinued financial grant support for heritage preservation or restoration;

**AND WHEREAS** Section 39 of the *Ontario Heritage Act* authorizes the Council of a municipality to pass a By-law providing for the making of a grant to the owner of a property designated under the Act for the purpose of paying for the whole or any part of the cost of alteration of the property on such terms and conditions as the Council may prescribe;

**AND WHEREAS** the Town of Mississippi Mills desires to assist heritage property owners and encourage the restoration and preservation of buildings or structures of historic or architectural value;

**NOW THEREFORE** the Council of the Corporation of the Town of Mississippi Mills enacts as follows:

1. In this By-law,

- a) "Eligible Heritage Property" means a property or a portion of a property,
  - i) That is designated under Part IV of the *Ontario Heritage Act* or is part of a Heritage Conservation District under Part V of the *Ontario Heritage Act* within the Town of Mississippi Mills,
  - ii) That:
    - (1) Is in compliance with the *Ontario Heritage Act* and Town of Mississippi Mills Property Standards By-laws;
    - (2) Is not owned by a Federal, Provincial, or Municipal Government Agency;
    - (3) Has received approval from Council via the Town of Mississippi Mills Heritage Committee for all Eligible Work undertaken by the owner on the character defining elements of the designated property; and
    - (4) Has no unpaid taxes, local improvement charges, fees or other monies owing to the Town of Mississippi Mills.
    - (5) Is not eligible to receive heritage tax refunds from the Town of Mississippi Mills under bylaw 08-08.

- b) “Eligible Work” means any work undertaken after the effective date of this By-law which conserves or enhances the character defining elements of the Eligible Heritage Property, including but not limited to, the conservation of existing elements; the reconstruction of existing features that are beyond repair or conservation; and the accurate reproduction of significant features which no longer exists, but for which clear documentary material exists, and shall exclude Maintenance. Any work which seeks to conserve the character defining elements of a property must be performed in accordance with a permit issued pursuant to the *Ontario Heritage Act* to qualify as Eligible Work under this By-law. The reproduction of significant features may include, but is not limited to:
    - i) Repair or restoration of the exteriors of buildings including roofs, windows, doors, masonry;
    - ii) Interior work when included as part of the reasons for designation; and
    - iii) Restoring/repairing original windows.
  - c) “Heritage Grant” means a grant payable pursuant to this By-law to an Owner of an Eligible Heritage Property to compensate an Owner for performing Eligible Work on the Eligible Heritage Property.
  - d) “MMHC” means Mississippi Mills Heritage Committee.
  - e) “Maintenance” is considered routine, cyclical, non-destructive actions, necessary to slow the deterioration of an Eligible Heritage Property. Maintenance includes the following actions: periodical inspection; property cleanup; gardening and repair of landscape features; replacement of glass in broken windows; minor exterior repairs (including replacement of individual asphalt shingles where there is little or no change in colour or design); repointing areas of wall space under 1.5 square metres; and/or any work defined as maintenance within a designating By-law.
  - f) “Owner” means the person or persons or corporation registered as the Owner of the lands on title in the Registry Office or Land Titles Office.
  - g) “Recommended Guidelines” means a Council-approved MMHC recommendation concerning the works to be undertaken, or in the absence of any specific direction from either Council or MMHC.
2. Owners of an Eligible Heritage Property must submit an application for a Heritage Grant on the prescribed form available from the Planning & Building Department or the MMHC. To be eligible for a Heritage Grant, the application must comply with the following:
- a) The application must be for compensation on Eligible Work planned for Eligible Heritage Property;
  - b) The application must be submitted between March 1 and August 31<sup>st</sup> for work that will be fully completed on December 31<sup>st</sup> of the year in which the Owner proposes to start the Eligible Work on the Eligible Heritage Property, and prior to any construction taking place;
  - c) The application must be complete; and

- d) The application must be submitted only after approval for the related work is obtained from the MMHC.
3. Eligible applications shall be reviewed by the MMHC and a report to Council will be prepared recommending approval or rejection of the Heritage Grant application.
  4. Council shall provide provisional approval or reject the application after considering the recommendation of the MMHC. The approval of a Heritage Grant and the amount of any Heritage Grant shall be determined in Council's sole discretion.
  5. Provisional approval of a Heritage Grant application does not guarantee that the Grant will be paid. Heritage Grants provisionally approved by Council shall only be paid to the Owner where either MMHC or Staff has inspected the completed Eligible Work and is satisfied that the Eligible Work has been performed in accordance with the *Ontario Heritage Act* and any permit issued thereunder, including the Recommended Guidelines.
  6. All eligible Heritage Grant applications will be considered for approval based on the order in which they are received until all available funds for that year are depleted. Applications not approved will not be carried forward into the subsequent year. Only one Heritage Grant shall be awarded in conjunction with an application for Eligible Work.
  7. Subject to annual budget approval, the maximum funds available in any year to be distributed to successful Heritage Grant applicants is the amount of \$2,000 or the remaining amount of the Heritage Tax Relief Program as of December 1<sup>st</sup> of the current year, whichever is lower.
  8. Grants will be limited to one (1) grant within a two (2) year period for an Eligible Property.
  9. The amount of Heritage Grant awarded shall not exceed (a) 50% of the total cost of the Eligible Work, (b)\$2,000.00, or (c) the remaining balance of Heritage Tax Relief Program budget, whichever is less.
  10. The submission of all appropriate invoices, pictures of the work and a final report of the work is required before any Heritage Grant is awarded.
  11. This By-law shall come into force and take effect on the date of its passing.

**BY-LAW READ** a first and second time this 16<sup>th</sup> day of March, 2009.

**BY-LAW READ** a third time, passed, signed and sealed in open Council this 16<sup>th</sup> day of March, 2009.

---

J.A. (Al) Lunney, Mayor

---

Cynthia Halcrow, Town Clerk