

HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER NUMBER 2014-002-ADM
RESPECTING THE HERITAGE INCENTIVES PROGRAM

WHEREAS pursuant to *Heritage Property Act*, R.S.N.S. 1989, c. 199, the Council of the Halifax Regional Municipality may provide financial assistance in respect of municipal heritage property to any person to assist in the restoration or renovation of such property upon such terms and conditions as the Council deems fit;

BE IT RESOLVED AS AN ADMINISTRATIVE ORDER of the Council of the Halifax Regional Municipality as follows:

Short Title

1. This Administrative Order may be cited as Administrative Order Number 2014-002-ADM, the Heritage Incentives Program Administrative Order.

Purpose

2. To encourage the conservation of privately-owned, municipally registered heritage properties used for residential or commercial purposes. Within the limits of the annual approved budget, the Heritage Incentives Program provides matching grants of up to \$15,000 for eligible exterior conservation work on residential properties and up to \$25,000 for eligible exterior conservation work on commercial properties.

Interpretation

3. For the purposes of this Administrative Order, “municipally registered heritage property” has the same meaning as “municipal heritage property” in the *Heritage Property Act*, R.S.N.S. 1989, c. 199.

Financial Assistance Available

4. The Heritage Incentives Program operates on the Municipality’s fiscal year, from April 1st to March 31st.
5. Twenty-five per cent (25%) of the annual heritage incentives budget is allocated to applications relating to commercial heritage properties. This is a proportionate allocation based on the fact that commercial buildings make up 25% of the HRM heritage registry. Any funds not used for commercial properties will be made available to residential applications.
6. Financial assistance is awarded on a 50% cost-sharing basis, exclusive of HST.
7. The maximum annual amount of financial assistance per property is \$15,000 for residential properties and \$25,000 for commercial properties.
8. The minimum annual amount of financial assistance per property is \$500.00.
9. Each property is limited to one application for financial assistance per year, and two

successful applications in any four year period.

Application Requirements

10. There is one intake period per fiscal year. Applications will be accepted between September 1st and December 1st or the following fiscal year.
11. All applications must be received by mail or in person. E-mailed or faxed applications will not be accepted. The address for submission of applications will be posted on www.halifax.ca prior to September 1st of each year.
12. Applications must include:
 - (a) a completed application form;
 - (b) recent photographs of all sides of the building, with close-ups of the areas of work for which the grant is applied;
 - (c) two contractor estimates for the proposed work; and
 - (d) where the applicant is a condominium corporation, a copy of the board of director minutes approving the submission of the grant application.
13. Late or incomplete applications will not be reviewed or considered.

Eligible Property

14. Only eligible property will be considered for financial assistance.
15. An eligible property must be:
 - (a) a privately-owned, registered municipal heritage property within HRM; and
 - (b) in use for residential or commercial purposes.
16. A property is not eligible for financial assistance if the property is currently under investigation or prosecution for land-use, Building Code, Fire Code, or Heritage Property Act violations, or is subject to an order to comply under any Act or By-law, or has any liens or property taxes outstanding.

Work & Materials Eligible for Financial Assistance

17. Projects which restore exterior architectural elements significant to the heritage value of the registered heritage property, including any of the following, are eligible for financial assistance:
 - (a) **Preservation** of existing exterior architectural elements. This includes, for example, repair of deteriorated windows and doors, cladding, roofing, foundation, cornices, moldings, architectural trim, and other significant features.
 - (b) **Replacement** of existing exterior architectural elements that still exist but which are beyond preservation or repair. This includes replacement in kind of deteriorated doors and windows, cladding, roofing, cornices, moldings, architectural trim, and other significant features, using accurate reconstruction and materials, sizes, and configurations that match the original.

- (c) **Restoration** of exterior architectural elements which have been lost but for which the appearance can be clearly determined from physical evidence or documentary sources such as historic drawings or photographs.
 - (d) **Painting** in colours appropriate to the period of the heritage property. Generally, colours from the heritage palette of the major paint manufacturers are preferred.
 - (e) **Preservation/restoration of historic outbuildings or landscape features**, such as fences, walls or gates which form part of the original, documented heritage value of the property.
18. To be eligible, projects must use traditional materials (wood, stone, brick, etc.) and traditional designs.

Work & Materials Ineligible for Financial Assistance

19. The following work and materials are ineligible for financial assistance:
- (a) work that has been commenced or completed prior to submission of the application;
 - (b) modern materials such as vinyl or aluminum clad windows, steel doors, vinyl siding, or Exterior Insulation Finishing System cladding;
 - (c) short-term, routine maintenance including minor repairs;
 - (d) poor or defective work; or
 - (e) labour undertaken by the owner.

Project Evaluation and Prioritization

20. Projects will be evaluated using HRM *Heritage Building Conservation Standards* as adopted by By-law H-200, or any other guidelines for the conservation of heritage properties that may be adopted by By-law H-200 from time to time.
21. The following criteria will be used to prioritize applications:
- (a) Preference given to first-time applications.
 - (b) Higher priority will be given to preservation and restoration of historic structural and weatherproofing elements than to cosmetic improvements, e.g., restoration of cladding, windows, doors, or roof has greater priority than painting.
 - (c) Preference will be given to restoration of publicly visible features, e.g., an application for restoration of a front porch would have higher priority than a back porch restoration.
 - (d) Balance will be sought between applications from different parts of HRM, e.g., Halifax South End, Halifax North End, Dartmouth, Bedford, South-Western shore, Eastern Shore, etc.
 - (e) Preference will be given to applications supported by a Building Conservation Plan prepared by an architect, building inspector, engineer, or other qualified restoration

professional. The Building Conservation Plan shall be a drawing or report which reasonably illustrates all work required for the building.

- (f) Preference will be given to an applicant who:
 - (i) was approved for the same scope of work the previous year;
 - (ii) did not commence the approved work; and
 - (ii) notified the heritage planner of the intent to forfeit the grant prior to July 1 in the year it was approved.

Application Review Process

- 22. All applications will be screened by staff for basic eligibility as they are received. Applicants will be notified promptly if their application is ineligible.
- 23. Eligible applications will be evaluated and prioritized by staff and a report and recommendations will be prepared for consideration by the Heritage Advisory Committee, no later than March 1st each fiscal year.
- 24. The staff report will be reviewed by the Heritage Advisory Committee for recommendation to Regional Council.
- 25. Final approval of all applications for financial assistance, and their amount, is a decision of Regional Council in its sole discretion. Regional Council may:
 - (a) approve the application;
 - (b) approve the application to be placed on a waiting list to be administered by staff in accordance with funds available in the program budget; or
 - (c) refuse the application.
- 26. Notification of the decision of Regional Council will be mailed to applicants after it is made.
- 27. Approval of financial assistance is conditional on Regional Council's approval of the annual program budget.
- 28. Due to limited funds, not all eligible applications may receive financial assistance.

Conditions of Approval & Payment of Financial Assistance

- 29. Projects must be completed within the fiscal year for which they are approved.
- 30. Financial assistance is conditional on satisfactory completion of approved work, photographic documentation of completed work, and submission of well-organized receipts and paid invoices.
- 31. Deadline for submission of receipts and paid invoices is March 1st each fiscal year. This is necessary to enable payments to be processed by end of fiscal year.
- 32. Financial assistance for projects not completed by the end of the fiscal year will be forfeited.
- 33. Financial Assistance is tied to specific approved work. Additional work beyond what is budgeted for and approved will not be funded.
- 34. The applicant shall notify HRM of any changes to the approved work prior to it being

undertaken and shall not proceed with the work without supplementary approval. The authority to give such approval is hereby delegated to the Heritage Property Planner. Approval may be sought at any time in the fiscal year for which the financial assistance was approved, but must be sought prior to the submission of receipts and paid invoices. Work that deviates from the approved work without a supplementary approval may not be eligible for funding and, at the discretion of HRM, such funding may be withheld and re-allocated to another heritage property.

35. For projects which result in cumulative financial assistance of \$10,000.00 or more, no funds shall be paid until the applicant has signed an *Agreement to Waive Section 18 of the Heritage Property Act* and filed the agreement, at their cost, at the Registry of Deeds. Under the agreement, which runs with the property, the applicant agrees not to demolish or alter the exterior appearance of the property in any manner without the written consent of HRM and expressly waives its rights under section 18 of the Heritage Property Act for ten (10) years from the date of the agreement. Waivers must be filed at the Registry of Deeds within 6 months after the end of the fiscal year in which the financial assistance has been approved: failure to do so will result in forfeiture of funds.

Scope

36. Nothing in this Administrative Order shall be interpreted to limit or otherwise prescribe Council’s general discretion to provide financial assistance under the *Heritage Property Act* or otherwise.

Effective Date

37. This Administrative Order comes into force beginning with applications for the 2015-16 fiscal year.

Done and passed in Council this 1st day of April, A.D. 2014.

Mayor

Municipal Clerk

Notice of Motion:
Approved:

March 18, 2014
April 1, 2014

Amendment # 1

Notice of Motion:
Approval:

July 17, 2018
July 31, 2018

Amendment # 2

Notice of Motion:
Approval:

April 30, 2019
May 14, 2019