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## **MEMORANDUM**

**PDS-C 17-2019**

**Subject: Niagara-on-the-Lake Non-conforming Incentive Request**

**Date: October 9, 2019**

**To: Planning and Economic Development Committee**

**From: Rino Mostacci, Commissioner**

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This memo provides background information relative to a request for a retroactive grant approval. The grant is being sought retroactively and is therefore not within Staff's normal delegated authority to consider. Only Regional Council can consider applications which are non-conforming and outside program parameters.

The Region is in receipt of a letter dated August 12, 2019 and there will be a related presentation to Planning and Economic Development Committee for October 9, 2019. The Town of Niagara-on-the-Lake is requesting Regional matching funding through the Smarter Niagara Incentive Program (SNIP) of \$4,565.20 for a retroactive grant to cover work on a property at 16 Queen Street, Niagara-on-the-Lake.

### **BACKGROUND**

Minutes of the Municipal Heritage Committee brought before the Town Council of Niagara-on-the-Lake on July 15, 2019 included a recommendation to approve retroactive funding for application MHC-19-022, a commercial heritage grant at 16 Queen Street, Niagara-on-the-Lake.

In 2017 windows were installed at a commercial property at 16 Queen Street. This work was funded in part by a heritage restoration grant, for which the Region provided matching funding of \$7,500. In April 2019, owners of the property painted these windows. The owner submitted a second heritage grant application after this work was complete in May 2019.

Town Council approved this retroactive grant request in July 2019. In its request for the Region to similarly approve retroactive funding, the Town cites that (1) at the time the windows were restored in 2017, it was suggested the windows be painted as soon as possible, and (2) that encroachment permits for scaffolding presumably necessary to paint the windows are not allowed on Queen Street between late May-September each year -- thus the applicant went ahead with the work before applying for the grant. The Town's encroachment permit policy regarding Queen Street has been in place for at least five years. Town heritage grants have a rolling intake and applications may be submitted at any time.

As Staff do not have delegated authority to consider non-conforming/retroactive grants, this request is at the discretion of Regional Council.

Respectfully submitted and signed by,

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Rino Mostacci, MCIP, RPP  
Commissioner, Planning and Development Services