

THE CORPORATION OF THE TOWN OF RICHMOND HILL

BY-LAW NO. 86-10

A by-law to Amend Chapter 1010 of the Town of Richmond Hill Municipal Code
respecting Heritage Property Standards

WHEREAS Council at its meeting of June 14, 2010, adopted the recommendation of Heritage Richmond Hill at its meeting of July 1, 2010 contained in SRPRS.10.062 to amend Chapter 1010 of the Town of Richmond Hill Municipal Code to include Heritage Property Standards;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF RICHMOND HILL ENACTS AS FOLLOWS:

1. That Chapter 1010 of the Town of Richmond Hill Municipal Code is hereby amended as follows:

Article 2 INTERPRETATION

2.19 Heritage Attributes – defined

“heritage attributes” means the attributes of a heritage property that contribute to its cultural heritage value or interest and that are defined or described or that can be reasonably inferred:

- (a) in a by-law designating a property passed under Section 29, Part IV, of the *Ontario Heritage Act*, R.S.O. 1990, CHAPTER O.18 (the “*Ontario Heritage Act*”);
- (b) in a Minister’s order made under Section 34.5, Part IV, of the *Ontario Heritage Act*;
- (c) in a by-law designating a heritage conservation district passed under Section 41, Part V, of the *Ontario Heritage Act*; or,
- (d) in the supporting documentation required for a by-law designating a heritage conservation district, passed under Section 41, Part V, of the *Ontario Heritage Act*, including but not limited to a heritage conservation district plan, assessment or inventory.

2.20 Heritage Property – defined

“heritage property” means property that has been designated by the Town under Section 29 of the *Ontario Heritage Act*, which has been designated by the Minister under Section 34.5 of the *Ontario Heritage Act*, or that is located within a heritage conservation district designated by the Town under Section 41 of the *Ontario Heritage Act*.

Article 33 HERITAGE PROPERTY STANDARDS

33.1 General standards for all heritage properties.

In addition to the standards for the maintenance and occupancy of property in the Town, the owner of a heritage property shall:

- (a) Maintain, preserve and protect the heritage attributes so as to ensure the protection and preservation of the cultural value and interest of the heritage property; and
- (b) Maintain, preserve and protect the heritage property so as to ensure the protection of the heritage attributes.

33.2 Repair of heritage attributes.

Where heritage attributes can be repaired, the heritage attributes shall not be replaced and shall be repaired in a manner that:

- (a) minimizes damage to the heritage attributes and/or the cultural heritage value or interest of the heritage property; and
- (b) maintains the design, colour, texture, grain or other distinctive features of the heritage attributes.

33.3 Replacement of heritage attributes

Where heritage attributes cannot be repaired the heritage attributes shall be replaced:

- (a) using the same types of material as the original and in keeping with the design, colour, texture and any other distinctive feature of the heritage attribute; or
- (b) where the same types of material as the original are no longer available, using alternative materials that replicate the design, colour, texture, grain and any other distinctive feature of the heritage attribute.

33.4 Utilities – connection - heritage property

Notwithstanding section 1010.4.3, where a heritage property remains vacant for a period of 90 days or more, the owner shall ensure that appropriate utilities serving the building are connected as required in order to provide, maintain and monitor proper heating and ventilation to prevent damage to the heritage property and the heritage attributes caused by environmental conditions such as temperature fluctuations or humidity.

33.5 Prevention of unauthorized entry - boarding

Notwithstanding section 1010.4.1, where a heritage property is vacant for a period of 90 days or more, the owner shall protect the heritage property against the risk of fire, storm, neglect, intentional damage or damage by other causes by effectively preventing the entrance to it of all animals and unauthorized persons and by closing and securing openings to any building on the heritage property with boarding, and not with brick or masonry units held in place by mortar unless required by an officer:

- (a) that completely covers the opening and is properly fitted in a watertight manner within the side jambs, the head jamb and the exterior bottom sill of the door or window opening so the exterior trim and cladding remains uncovered and undamaged by the boarding;
- (b) that is fastened securely in a manner that minimizes damage to the heritage attributes, the heritage property and is reversible; and
- (c) in a manner that minimizes visual impact:
 - (i) on window openings, which is painted a matte black to resemble window glass;
 - (ii) on door openings, which is painted a colour that matches the colour of the original door;
 - (iii) on an opening other than a window or door opening, which is painted or otherwise treated so that the colour matches the colour of the surrounding exterior of the building; and
 - (iv) which is fastened securely with screws at least 50mm in length and installed at appropriate intervals on centre.

33.6 Prevention of unauthorized entry – additional security measures

Subject to any applicable provisions of the *Ontario Heritage Act*, where the standards imposed by this Chapter have, more than once, failed to exclude unauthorized entry, and further where the owner's control, attendance or lack of security measures to protect the heritage property suggests that a more secure option be used, then the owner shall supply such measures, including improved security of openings, as may be required by an officer.

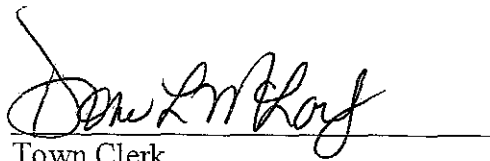
READ A FIRST AND SECOND TIME THIS 12TH DAY OF JULY, 2010.

READ A THIRD TIME AND PASSED THIS 12TH DAY OF JULY, 2010.

A handwritten signature in black ink, appearing to be 'Dave Barrow', written over a horizontal line.

Mayor

Dave Barrow
Mayor

A handwritten signature in black ink, appearing to be 'Don L. McKay', written over a horizontal line.

Town Clerk