



CITY OF VAUGHAN

HERITAGE VAUGHAN COMMITTEE

AGENDA

Committee Rooms 244
2nd Floor
Vaughan City Hall
2141 Major Mackenzie Drive
Vaughan, Ontario

June 20, 2012

7:00 p.m.

-
1. CONFIRMATION OF AGENDA
 2. DISCLOSURE OF INTEREST
 3. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION
 5. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION
 6. PRESENTATIONS AND DEPUTATIONS
 7. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION
 8. NEW BUSINESS
 9. ADJOURNMENT

It is recommended that members familiarize themselves with the agenda items by reading the agenda package carefully and, when possible, visiting the properties listed on the agenda prior to the meeting. Please note, there may be further Addenda on the day of the meeting.

Members of the committee, please be sure to confirm your attendance or regrets by contacting Cultural Services by Monday, June 18, 2012 at 4:00 pm, Susan Giankoulas at (905) 832-2281 ext. 8850.

susan.giankoulas@vaughan.ca

Agendas and Reports can be found at vaughan.ca



HERITAGE VAUGHAN
2012 SCHEDULE OF MEETINGS

MEETINGS ARE HELD ON THE THIRD WEDNESDAY OF EACH MONTH
AT 7:00 P.M.*

NEW CITY HALL

2nd Floor - COMMITTEE ROOM 244
2141 MAJOR MACKENZIE DRIVE, MAPLE

*UNLESS OTHERWISE SPECIFIED

QUORUM = 9

| 2012 MEETING DATES | <u>MEMBERS</u> |
|--|---------------------------------|
| January 18 | John Mifsud, Chair |
| February 15 | Robert Stitt, Vice-Chair |
| March 21 | Robert M. Brown |
| April 18 | Roger Dickinson |
| May 16 | Lucy Di Pietro |
| June 20 | Rosario Fava |
| July 18 | Richard Hahn |
| <i>(If Required)</i> | Councillor Marilyn Iafrate |
| August 17 | Tony Marziliano |
| <i>(If Required)</i> | Gianni Mignardi |
| September 19 | Nick Pacione |
| October 17 | Fadia Pahlawan |
| November 21 | Christine Radewych |
| December 12 | Regional Councillor Deb Schulte |
| <i>(2nd week due to Hanukkah)</i> | Councillor Alan Shefman |
| | Rajbir Singh |
| | Claudio Traverso |
| | <u>STAFF</u> |
| | Angela Palermo |
| | Manager of Cultural Services |
| | Cecilia Nin Hernandez |
| | Cultural Heritage Co-ordinator |
| | Rose Magnifico |
| | Assistant City Clerk |

Note: These meeting dates may be subject to change if this is the consensus of the majority of the members.

ITEMS

1. 10773 HUNTINGTON ROAD – HERITAGE REVIEW OF NEWLY CONSTRUCTED GARAGE, SHED AND COVERED PORCH – WARD 1
2. 9570 KEELE STREET – HERITAGE REVIEW OF PROPOSED DEMOLITION – WARD 1
3. FIRES IN HERITAGE BUILDINGS

HERITAGE VAUGHAN COMMITTEE – JUNE 20, 2012

1. 10773 HUNTINGTON ROAD – HERITAGE REVIEW OF NEWLY CONSTRUCTED GARAGE, SHED AND COVERED PORCH – WARD 1

Recommendation

Cultural Services staff recommend:

1. That Heritage Vaughan consider the information provided in the analysis portion of this report concerning the heritage review of the existing structures that were constructed without City approvals, and;
2. That since Huntington Road, is predominantly rural in character, Cultural Services recommends that Heritage Vaughan approve the shed and covered porch structures as the property has a mid-century style house on it, these two structures are not seen from the streetscape, nor does their setback affect any neighbours within the Heritage District, and;
3. That Heritage Vaughan approve the retention of the prefabricated metal garage structure with the following conditions:
 - a. That the applicant work with Cultural Services to provide appropriate screening of the prefabricated metal garage structure from Huntington Road in the way of or similar to tall evergreen plantings along the front of the property line, and;
 - b. That Heritage Vaughan approve the design for the façade of the garage structure as presented in the drawings dated June 5, 2012, and;
 - c. That the façade, doors and details be constructed of wood or suitable equivalent as reviewed and approved by Cultural Services staff, and;
 - d. The owner and applicant obtain all other necessary City permits.
4. That the applicant submit material samples for review and approval by Cultural Services staff when these are available; and,
5. The applicant is to be advised that if the design changes as a result of addressing issues from review by other departments, a new submittal for review for the Heritage Vaughan Committee may be required and any previous approval granted may be deemed invalid based on the new information provided.

Contribution to Sustainability

This report is consistent with the priorities previously set by Council in the Green Directions, Vaughan, Community Sustainability Environmental Master Plan, Goal 4, Objective 4.1:

- To foster a city with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage.

Economic Impact

N/A

Communications Plan

All agenda items and minutes relating to Heritage Vaughan committee meetings are circulated to relevant City departments, applicants and their representatives.

Purpose

To consider the proposed retention of the subject structures as described in the background and analysis portions of this report.

Background and Analysis

Background

Heritage Status of the property: Designated Part V, part of Nashville-Kleinburg Heritage Conservation District.

The property contains a mid 20th century bungalow, of a non-heritage style as identified in section 9 of the Heritage District Guidelines.

On October 2011, a heritage permit for a temporary structure was given to the owner in order to allow the erection of a temporary metal structure on the property.

This item was circulated to staff as a Committee of Adjustment application. The application notes the following variances (please refer to attachments):

Proposal:

- 1) 5.58m maximum accessory building height.
- 2) 167.14 sq.m total accessory building area (2 buildings)
- 3) 2.13 m minimum setback to accessory building (shed)

Zoning By-law requirements:

- 1) 4.5m maximum accessory building height.
- 2) 67metre sq. total accessory building area.
- 3) 4.5m maximum interior side yard setback to accessory building (shed)

There are four outstanding stop work orders on file with the Building Standards department. The structures were constructed without a Heritage Permit.

Cultural Services provided the Committee of Adjustment with the following comments dated May 21, 2012 :

Cultural Services has received the request for comments regarding the above noted Committee of Adjustment application and offers the following comments:

1. *The property at 10773 Huntington Road is Designated Part V under the Ontario Heritage Act as part of the Nashville-Kleinburg Heritage Conservation District. As such new construction, additions, demolitions and changes to the exterior of buildings and properties within Heritage Districts require approval of a Heritage Permit application in addition to other City permits such as Building Permits or Planning Application approvals. Proposed changes to properties designated within heritage conservation districts must be in keeping with the heritage character of the building, the historical streetscape and must be in conformance with the heritage district plan and design guidelines.*
2. *The proposal falls in the category of applications requiring a Heritage Permit with Heritage Vaughan Committee Review.*
3. *The Nashville-Kleinburg Heritage District Guidelines support new construction that is in keeping with the heritage styles in the area, as identified in the guidelines. The proposed design does not reflect a heritage style as described in the guidelines.*

4. *The applicant is advised to contact Cultural Services at their earliest convenience so that staff may have the opportunity to work with the applicant and provide guidance regarding compliance with the heritage district's guidelines. Staff will also provide guidance regarding timelines for submission of material for Heritage Vaughan Committee review.*

As a result of receiving the above comments, the representative of the owner contacted Cultural Services and a site visit meeting was done on May 24, 2012. Please see photos in the attachment section of this report.

On June 5, the applicant forwarded drawings with a proposal, included in the attachment section of this report.

Analysis

At the meeting of May 24, 2012 with the representative of the owner, different ways of addressing the issue were discussed, also reflected in the recommendation of this report.

At the said site meeting, Cultural Services confirmed that the existing main house on the property is a mid-20th century bungalow of a non-heritage style as identified in the Nashville-Kleinburg Heritage District Guidelines.

The representative of the owner expressed that the owner is seeking to rectify the missed approvals for the structures (including the garage structures). Cultural Services finds that if taking the structure down is not being contemplated, the metal structure no longer qualifies as a temporary structure. Therefore a Heritage Permit is required to address the new information.

The Heritage Conservation District Guidelines for the area, in section 9.4 Existing Non-Heritage Buildings, allows for renovations of these buildings to be based on the style of the existing building, as a "Contemporary Alteration" Section 9.4.1.2. The other option is to follow section 9.4.1.1 and do a "Historical Conversion", which would involve renovations to convert the style of the house to a heritage style, as identified in the guidelines.

Cultural Services found that of the three proposed structures, the galvanized metal garage is very visible from Huntington Road. Although it is considerably set back from the street it still impacts the streetscape and it detracts from the heritage character that the district aims to maintain. The structure is approximately 121 metres squared in footprint area. Its height is noted at 5.48 metres in the drawings accompanying the Committee of Adjustment application. The area exceeds the permitted accessory building coverage by 54 sq. metres and the permitted height by 1.08 metres.

The other two proposed structures proposed for retention are the red wood clad shed and the covered porch area to the rear of the main house. These two structures are not readily seen from the streetscape nor does their setback affect any neighbours directly to the south, who are within the Heritage District. The coverage of the red clad structure exceeds the allowable for the property in its entirety. The structure is located closer to the North boundary of the property, away from the other neighbours within the Heritage Conservation district and is one level tall (4.04m). The covered porch area has not been identified as a variance.

Cultural Services recommends that the retention of the covered porch structure and the red shed structure does not impact the Heritage District Streetscape.

Cultural Services reviewed the proposed work to the façade of the steel garage structure and the proposed planting plan received on June 5, 2012. The applicant proposed to paint the garage structure and if that was found not to be sufficient, the façade structure could be erected. Cultural Services finds that painting the garage structure would not help the impact of its style. Although the façade treatment for the garage would not have been recommended as an approach if staff had had the chance to work with the applicant prior to the structure being permanently built. Cultural Services finds that these are acceptable solutions at this time.

The solution involves applying the approach of historical conversion to the façade of the building, which is allowed under the guidelines. Since the garage is significantly set back, the façade is the part that mostly affects the district's character. The garage façade should be built in wood finishes, including the details and doors.

Relationship to Vaughan Vision 2020/Strategic Plan

In consideration of the strategic priorities related to Vaughan Vision 2020, the report will provide:

- STRATEGIC GOAL:
Service Excellence - Providing service excellence to citizens.

- STRATEGIC OBJECTIVES:
Preserve our heritage and support diversity, arts and culture.

This report is consistent with the priorities previously set by Council, and the necessary resources to implement this program have been allocated and approved.

Regional Implications

N/A

Conclusion

Please refer to recommendation section of this report.

Report Prepared by

Cecilia Nin Hernandez
Cultural Heritage Coordinator, ext. 8115
Recreation and Culture Department

Angela Palermo
Manager of Cultural Services, ext. 8139
Recreation and Culture Department

Attachments



Fig. 1. Location of 10773 Huntington Road.



Fig. 2. May 24, 2012 Site Visit - 10773 Huntington Road. Photo by Cultural Services. View from Huntington Road.



Fig. 3. May 24, 2012 Site Visit - 10773 Huntington Road. Photo by Cultural Services. Garage, front view.



Fig. 4. May 24, 2012 Site Visit - 10773 Huntington Road. Photo by Cultural Services. Garage.



Fig. 5. May 24, 2012 Site Visit - 10773 Huntington Road. Photo by Cultural Services. Covered porch at back of main house.



Fig. 6. May 24, 2012 Site Visit - 10773 Huntington Road. Photo by Cultural Services. Side of Garage, shed at left.



Fig. 7. May 24, 2012 Site Visit - 10773 Huntington Road. Photo by Cultural Services. Shed.

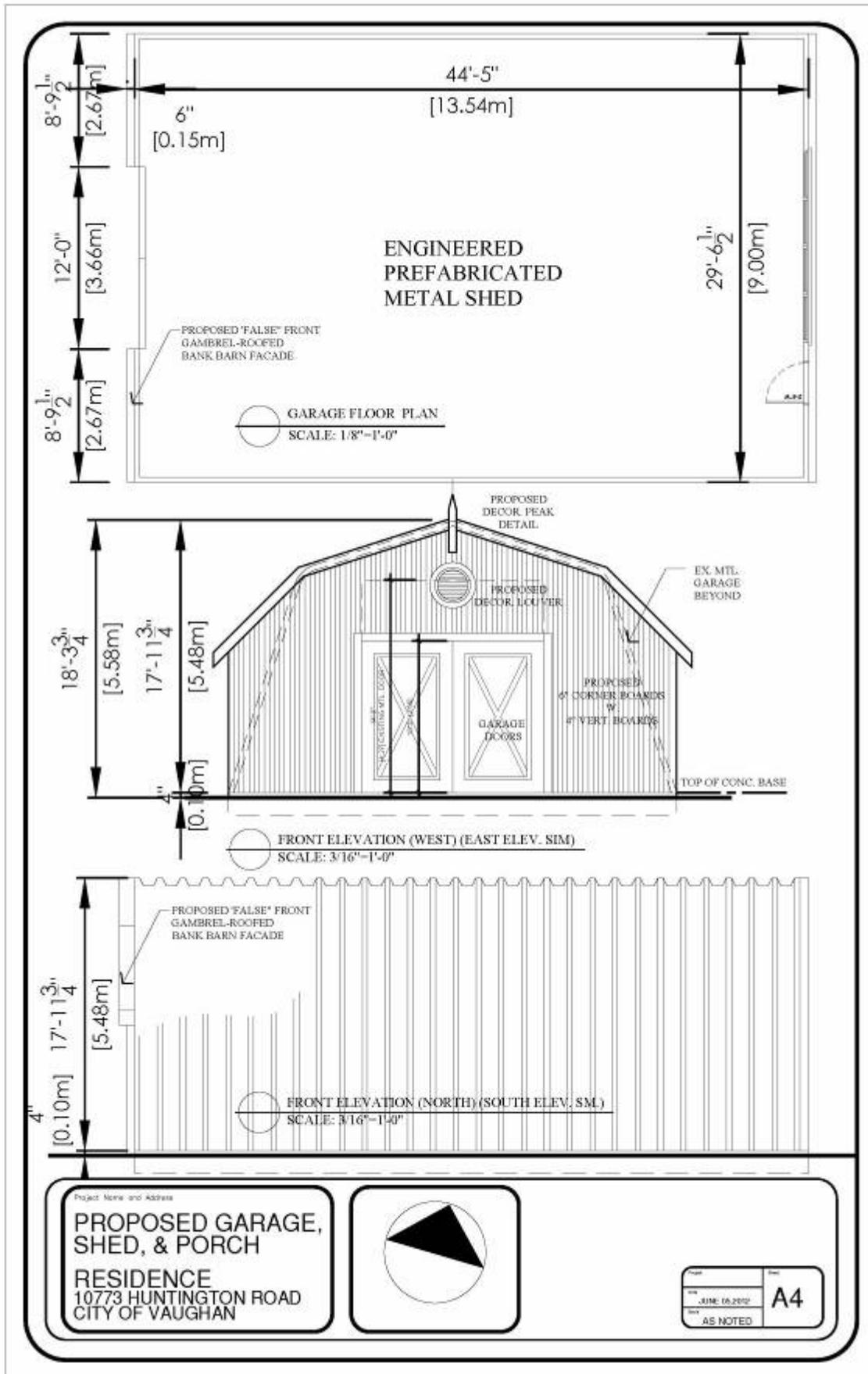


Fig. 8. May 24, 2012 Site Visit - 10773 Huntington Road. Photo by Cultural Services. Shed.



Fig. 9. May 24, 2012 Site Visit - 10773 Huntington Road. Photo by Cultural Services. View from the back of the property.

Fig. 10 and 11. Proposed façade and screening plantings respectively. June 5, 2012.



ZONING DATA & SITE INFORMATION:

ZONING: R1 RESIDENTIAL 09-4-09 1-00
 LOT AREA: 55,783.5 SQ. FT. (6,261.05 SQ. M)
 ACCESSORY STRUCTURES ALLOWABLE:
 MAX. AREA TOTAL OF 50% OF 10% OF AREA 43-8840
 MIN. SET BACKS: 4.50 m
 MAX. HEIGHT: 4.50 m
 ALLOWABLE HEIGHT: 4.50 m

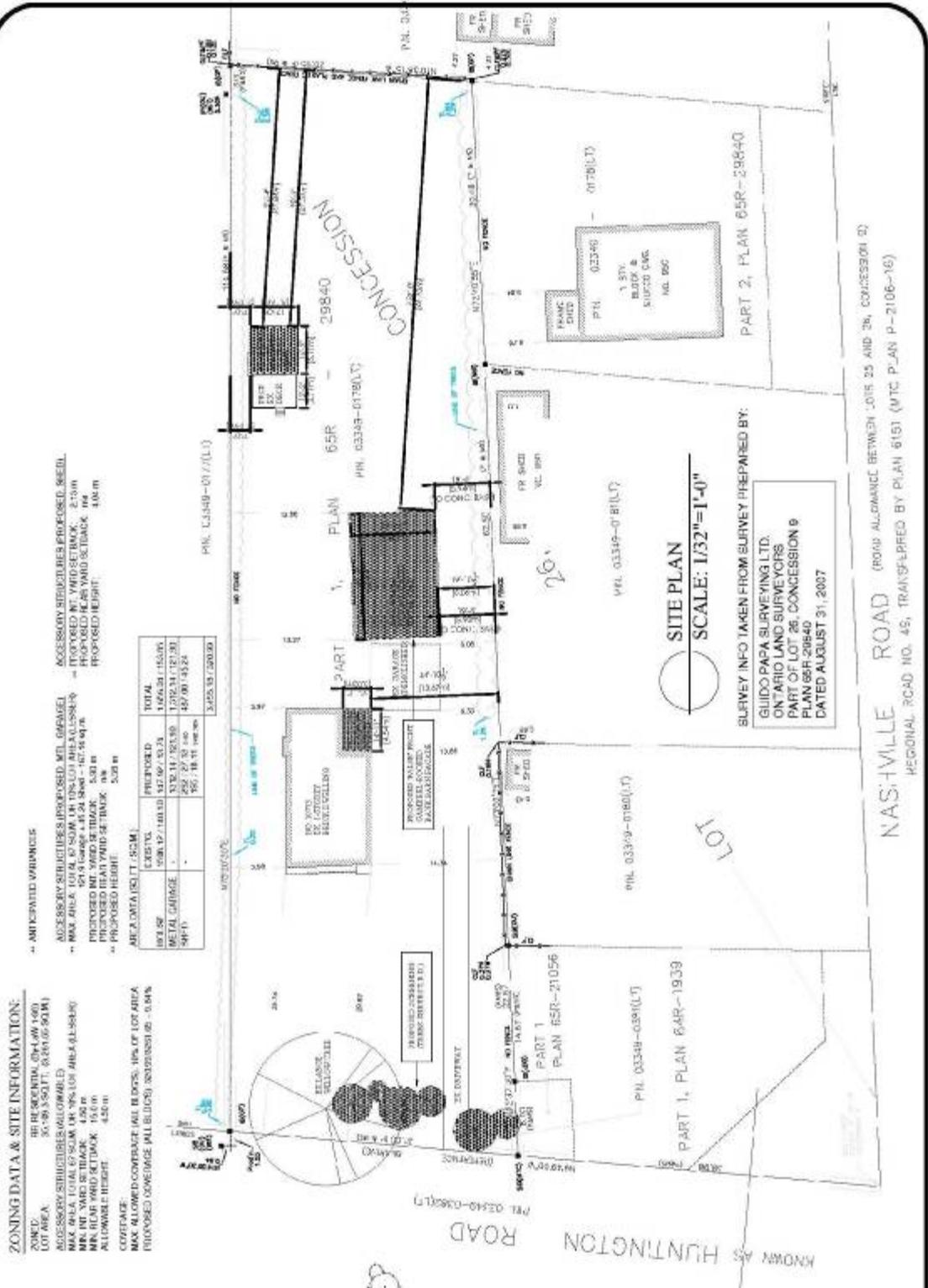
COVERAGE:
 MAX. ALLOWED COVERAGE: 10% (10% OF 10% OF AREA)
 PROPOSED COVERAGE: 10% (10% OF 10% OF AREA)

ARTICULATED VARIANCES

ACCESSORY STRUCTURES PROPOSED: RESID.
 - INVOLVED RT. YARD SETBACK: 2.10m
 - PROPOSED RT. YARD SETBACK: 1.4
 - PROPOSED HEIGHT: 4.06 m

ARTICULATED VARIANCES

| ARTICULATED VARIANCE | PROPOSED | TOTAL |
|----------------------|----------|----------|
| MAX. SET BACK | 1.40 | 2.10 |
| MAX. HEIGHT | 4.06 | 4.50 |
| MAX. COVERAGE | 10% | 10% |
| MAX. AREA | 43,884 | 43,884 |
| MAX. SETBACK | 1.40 | 2.10 |
| MAX. HEIGHT | 4.06 | 4.50 |
| MAX. COVERAGE | 10% | 10% |
| MAX. AREA | 43,884 | 43,884 |
| TOTAL | 3,425.03 | 3,425.03 |



Project Name and Address
PROPOSED GARAGE, SHED, & PORCH
RESIDENCE
 10773 HUNTINGTON ROAD
 CITY OF VAUGHAN



| | |
|-------|------------|
| Page | 1 of 1 |
| Date | 21/08/2007 |
| Scale | AS NOTED |
| Sheet | A1 |

HERITAGE VAUGHAN COMMITTEE – JUNE 20, 2012

2. 9570 KEELE STREET – HERITAGE REVIEW OF PROPOSED DEMOLITION – WARD 1

Recommendation

Cultural Services staff recommend:

1. That Heritage Vaughan consider the information provided in the attached Built Heritage Evaluation for the existing structures at 9570 Keele Street, together with the background and analysis portions of this report, and;
2. That Heritage Vaughan consider the demolition of the structures at the subject property and that if it is approved, that the following conditions be included with the approval:
 - a. That the demolition clearance be effective from the date of the Building Permit approval, and;
 - b. That the owner and applicant work together with Cultural Services in the design of a replacement structure and they return for approval of a Heritage Permit for the same at a later Heritage Vaughan Committee meeting, and;
 - c. That for any period of time that the structures are vacant or the lot is vacant awaiting new construction, that it is maintained in compliance with the City Property Standards by-law, including that the structure be secured from unwanted entry, and the lot be maintained clean of debris, garbage and grass be cut, and;
 - d. That the proposed new construction is in accordance with the Heritage District Guidelines.
5. The applicant is to be advised that if there are any changes as a result of addressing issues from review by other departments, a new submittal for review for the Heritage Vaughan Committee may be required and any previous approval granted may be deemed invalid based on the new information provided.

Contribution to Sustainability

This report is consistent with the priorities previously set by Council in the Green Directions, Vaughan, Community Sustainability Environmental Master Plan, Goal 4, Objective 4.1:

- To foster a city with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage.

Economic Impact

N/A

Communications Plan

All agenda items and minutes relating to Heritage Vaughan committee meetings are circulated to relevant City departments, applicants and their representatives.

Purpose

To consider the background and analysis portions of this report in order to review the request for demolition for the subject property.

Background and Analysis

Background

Heritage Status of the property: Designated Part V, part of Maple Village Heritage Conservation District.

The property contains a mid 20th century, two storey structure of a non-heritage style as identified in section 9 of the Heritage District Guidelines. Please also refer to the attached Built Heritage Evaluation of the building.

The applicant is proposing the demolition of the structure, as it is vacant and boarded. The applicant has expressed concern for the safety of the building since animals have gone inside as well as people have been able to enter through the basement back window. The property standards by-law would apply in this case, as it provides the standards for vacant properties in order to ensure their safety.

The applicant has been working with the owner directly to the south, who has bought the property and has plans to develop the two properties in the future. The house to the south at 9560 Keele Street is currently occupied. The applicant has informed Cultural Services that there are no formal development applications that have been submitted to the City, and the design has not been developed to reflect a final design solution yet.

Analysis

The property scored 30 points out of 100 in the Built Heritage Evaluation done by Cultural Services staff. This resulted in the subject property to be identified as having "little or no significance" in terms of built heritage.

It is encouraged to submit a proposal for replacement construction for consideration accompanying a request for demolition of a structure within a Heritage Conservation District. Approval for demolition in these cases, if granted by the Heritage Vaughan Committee, is usually conditional upon review and approval of a replacement design.

Relationship to Vaughan Vision 2020/Strategic Plan

In consideration of the strategic priorities related to Vaughan Vision 2020, the report will provide:

- STRATEGIC GOAL:
Service Excellence - Providing service excellence to citizens.
- STRATEGIC OBJECTIVES:
Preserve our heritage and support diversity, arts and culture.

This report is consistent with the priorities previously set by Council, and the necessary resources to implement this program have been allocated and approved.

Regional Implications

N/A

Conclusion

Please refer to recommendation section of this report.

Report Prepared by

Cecilia Nin Hernandez
Cultural Heritage Coordinator, ext. 8115
Recreation and Culture Department

Angela Palermo
Manager of Cultural Services, ext. 8139
Recreation and Culture Department

Attachments

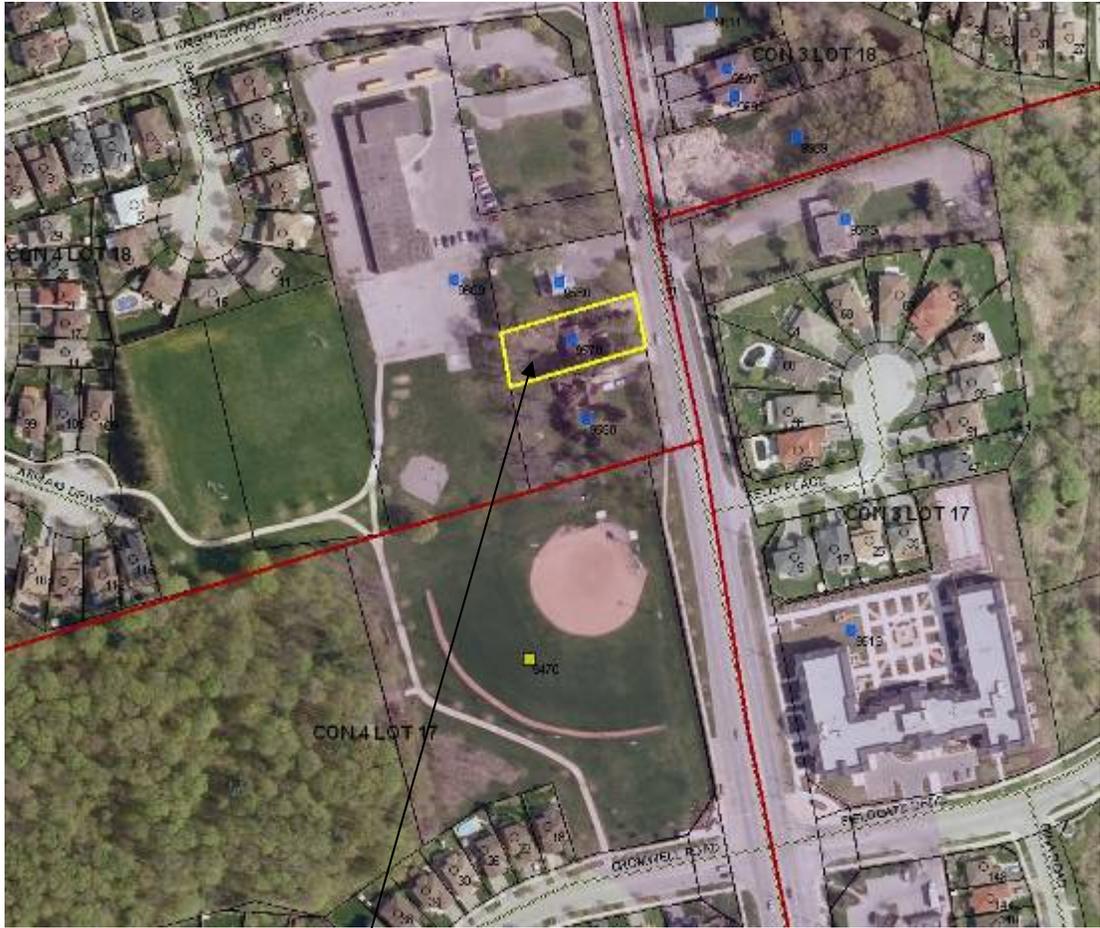


Fig. 1. Location of 9570 Keele Street

VAUGHAN HERITAGE INVENTORY - BUILT HERITAGE EVALUATION FORM

BUILDING/STRUCTURE ADDRESS: 9570 Keele Street
COMMON NAME OF BUILDING/STRUCTURE: 9570 Keele Street

BLOCK: **CONCESSION:** 8 **LOT:** Lot 24

COMMUNITY: Maple, ON

Date: May 10 /12
Staff: C. Nin



| Yes | No | |
|-----|----|---|
| X | | Included in the City of Vaughan Heritage Inventory |
| | X | Included in the City of Vaughan <i>Listing of Buildings of Architectural and Historical Value</i> |
| | X | Designated under Part IV of the Ontario Heritage Act |
| X | | Designated under Part V of the Ontario Heritage Act within a Heritage Conservation District |

TOTAL GRADING: 30

GROUP: D

KEY TO GRADING
 80-100 = GROUP A - VERY SIGNIFICANT
 60-79 = GROUP B - SIGNIFICANT
 40-59 = GROUP C - MODEST SIGNIFICANCE
 0-39 = GROUP D - LITTLE OR NO SIGNIFICANCE

ARCHITECTURE
(Maximum 80 points)

TOTAL ARCHITECTURE:

| STYLE | EVALUATION CRITERIA | GRADING | COMMENTS |
|--|--|---|--|
| Good, notable, rare, unique, or early example of a particular architectural style or type. Exterior architectural style only should be evaluated. (i.e. change in roofline, skylights, additions, or removal of features, etc. that have changed the style of the building.) | E-Excellent to very good or extremely early example of its style. VG-Good example of its style with little to no changes to the structure. G- Good to fair example of its style (e.g. style evident in structure, however changes have occurred to building). F/P- Style is not evident or considered a good example. | E - 20 VG -15 G- 8 <u>F/P -0</u> | 2 storey, T- plan, patterned concrete foundation currently visible aluminum siding cladding and asphalt shingled gable roof with large dormer in front. Style does not follow any particular heritage style, other than a vague association with a cape cod cottage, in masonry, adapted to an new look. The original exterior cladding and trims have been covered over with aluminum cladding. There is a 1 car detached garage, made of the same concrete block directly north of the main structure. |

| CONSTRUCTION | EVALUATION CRITERIA | GRADING | COMMENTS |
|---|--|--|---|
| Good, notable, rare, unique, or early example of a particular material or method of construction. (i.e. log construction, pre-1850, stone, board on board construction, etc.) | E-Excellent or early example of its construction method. VG- <u>Good</u> or early example of its construction method. G/F- Good to fair example of its construction method. P- Construction method is not significant in nature nor is it of particular interest. | E - 10 VG - 8 <u>G/F-5</u> P- 0 | Not a particular good example of construction methods, but fair. -patterned concrete block foundation throughout and random-broken stone bond at front facade and south elevations on first floor -wood frame construction with standard size members -Roof storage space at eaves visible through hole in wall = plank roof sheathing -roof structure: No trusses - raised foundation to accommodate a minimum size of operable hopper windows. |

| AGE | EVALUATION CRITERIA | GRADING | COMMENTS |
|--|--|--|--|
| Comparatively old in the context of the City of Vaughan's architectural history. | E- Built between dates 1790-1820. VG- Built between dates 1821-1910. G- Built between dates 1911-1939. F/P- Built since 1940. | E - 5 VG - 3 G- 2 <u>F/P -0</u> | Built c. 1950, first survey available dates from December 8, 1953. |

| INTERIOR | EVALUATION CRITERIA | GRADING | COMMENTS |
|--|---|----------------|--|
| Integrity of interior arrangement, finish, craftsmanship, and/or details are particularly attractive or unique and/or still exist. | E- Excellent interior (80-100% intact). | E - 5 | Original trim and hardware, found throughout. Interior finishes: |
| | VG- Very good interior (70-79% intact). | VG - 3 | -basement interior surfaces are unfinished |
| | G- Good interior (50-69% intact). | G- 2 | -wall seem to be constructed of gypsum board |
| | F/P- Fair or poor (0-49% intact). | <u>F/P - 0</u> | -notable interior feature: 1940s-1950s built in cabinetry in family room and painted wood kitchen cabinets. |
| | | | There are no particularly unique features in the interior, except for the kitchen cabinetry, trims and modest arched thresholds. This simplicity accompanies the modesty of the cottage type bungalow. |

| ALTERATIONS | EVALUATION CRITERIA | GRADING | COMMENTS |
|---|--|-------------|--|
| Building has undergone minor exterior alterations, and retains most of its original materials and design features. Checklist includes: Original Exterior Siding 25% Windows/doors 25% Verandahs/trim 30% Foundation/location 10% Structural Plan (no modern or unsympathetic additions) 10% | E- Exterior of building is unchanged. (90-100% intact) | E - 20 | Aluminum siding looks as typical 1960 or 1970's aluminum cladding that could have been installed on top of wood clapboard. It may be that the original still exists. Siding is on the second floor. |
| | G- Exterior of building has changed somewhat, but character retained. (61-69% intact) | <u>G-15</u> | Original windows (not boarded): 1 over one. |
| | F- Exterior of building has changed somewhat and original character compromised. (40-60% intact) | F- 8 | Checklist includes: Original Exterior Siding 0% Windows/doors: Likely 20%- (75% boarded up) Verandahs/trim 30% Foundation/location 10% Structural Plan (no modern or unsympathetic additions) 10% Total: 85% |
| | P- Original exterior character destroyed. (0-30% intact) | P - 0 | |

| CONDITION | EVALUATION CRITERIA | GRADING | COMMENTS |
|--|--|-------------|--|
| Exterior/interior of building is in good structural condition (i.e. evidence of decay in exterior siding, roof, or interior basement, wall surface, flooring, or ceiling, suggesting structure to be unsound). Checklist: Exterior Siding/Gutters (cracks, spalling) Roof/Interior Ceiling/Gutters Flooring, unstable, depressions Interior Wall surface, cracks, etc Basement (leaks mold, dry or wet rot on beams) | G- Good structural condition. (No evidence of decay) | G- 20 | The concrete block is separating from the rest of the structure at one location. Wildlife and possibly vandals have come into the building and made some holes in the walls. |
| | S- Somewhat good structural condition. (Minor/little evidence of decay) | S - 15 | |
| | F- Fair structural condition (Some (i.e. 2 from adjacent list) evidence of decay). | <u>F-10</u> | |
| | P- Poor structural condition. (Significant/considerable evidence of decay.) | P- 0 | |

HISTORICAL SIGNIFICANCE
(Maximum 5 points)

TOTAL HISTORY:

| HISTORICAL SIGNIFICANCE | EVALUATION CRITERIA | GRADING | COMMENTS |
|---|---|--|---|
| Structure is associated with the life or activities of a person, group, organization or event significant to the City of Vaughan, or illustrative of the community's cultural, social, political, economic or industrial history. | <p>E- Individual, group, event or site of primary significance to the surrounding community. (Political official, prominent community member, religious leader, significant site/landmark in history of Vaughan.)</p> <p>VG -Individual, group, event or site of some significance to the surrounding community. (Owner/family was long-standing members of community.)</p> <p>M -Individual, group, event or site of minor or little significance to the surrounding community. (No historical background on structure or individual that built structure or family.)</p> <p>F/P -Site, structure, has no significance to Vaughan's history.</p> | <p>E- 5</p> <p>VG- 3</p> <p>M-2</p> <p><u>F/P- 0</u></p> | <p>No background available for the individual who built it. The lot was once part of the property originally owned by John Line in the late 19th century. John Line who was a school board trustee in 1873, donated part of the land in order to build a school on. The school was built at the site of the current George Bailey Elementary School in Maple, which is at the corner of Keele Street and Knightswood Avenue, just north of the subject site.</p> |

ENVIRONMENT
(Maximum 15 points)

TOTAL ENVIRONMENT:

| ENVIRONMENT/SCAPE/COMMUNITY | EVALUATION CRITERIA | GRADING | COMMENTS |
|---|--|---|---|
| Structure contributes to the continuity or character of the street, community, or area. | E- Of particular importance in establishing the dominant/historic character of the area, community, or streetscape. | E - 15 | The style falls into the category of non-heritage architectural style as per the Maple Heritage Conservation District Plan, therefore it does not contribute to the streetscape of the heritage district. |
| Heritage buildings in a rural areas (i.e. former farm buildings), not yet developed or part of a Block Plan development, that have a good architectural rating should be rated for its community significance based on the criteria defined (as per adjacent column). | <p>VG- Of importance in establishing or maintaining the dominant/historic character of the area, streetscape, or significant to the community for its architectural value (i.e. received a 70-80 rating under the architectural evaluation portion of this form).</p> <p>G- Compatible with the dominant character of the area or streetscape or considered of some significance to the rural architectural history of the area/community (i.e. building is not part of historic streetscape, but an architecturally good building, based on a total rating of 60-69 under the architectural evaluation section of this form)</p> <p>F/P- Incompatible with the dominant character of the area, streetscape and of no particular significance architecturally to the community, based on a total rating of 0-59 in the architectural evaluation in the first section of this form.</p> | <p>VG -10</p> <p>G -8</p> <p><u>F/P - 0</u></p> | |



Fig. 2-14 May 10, 2012 Site Visit – 9570 Keele Street. Photo by Cultural Services.













HERITAGE VAUGHAN COMMITTEE – JUNE 20, 2012

3. FIRES IN HERITAGE BUILDINGS

This item has been placed on the agenda at the request of a committee member.

Recommendation

Cultural Services staff recommend:

1. That the information in this report be received.

Contribution to Sustainability

This report is consistent with the priorities previously set by Council in the Green Directions, Vaughan, Community Sustainability Environmental Master Plan, Goal 4, Objective 4.1:

- To foster a city with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage.

Economic Impact

N/A

Communications Plan

All agenda items and minutes relating to Heritage Vaughan committee meetings are circulated to relevant City departments, applicants and their representatives.

Purpose

To receive the information in this report.

Background and Analysis

Background

In the last year there have been three vacant houses lost to fire: The Richard Agar House, 10395 Huntington Road, 3930 Major Mackenzie Drive and 3180 Teston Road.

The City's property Standards by-law has provisions for the care of vacant properties and the maintenance of heritage attributes for heritage properties. This by-law can be downloaded from the City's webpage, under "most requested by-laws" or following the link below:

http://www.vaughan.ca/vaughan/forms_docs/bylaws.cfm

The care of vacant properties is an issue that all municipalities experience. Please see attached article by Michael Seaman, Director of Planning at the Town of Grimsby, Ontario.

Relationship to Vaughan Vision 2020/Strategic Plan

In consideration of the strategic priorities related to Vaughan Vision 2020, the report will provide:

- STRATEGIC GOAL:
Service Excellence - Providing service excellence to citizens.
- STRATEGIC OBJECTIVES:
Preserve our heritage and support diversity, arts and culture.

This report is consistent with the priorities previously set by Council, and the necessary resources to implement this program have been allocated and approved.

Regional Implications

N/A

Conclusion

Please refer to recommendation section of this report.

Report Prepared by

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by Michael Seaman

FIRE AND HERITAGE BUILDINGS

How to prevent it and what to do when it happens?

FIRE – by far the four letter word that is most dreaded by heritage building enthusiasts. Possibly because of all the threats to heritage buildings, it's the one that we are most powerless to stop, and the one with which it is most difficult to achieve a successful outcome. Fire and heritage buildings have been in the news far too often of late, the most recent example being the 19th century Empress and Edison Hotels located on Yonge Street in downtown Toronto. Arson is suspected in this case. Security camera video shows a shadowy figure with a backpack walking in the vicinity of the building both before and after the fire began, providing a rare tangible clue to the potential source of the building's destruction. Later the same week, the building was demolished, the heat from the fire being so intense as to cause an irreparable instability to those elements that were retained. Whether or not this case was arson, the result is the same – Toronto's Yonge Street, Canada's most famous Main Street, is left with a gaping hole where a beautiful Victorian-era hotel once stood.

It's not the only case in the past 18 months, however. In the Greater Toronto Area, there has seemingly been

a rash of fires that have brought about the destruction of heritage buildings. In Oakville in 2009, three fires ravaged what was one of the best rural heritage buildings of the municipality. One fire was fortunately stopped before a fatal wound was inflicted, but the other two cases resulted in the loss of the beautiful late-Victorian Bertin Stables House and the neo-classical Kaitting House. In December 2010, two historic barns in the Grimsby area were similarly destroyed, including one of very special architectural significance that had been used by the Basilian Fathers Monastery.

Brampton is another municipality whose heritage suffered a similar fate with three heritage buildings destroyed by fire within a few months; including the James Clark House, a designated building, and the Fraser House, built in 1857. "Is a fire bug targeting Brampton's Heritage Homes" read a headline in the *Brampton Guardian* on January 31, 2010; and, the following April, there was another fire with another heritage house destroyed – arguably the best of them all – the 170-year old Greek-revival style Joseph Graham House. Fortunately, in the latter case, an arrest was made and charges were laid – but the damage is done.

There is much that can be done to prevent fires to historic buildings. Municipalities such as Brampton, Oakville, and Markham have adopted strong guidelines and policies for the securing of vacant buildings: boarding of openings, building perimeter fences, and posting of signs declaring the intent to conserve the resource are some of them. These municipalities have also worked to make the public more aware of the issue and have employed vigilant enforcement. Oakville staff, for example, regularly review potentially threatened heritage resources to ensure that there is no suspicious activity. However, 24-hour surveillance is difficult to achieve, particularly for vacant rural farmhouses. The most successful tool may be a high chain-link fence. If someone is tempted to burn a building through arson, a high fence would make it very difficult for the person to enter and leave the scene, and may make them think twice. As has been seen over the past year, however, when there is intent to destroy a heritage building with fire, the results are usually successful.

When a Heritage Building Goes Up in Flames ...

In the summer of 2009, the Town of Oakville was working very closely and successfully with the developer to preserve the Kaitting House, but their hopes literally went up in smoke when it burned to the ground. Is it salvageable? Is it worth reconstructing? Can



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there at least be a plaque for it when the subdivision develops? These are questions that invariably need answering in determining what to do next in such a situation. The first thing to do is to determine just how extensive the damage is. In the case of the Kaitting House, the town worked with the developer to ensure that the building was assessed impartially by one of Ontario's leading restoration architects. Whether it was positive or not, it would at least be a fair assessment and provide a solid technical basis for moving forward.

This was what happened to St. George's Anglican "Round" Church, a major heritage building in Halifax, Nova Scotia. It suffered a catastrophic fire caused by children playing with matches. An almost two-century old frame building, full of dry old lumber, it went up like a torch – its magnificent dome crashing down in time for the 10 p.m. national news. The damage was severe, but the experts said it could be restored. The charring penetrated the lower posts and girts to a depth of 1.5 inches or less, and parts of the walls were declared sound. The challenge was to restore the church similar to its original design, while meeting modern-day building codes – and to raise the near millions of dollars needed to pay for it to be done.

Technically, it was possible to restore St. George's; but they still had to determine whether *philosophically* it should be done. For the church, it had to consider whether the money could be better spent on other projects, including the needy. Many also questioned what they were preserving, since so much was destroyed in the fire. All you would have is a replica ... *it will be an unsat-*

isfying pastiche, suggested some in the architectural community. In the end, the symbolic importance of the church to the community won the day. The congregation also satisfied themselves that, architecturally, it was the thing to do. Although the rebuilt church had to comply with modern-day building codes, by closely following historical drawings, and using traditional techniques, it would be true to the original design and construction. The result was an unparalleled and most satisfying success. The building looks as good as it did before the fire. It's built using tried-and-tested traditional techniques. The project has inspired and reinvigorated the congregation and the neighbourhood, fostering a sense of community and identity. Lastly, although there is a substantial amount of new wood in the building, that new wood was expertly put in place by master craftsmen, just as it had been two centuries ago, and has just as valid a story to tell in the history of St. George's Church.

A similar story is told in the Old Town Market Place in Warsaw, Poland, which was completely destroyed in the Second World War. In this case, because of the importance of familiar buildings and landmarks in rebuilding a sense of community in an area that had suffered so much, it was decided to completely reconstruct the square as it was. Today, more than 60 years later, it's still an anchor point for the community. Most people know that it's new, but the effort to reproduce what was there before the war is simply part of the story.

Have a Fire Plan

Whatever approach is considered for dealing with a heritage building, there

should be a "fire plan" in place that is very clear and realistic. The plan should include a direction for what to do in the event of a fire, supporting information (such as measured drawings and photography), and a requirement for documentation, removal, and safe keeping of significant and vulnerable architectural artefacts.

The Town of Richmond Hill found this approach helpful when one of its vacant farmhouses was burned. The town was able to achieve an accurate reconstruction of the original house, according to historical plans and utilizing historical materials that had been temporarily removed for safekeeping while the original building was vacant. The reconstructed building is not the original, but is generally considered to be an acceptable outcome, essentially serving as a tangible monument to the history and architecture of the area.

Taking a financial security as part of the development agreement is a key tool in such circumstances, providing financial resources to the municipality to achieve a positive outcome after a fire, and enabling preventative works to take place in the event of neglect to help avoid a fire.

Restore, Reconstruct, or Remember?

Reconstruction does have a place in certain exceptional circumstances; but, if it is going to be attempted, it should only be done after thorough study and research, and (preferably) with historical plans.

FIRE, cont'd on p. 34



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PROMOTE IT, cont'd from p. 14

Is it easy to navigate? Does it give you a competitive edge for investment attraction over your competition? Is it up to date? Is the data provided relevant?

Your municipal website must be more than a listing of local events and council minutes.

From an economic development point of view, your website should provide all the information needed for investors, tourists, and new residents to consider your community in their decision making.

If having a great brand is the key to marketing success on the web, then having a good content management system is the key to accessibility 24/7.

"Your staff should be able to add information on a daily basis. And your system should be able to provide current real estate listings, development charges, and permit fees, for example," says Ian Woodward. (Woodward was involved in the creation of the award-winning website <www.buildanewlife.ca> for Prince Edward County.)

"Your brand will attract viewers to your website. Don't disappoint them with a lacklustre and out-of-date community portal. Above all, make sure it functions in a timely manner and that you can add functionality without scrapping the site and starting over when an update is due."

Do not be afraid to brand and promote your community. In this global economy, your prosperity depends on it. State it; own it; promote it. *MW*

FIRE, cont'd from p. 24

The work may be new, but – at the very least – like the temples of Japan that are reconstructed again and again to keep the skills that built them alive, it provides an opportunity for learning and demonstration of traditional construction techniques.

More often than not, due to costs or reasons of practicality, accurate, full-scale reconstruction is not achievable. However, it can still be possible to create something that honours the past while living in the present. Two of the most famous examples of this approach are Coventry Cathedral in England, which was destroyed by bombing during the Second World War and St. Boniface Cathedral in Winnipeg, which was destroyed by fire in the late 1960s. In both these cases, the stone construction enabled certain parts of the old building to be preserved as ruins, while a new and modern building was built close by to serve the needs of the modern-day congregation.

Sadly, the examples above are the exception. In many cases, particularly when the original use or building is obsolete at that particular location, the heritage building is lost for all time. In Grimsby, for example, the vacant site of the old c. 1902 train station was a community landmark that went up in flames over Christmas 1994 – something that residents of the historical Niagara-area town still lament to this day. Fortunately, in Grimsby's case, the even older c. 1855 station that preceded the 1902 building still stood *behind* it, converted to a freight shed.

The original station has taken on much more of a community focus since that day, and today stands proudly as the standard bearer for the community's railway heritage. Grimsby was fortunate in some ways in having such a good substitute. Usually, all you might end up with is a plaque. While this is certainly a poor substitute to a lost heritage building, it's important to at least remember what was located at an historical site in the past. It can also serve as an inspiration for greater vigilance to ensure that the destruction of a heritage building by fire is less likely to happen again in the future.

Plan Ahead – and Tell the Story

Fire will always be a threat to our heritage buildings. However, we can do everything we can to prevent it through ensuring the building is properly maintained and secured against intruders. We also need to plan for what to do if it does happen – philosophically, legally, and financially. With good planning and vigilant enforcement, the very least we will achieve is a reduction in careless fires; we will make deliberate fires more difficult to instigate, and we can ensure that the community needs for lost heritage landmarks are met.

Lastly, if there is anything that we have learned from the Empress Hotel Fire in Toronto, it is that if a building goes up in flames, we must make sure its story is told. The loss of one landmark can help focus attention on others that may be threatened and help make sure that future outcomes are more positive. *MW*

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THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 231-2011

A By-law to prescribe the Standards for maintenance and occupancy for all Properties within the City of Vaughan.

WHEREAS Section 15.1 (3) of the *Building Code Act*, 1992, S.O. 1992, c.23 for the Province of Ontario, authorizes the Council of a municipality to pass a By-law for prescribing Standards for maintenance and occupancy of Property.

AND WHEREAS the Council of the Corporation of the City of Vaughan deems it expedient to pass a By-law for prescribing Standards for the maintenance and occupancy of Property within the City of Vaughan and for prohibiting the occupancy or use of such Property that does not conform to the Standards and for requiring Property below the Standards prescribed in the By-law to be repaired and maintained to comply with the Standards or for the site to be cleared of all buildings, structures, debris or refuse and left in a graded leveled condition.

AND WHEREAS the Corporation of the City of Vaughan has an official plan enacted pursuant to the *Planning Act* R.S.O. 1990, c.P.13 as amended, which includes policies and provisions relating to the maintenance and occupancy of Property within the City of Vaughan.

NOW THEREFORE, the Council of the Corporation of the City of Vaughan hereby enacts as follows:

SECTION 1 SCOPE

(1) This By-law applies to all Properties in the City of Vaughan.

SECTION 2 SHORT TITLE

(1) This By-law may be referred to as the **"Property Standards By-law"**

SECTION 3 DEFINITIONS

- (1) **"Balcony"** means an external balustrade platform and includes both upper and lower surfaces of the platform.
- (2) **"Basement"** means a Storey or more than one Storey of a building located below the First Storey.
- (3) **"Cellar"** means that space of a building that is partly or entirely below Grade, which has half or more of its height, measured from floor to ceiling above that average exterior finished Grade.
- (4) **"Chief Building Official"** means the Chief Building Official as appointed under By-law by the City.
- (5) **"City"** means the Corporation of the City of Vaughan.
- (6) **"Clerk"** means the Clerk of the Corporation of the City of Vaughan.

- (7) **"Committee"** means a Property Standards Committee established under this By-Law in accordance with section 15.6 of the *Building Code Act, 1992*, as amended, or as substituted from time to time.
- (8) **"Construction Bin"** means any dumpster, commercial roll-off bin or other similar receptacle used for the accumulation and storage of construction waste, demolition waste, or other similar materials
- (9) **"Dwelling Unit"** means a self-contained room or series of rooms located in a building or structure used as a residential premises.
- (10) **"Exit"** means that part of a Means of Egress, including doorways, that leads from the Floor Area it serves to a separate building, an open public thoroughfare or an exterior open space protected from fire exposure from the building and having access to an open public thoroughfare.
- (11) **"Fence"** means a structure except a structural part of a building used wholly or partially to screen from view to enclose or divide a Yard or other land, to mark or substantially mark the boundary between adjoining land and includes swimming pool enclosures, privacy screens, retaining walls, noise attenuation walls, any hedge or grouping of shrubs, or other combination of fencing components which form a continuous barrier for the same purpose.
- (12) **"First Storey"** means the Storey with its floor closest to Grade and having its ceiling more than 1.8 metres (6 feet) above Grade.
- (13) **"Floor Area"** means the space on any Storey of a building between exterior walls and required firewalls including the space occupied by interior walls and partitions, but not including Exits and vertical service spaces that pierce the Storey.
- (14) **"Floor Covering"** means any surface used to cover the basic floor or sub flooring construction, including carpet, vinyl, tile, laminate and hardwood.
- (15) **"Grade"** means the average level of proposed or finished ground adjoining a building at grade level.
- (16) **"Graffiti"** means one or more letters, symbols or marks, howsoever made that disfigures or deface a Property or object, but does not include a Sign pursuant to the City Sign By-laws or a mural which has been authorized by the City.
- (17) **"Ground Cover"** means organic or non-organic material that covers the ground, and includes concrete, flagstone, gravel, asphalt, grass or other form of landscaping.
- (18) **"Guard"** means a protective barrier around openings in floors or at the open sides of stairs, landings, balconies, mezzanines, galleries, raised walkways or other locations to prevent accidental falls from one level to another.
- (19) **"Habitable Room"** means any room in a Dwelling Unit used or capable of being used for living, sleeping, cooking or eating purposes.
- (20) **"Heritage Attributes"** means the attributes or features of Property, buildings or structures that contribute to the Property's cultural Heritage value or interest that are defined or described or that can be reasonably inferred:
- a) in a By-law designating a Property passed under Section 29 of the *Ontario Heritage Act* and identified as Heritage Attributes, values, reason for designation, or otherwise;
 - b) in a Minister's Order made under Section 34.5 of the *Ontario Heritage Act* and identified as Heritage Attributes, reason for designation or otherwise;
 - c) in a By-law designating a heritage conservation district passed under Section 41 of the *Ontario Heritage Act* and identified as Heritage Attributes, values, reason for designation or otherwise;

- d) in the supporting documentation required for a By-law designating a heritage conservation district, including but not limited to a heritage conservation district plan, assessment or inventory, and identified as Heritage Attributes, reasons for designation or otherwise
- (21) **"Means of Egress"** includes Exits and access to Exits and means a continuous path of travel provided for the escape of Persons from any point in a building or in a contained open space to a separate building, an open public thoroughfare or an exterior open space that is protected from fire exposure from the building and that has access to an open public thoroughfare.
- (22) **"Mixed-Use Property"** means a building or structure used heretofore or hereafter erected in part for a dwelling unit and in part for non-residential purposes.
- (23) **"Multi-Residential Property"** means a building or structure or part of a building or structure is used or designed for use for more than two Dwelling Units and includes any Yard appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, Fences and erections heretofore and hereafter erected.
- (24) **"Non-Habitable Room"** means any room in a Dwelling Unit other than a Habitable Room and includes bathroom, toilet room, laundry, pantry, lobby, corridor, stairway, closet, boiler room, or other space for service and maintenance of the Dwelling Unit for public use, for access to and vertical travel between stories, and a Basement or part thereof which does not comply with the Standards of fitness for occupancy set out in this By-law.
- (25) **"Non-Residential Property"** means a building or structure or part of a building or structure not containing a legal Dwelling Unit, and includes the Yard appurtenant thereto and all mobile buildings, mobile structures, outbuildings, Fences and erections heretofore and hereafter erected.
- (26) **"Occupant"** means any Person or Persons over the age of eighteen years in possession of the Property.
- (27) **"Officer"** means a Property Standards Officer appointed by the City for the purposes of administering and enforcing this By-law.
- (28) **"Ontario Building Code"** means Ontario Regulation 350/06, as amended, or as substituted from time to time.
- (29) **"Ontario Heritage Act"** means *Ontario Heritage Act*, R.S.O. 1990, c.O.18, as amended, or as substituted from time to time.
- (30) **"Order"** means an Order made under this By-law.
- (31) **"Owner"** includes the Person for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on his own account or as agent or trustee of any other Person, or who would so receive the rent if such premises were let, and shall also include a lessee or Occupant of the Property who, under the terms of lease, is required to repair and maintain the Property in accordance with the Standards for the maintenance and occupancy of Property.
- (32) **"Part IV Heritage Property"** means real property, including all buildings and structures thereon, that has been designated by the City under Section 29 of the *Ontario Heritage Act* or by the Minister under Section 34.5 of the *Ontario Heritage Act* as amended, or substituted from time to time.
- (33) **"Part V Heritage Property"** means real property, including all buildings and structures thereon, located within a heritage conservation district designated by the City under Section 41 of the *Ontario Heritage Act*.
- (34) **"Person"** includes an individual, firm, corporations, association, partnership, trust, unincorporated organization or the heirs, executors, administrators or other legal representatives of a person.

- (35) **"Property"** means a building or structure or part of a building or structure and includes the Yard appurtenant thereto and all mobile structures, outbuildings, Fences and erections thereon, whether heretofore or hereafter erected.
- (36) **"Residential Property"** means a building or structure or part of a building or structure, that is used or designed for use as a Dwelling Unit and includes any Yard appurtenant thereto and all outbuildings, Fences and erections thereon, whether heretofore or hereafter erected.
- (37) **"Sewage System"** means a sanitary sewer system or a private sewage disposal system approved by the Chief Building Official.
- (38) **"Sign"** means any surface upon which there is printed, projected or attached any announcement, declaration, or insignia used for direction, information, identification, advertisement, business promotion or promotion of products, activity or services, and includes a structure, whether in a fixed location or designed to be portable or capable of being relocated, or part thereof specifically designed for the foregoing uses. Furthermore, this includes flags, banners, advertising devices or any object intended for advertisement purposes.
- (39) **"Stagnant Water"** means motionless water, not flowing in a stream or current; also known as Standing Water. Water shall be deemed to be "stagnant" if the structure, excavation, ruts or depressions are capable of holding standing water for more than four consecutive days.
- (40) **"Standards"** means the Standards of physical condition and of occupancy prescribed for Property in this By-law.
- (41) **"Storey"** means the portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.
- (42) **"Supplied Facility"** means any appliance, fixture or piece of equipment supplied in accordance with the provisions of a lease or rental agreement.
- (43) **"Swimming Pools"** means any above ground, in ground or inflatable structure that contains water and includes hot tubs and spas, ponds and any other water features capable of holding 30" or more water.
- (44) **"Vacant Property"** means a building or structure that is not occupied and includes the Yard appurtenant thereto and all mobile structures, outbuildings, Fences and erections thereon, whether heretofore or hereafter erected.
- (45) **"Vacant Lot"** means a Property that does not have a building or structure.
- (46) **"Vehicle"** means anything that is powered, drawn, propelled or driven by any means other than muscular power. Includes a motor Vehicle, trailer, boat, motorized snow Vehicle or other mechanical power driven equipment.
- (47) **"Yard"** means the land, other than publicly owned land, around or appurtenant to the whole or any part of a building or structure, and includes a Vacant Lot.

SECTION 4

4.1 Property Standards Committee

- (1) A Property Standards Committee is hereby established consisting of five Persons.
- (2) The Property Standards Committee shall hear appeals pursuant to section 15.3 of the *Building Code Act*, 1992, as amended, or as substituted from time to time.
- (3) The term of appointment of the Property Standards Committee shall be for the term of Council.

SECTION 9 ADDITIONAL STANDARDS FOR PART IV AND PART V HERITAGE PROPERTIES

9.1 Minimum Standards

- (1) In addition to the minimum Standards for the maintenance and occupancy of Property as set out in this By-law, the Owners of Part IV Heritage Property or a Part V Heritage Property shall:
 - a) comply with the Standards for Part IV and Part V Heritage Properties in this section;
 - b) maintain, preserve and protect the Heritage Attributes so as to maintain the heritage character, visual and structural integrity of the building or structure; and
 - c) maintain the Property in a manner that will ensure the protection and preservation of the Heritage Attributes.

9.2 Repair of Heritage Attributes

- (1) Despite any other provision of this By-law, where a Heritage Attribute of a Part IV Heritage Property or a Part V Heritage Property can be repaired the Heritage Attribute shall not be replaced and shall be repaired:
 - a) in a manner that minimizes damage to the heritage values and attributes;
 - b) in a manner that maintains the design, colour, texture, grain or other distinctive features of the Heritage Attributes; and
 - c) Using the same types of materials as the original and in keeping with the design, colour, texture, grain and any other distinctive features of the original.
- (2) Where the same types of materials as the original are no longer available, using alternative materials that replicate the design, colour, texture, grain or other distinctive features and appearance of the original materials

9.3 Replacement of Heritage Attributes

- (1) Despite any other provision of this By-law, where a Heritage Attribute of a Part IV Heritage Property or a Part V Heritage Property cannot be repaired, the Heritage Attribute shall be replaced:
 - a) using the same types of materials as the original;
 - b) where the same types of material as the original are no longer available, using alternative materials that replicate the design, colour, texture, grain or other distinctive features and appearance of the original material;
 - c) in such a manner as to replicate the design, colour, texture, grain and other distinctive features and appearance of the Heritage Attribute; and
 - d) in a manner that minimizes damage to the Heritage Attributes of the Property.

9.4 Clearing and Leveling of Heritage Properties

- (1) Despite any other provision of this By-law or the *Building Code Act, 1992*, as amended, or as substituted from time to time, no building or structure of a Part IV Heritage Property or a Part V Heritage Property may be altered or cleared, including but not limited to removed, demolished or relocated except in accordance with the *Ontario Heritage Act*.

9.5 Vacant and Damaged Designated Heritage Properties

- (1) Where a Part IV Heritage Property or a Part V 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 Attributes caused by environmental conditions.
- (2) The Owner of the vacant Part IV Heritage Property or a Part V Heritage Property shall protect the building and Property against the risk of fire, storm, neglect, intentional damage or damage by other causes by effectively preventing the entrance to it all of all animals and unauthorized Persons and by closing and securing openings to the building with boarding:
 - 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 and the historic fabric and is reversible; and
 - c) in a manner that minimizes visual impact.
- (3) Despite any of the provisions above, no window, door or other opening on a Part IV Heritage Property or Part V Heritage Property shall be secured by brick or masonry units held in place by mortar unless required.
 - (4) Where utilities are available for safety and security of the building, an exterior lighting fixture shall be installed and maintained in the front porch, veranda or an area adjacent to the front entrance of the building or structure and must be left on a timer.
 - (5) The Owner of vacant Part IV Heritage Property or Part V Heritage Property shall post Signs prohibiting trespassing onto the Property and prohibiting removal of materials.

9.6 Conflict

- (1) If there is a conflict between this section and any other provision in this By-law or any other City By-law, the provision that establishes the highest standard for the protection of Heritage Attributes shall prevail.

SECTION 10 ADDITIONAL STANDARDS FOR VACANT PROPERTIES

- (1) In addition to the Standards for Vacant Properties as set out in this By-law, the Owner shall also comply with the Standards in this Section.
- (2) A Vacant Property shall be secured by fencing, wheel stops, bollards or similar devices to prevent unauthorized entry.
- (3) Where the exterior doors, windows, trim or other openings of vacant buildings, partially vacant buildings or abandoned buildings or structures are broken, improperly fitted or otherwise in disrepair, the City may order the Property Owner to board the building or structure as an interior security repair measure so as to prevent the entrance of elements, unauthorized Persons or the infestation of pests.
- (4) The boarding as ordered shall comply with the following requirements:
 - a) all boards used in the boarding shall be installed from the exterior and properly fitted to the size of the opening of the building or structure within the frames in a watertight manner
 - b) doors, windows and other openings at the Basement, ground floor levels and upper levels of the building or structure shall be securely boarded up with a solid piece of plywood or metal plate
 - c) all plywood used for boarding must be secured with nails or screws.
- (5) Where a building remains vacant for a period of more than sixty (60) days, the Owner, shall ensure that all utilities serving the building are properly disconnected or otherwise secured to prevent accidental or malicious damage to the building or adjacent Properties.
- (6) Sub section (5) does not apply where such utilities are necessary for the safety or security of the building.

SECTION 11 ADDITIONAL STANDARDS FOR BUILDINGS OR STRUCTURES DAMAGED BY FIRE OR OTHER NATURAL CAUSES

- (1) A building or structure damaged by fire, storm or by other natural causes shall be demolished or repaired.
- (2) Where a building or structure is damaged by fire, storm or by other natural causes, immediate steps shall be taken to prevent or remove a condition which might endanger Persons on or near the Property.
- (3) The building or structure which is damaged by fire, storm or by other natural causes shall be properly supported and barricaded until the necessary demolition or repair can be carried out.
- (4) All Properties damaged by fire, storm or other natural causes shall be secured to prevent entry onto such Properties.
- (5) Defacements by smoke or by other similar causes on the exterior walls and surfaces of the buildings or structures or of the remaining parts of the building or structures, shall be removed and the defaced areas refinished in a workmanlike manner.

SECTION 12 TRANSITIONAL PROVISIONS

12.1 Transitional Provisions

- (1) This By-law comes into force on the day of its passing.
- (2) After the date of passing of this By-law, By-law 409-99, as amended, applies only to properties in respect of which a notice or Order has been given under By-law Number 409-99, prior to the date of passing of this By-law, and then only to such properties until such time as the work required by such Notice or Order has been completed or any enforcement proceedings in respect of such Notice or Order, including demolition or repair by the Municipality, have been concluded.
(Note: By-law 409-99, as amended, is available in the City Clerk's Office)
- (3) Except for the purpose set out in Subsection (2), hereof, By-law 409-99, as amended, is hereby repealed.

SECTION 13 PENALTIES

13.1 Penalties

- (1) Every Owner who fails to comply with an Order that is final and binding is guilty of an offence and on conviction is liable to a fine pursuant to the *Building Code Act, 1992*, as amended, or as substituted from time to time.

Enacted by City of Vaughan Council this 13th day of December, 2011.

Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk

Authorized by Item No. 37 of Report No. 54
of the Committee of the Whole
Adopted by Vaughan City Council on
December 13, 2011