

Authority: Economic Development and Parks Committee Report No. 12, Clause No. 9,
as adopted by City of Toronto Council on December 4, 5 and 6, 2001
Enacted by Council: December 6, 2001

CITY OF TORONTO

BY-LAW No. 1005-2001

To amend Chapter 103, Heritage, of the City of Toronto Municipal Code to streamline the application process for heritage permits in heritage conservation districts.

WHEREAS Council wishes to make it easier for residents of heritage conservation districts to obtain permits under Part V of the *Ontario Heritage Act* for certain types of work; and

WHEREAS Council has authority to pass this by-law under section 102.1 of the *Municipal Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Chapter 103, Heritage, of the City of Toronto Municipal Code is amended by adding the following Article:

ARTICLE IV

Heritage Permits in Heritage Conservation Districts

§ 103-20. Definitions.

As used in this article, the following terms shall have the meanings indicated:

COMMISSIONER - The Commissioner of Economic Development, Culture and Tourism or his or her designate.

GUIDELINES – Guidelines adopted by Council or the council of a former municipality to assist in the preservation of the historic and architectural character of a heritage conservation district.

HERITAGE CONSERVATION DISTRICT - A heritage conservation district established under Part V of the *Ontario Heritage Act*.

HERITAGE PERMIT - a permit issued by or on behalf of Council under section 43 of the *Ontario Heritage Act*.

§ 103-21. Application for Permit; Permits Deemed to be Issued.

- A. Any person wishing to erect, demolish, or remove a building or structure located in a heritage conservation district, or to alter the external portions of such a building or structure, shall submit an application in writing on a form prescribed by the Commissioner and shall supply any other information relating to the application as required by the Commissioner.
- B. Despite subsection A, an application shall be deemed to have been made for work described in subsection C.

- C. A heritage permit is deemed to be issued for the following alterations to the external portions of a building or structure located in a heritage conservation district:
- (1) Painting of wood, stucco or metal finishes.
 - (2) Repair of existing features, including roofs, wall cladding, dormers, cresting, cupolas, cornices, brackets, columns, balustrades, porches and steps, entrances, windows, foundations, and decorative wood, metal, stone or terra cotta, provided that the same type of materials are used.
 - (3) Installation of eavestroughs.
 - (4) Weatherproofing, including installation of removable storm windows and doors, caulking, and weatherstripping.
 - (5) Installation of exterior lights.
 - (6) An alteration that is not visible from a street.

§ 103-22. Compatibility with guidelines.

- A. The Commissioner shall issue a heritage permit on behalf of Council if the work proposed in an application received under § 103-21A is compatible with the guidelines that apply in the heritage conservation district in which the work is proposed to be undertaken.
- B. Despite subsection A, Council shall retain all powers and authority under Part V of the *Ontario Heritage Act* and at any time prior to the issuance of a heritage permit, the ward councillor may, in writing, request the Commissioner to submit a permit application to the appropriate Community Council and to Council for consideration.
- C. A permit issued under subsection A shall be issued subject to the following conditions:
- (1) That the permit holder not make any material change to a plan, specification, document or other information that forms the basis on which the permit was issued without making a further application under § 103-21A.
 - (2) That the permit holder carry out the work in accordance with the plans, specifications, documents and any other information that form the basis on which the permit was issued.
- D. If the work proposed in an application is not compatible with the guidelines that apply in the heritage conservation district in which the work is proposed to be undertaken, the Commissioner shall submit the application to the appropriate Community Council and to Council for consideration.

E. This section shall not apply to alterations for which a heritage permit is deemed to be issued under § 103-21C.

ENACTED AND PASSED this 6th day of December, A.D. 2001.

CASE OOTES,
Deputy Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)