

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to establish minimum standards for the maintenance of heritage property.

Under its statutory powers, including section 970 of the *Local Government Act*, the Municipal Council of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the "HERITAGE PROPERTY MAINTENANCE STANDARDS BYLAW".
- 2 In this Bylaw,
"building"
includes a structure;
"graffiti"
means a drawing, printing, or writing that is scribbled, scratched, sprayed, painted, or similarly placed directly on a wall, fence, or other property;
"heritage property"
means real property that is
 - (a) designated as protected by a heritage designation bylaw, or
 - (b) within a heritage conservation area.
- 3 The owner of heritage property must maintain it at all times in accordance with the Heritage Site Minimum Maintenance Standards set out in Schedule A.
- 4 Bylaw No. 79-93, the Heritage Sites Repairs Bylaw, is repealed.

READ A FIRST TIME the 8TH day of FEBRUARY, 2001.

READ A SECOND TIME the 8TH day of FEBRUARY, 2001.

READ A THIRD TIME the 8TH day of FEBRUARY, 2001.

Adopted by the Municipal Council the 22ND day of FEBRUARY, 2001.

"MIKE MCCLIGGOTT"
ACTING DIRECTOR OF
CORPORATE SERVICES

"ALAN LOWE"
MAYOR

Schedule A

Heritage Property Minimum Maintenance Standards

Heritage property requires reasonable maintenance in order to be effectively retained. The following minimum maintenance standards apply to all heritage property protected by either a Heritage Designation Bylaw or as property within a heritage conservation area under a community plan bylaw.

The standards are intended to ensure that significant deterioration does not jeopardize the life of a building. The maintenance of protected property is the obligation of its owner.

A heritage alteration permit, building permit, or other approval may be required depending on the extent and type of work to be done. This may include referral to the City's Heritage Advisory Committee for a recommendation.

The standards are a supplement to any general maintenance standards that may be in effect in the City of Victoria.

General Maintenance

1. The owner of a heritage building must carry out all of the following actions:
 - (a) the owner must maintain the building in good repair;
 - (b) the owner must retain the building's original exterior features when possible;
 - (c) when replacement of parts of the building is necessary, the owner must use materials that replicate the original materials in design and texture.

Weather and infestation

2. The owner of a heritage building must maintain it to a reasonable extent to prevent, or effectively to retard, damage from elements of weather and infestation, including but not limited to
 - (a) preventing water penetration;
 - (b) preventing excessive damage to the building's materials because of wind and sun; and
 - (c) preventing infestation.

Exterior finish

3. The owner of a heritage building
 - (a) must protect its exterior finish materials; and
 - (b) must obtain a heritage alteration permit for changes to its exterior finish.

Structural integrity

4. The owner of a heritage building must maintain it and its structural parts in good repair and in a manner that provides sufficient structural integrity so as to sustain safely
 - (a) the building's own weight; and
 - (b) all loads and influences to which the building may be subjected through normal use.

Extended periods of disuse

5. (1) When a heritage building is to be left unoccupied for 15 or more days during construction or other redevelopment of the building's site, the building's owner must secure the building to minimize the potential for vandalism and theft by carrying out the following actions:
 - (a) securing all places of entry;
 - (b) posting a sign that reads substantially as shown below:

Protected Heritage Site

No Vandalism or Removal of Materials

(Subject to fine and imprisonment)

- (2) When a heritage building is to be left unoccupied for 45 or more days, the building's owner must cover its windows in a manner that will prevent window breakage and other acts of vandalism.

Graffiti removal

6. The owner of a heritage building must promptly remove graffiti from the building by using techniques that avoid or minimize damage to the building.

Enforcement

7. Failure to comply with these minimum maintenance standards may result in an application by the City to the Supreme Court for an order for compliance or restoration under section 979 of the *Local Government Act*.