

Attachment 2

Policy and Regulations Summary

POLICY AND REGULATIONS SUMMARY

Heritage Review Policy

Buildings 100 Years and Older & Buildings on the Heritage Register

The City's heritage review policy is that demolition or redevelopment applications for a building or structure older than 100 years or listed on the Heritage Register require the submission of a Heritage Assessment, prepared by a professional and are automatically forwarded to the Community Heritage Commission (CHC) for review and comment. The CHC can request the application be forwarded to Council, when appropriate.

With the proposed policy change, Inventory listed buildings would follow the same policy, outlined above, regardless of age. This is considered appropriate given that those buildings have already been identified as having some heritage value.

Buildings 50 Years and Older

The City's heritage review policy is that demolition applications for a building or structure older than 50 years are automatically forwarded to the Planning Division for review, and may be referred to the Community Heritage Commission (CHC) for comment if it is deemed by the Planning Division to have sufficient heritage significance.

Heritage Inventory

The Heritage Inventory is an informal listing of historic New Westminster properties and was the City's first step to identify local heritage assets. The initial four-part inventory was created in the 1980's and updated in the 1990's. In 2003, the Twelfth Street Heritage Inventory was created; and in 2009 and 2010, properties in Queensborough were added.

Although both the Heritage Inventory and Register recognize heritage value, demolition applications for properties listed on the Heritage Inventory cannot be delayed unless a Temporary Protection Order is issued by Council.

Heritage Register

The Heritage Register is an official list of properties with heritage value which have been identified by the City. Applications for changes to or demolition of properties listed on the Heritage Register are generally reviewed by the Planning Division and referred to the CHC. Alterations and additions are reviewed to determine the appropriateness of the proposed changes in relation to the character defining elements of the building or

structure. However, no heritage-related permits are required in addition to the standard Building Permit.

Inclusion of a property on the Heritage Register allows Council the option to temporarily withhold a Building Permit, temporarily withhold a demolition permit, and/or to require a Heritage Assessment. A Heritage Assessment investigates the heritage value of a property, how the proposed changes would affect it, and applicable mitigation or conservation measures. Additionally, an advantage of being on the Heritage Register includes eligibility for special provisions in the B.C. Building Code and the Homeowner Protection Act.

This is a result of the Heritage Register being a heritage conservation tool under the *Local Government Act*. The addition of a property to the Heritage Register is through a resolution of Council and requires the creation of a Statement of Significance, outlining its heritage value, and Council resolution.

Heritage Protection and Demolition

The degree to which the City may lawfully delay a demolition application depends on the category of heritage protection associated with that property. The City has the authority to deny or delay permits for properties with certain heritage protections (as listed below) through Part 15 of the Local Government Act (LGA). As summarized below:

Protection Category	Authority	Mechanism
Designation Bylaw/HRA/ Conservation Covenant	Deny	Heritage Alteration Permit must be issued by Council or its delegate (the Director of Development Services)
Heritage Conservation Area		
Heritage Register	Delay	Delay without further Council motion
Heritage Resource Inventory	Review	Delay available through a Temporary Protection Order by Council
50 years old and older		
100 years and older		

For properties not already subject to heritage protections, without a Temporary Protection Order or a Designation Bylaw, there is no legal basis for delaying or withholding a demolition permit beyond the time required for staff and/or committee review of an application.

Temporary Protection Orders

A Temporary Protection Order may be issued by Council for a property that is or may be considered to have heritage value sufficient to justify its conservation. A property is not required to have been previously identified as heritage in any way, and the threshold of

evidence of value is relatively low. The intention of the tool is to provide a municipality with the time to research the property, review development options, and discuss retention with the property owner. For the duration of the Order, changes to the property are managed through Heritage Alteration Permits. Without consent of the owner, an Order may only last 60 days, after which a permit must be issued.