

Appendix A  
*January 31, 2022 Council Report titled  
“Heritage Review Policy Update:  
Buildings on the Heritage Inventory”*

## **REPORT**

### ***Climate Action, Planning and Development***

**To:** Mayor Cote and Members of Council      **Date:** January 31, 2022

**From:** Emilie K. Adin, MCIP      **File:** 13.2606.03  
Director, Climate Action, Planning and  
Development

**Item #:** 2022-34

**Subject:** Heritage Review Policy Update: Buildings on the Heritage Inventory

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#### **RECOMMENDATION**

**THAT** Council expand the “Buildings 100 Years Old or Older” Heritage Review Policy to include buildings listed on the Heritage Inventory.

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#### **PURPOSE**

For Council to consider expanding the “Buildings 100 Years Old or Older” Heritage Review Policy to include buildings listed on the Heritage Inventory.

#### **PROPOSAL**

At their meeting on November 3, 2021, the Community Heritage Commission (CHC) passed the following motion:

**THAT** the Community Heritage Commission recommends Council expand the “Buildings 100 Years Old or Older” policy to include buildings listed on the Heritage Inventory.

The current policy, related to the retention of buildings 100 years and older, expects the following:

- a) when an application comes forward, a high level of evaluation is conducted (i.e., requires a heritage assessment, prepared by a certified heritage professional to be provided as part of development applications for those sites);

- b) heritage assessments for buildings are reviewed by City staff prior to a demolition permit application being accepted;
- c) demolition permit applications are reviewed by the Community Heritage Commission; and
- d) for any properties which form part of a rezoning application which include a building with heritage value, all efforts be made to retain and restore that building as part of the proposed development (through an HRA).

Today, this aged-based policy does not cover all the buildings listed on the Heritage Inventory, even though these newer buildings (196) have been identified as having heritage value. As such, the Community Heritage Commission recommended updating and expanding the current age-based heritage review program to apply to all Inventory listed buildings, regardless of age: for consistency and clarity. An extract of the CHC meeting minutes is included in Attachment 1 of this report.

## **BACKGROUND**

### **Heritage Inventory**

The Heritage Inventory (1986) is an informal listing of historic New Westminster properties and represented the City's first step to identify local heritage assets. Further description is in Attachment 2. There are 760 properties on the Inventory of which 564 are already included in the review policy due to their age. Of the remaining 196 Inventory properties, 107 are either protected (Queen's Park Heritage Conservation Area, Heritage Revitalization Agreement, Heritage Designation, Conservation Covenant) and/or listed on the Heritage Register and would not be affected by the proposal. The proposal would impact the remaining 89 properties by bringing them into line with the same practice. See Attachment 3 for a breakdown of the Inventory by policy and protection categories.

### **Authority for Heritage Review**

The City is known for its supply of older buildings with heritage merit and has had a heritage review policy for thirty-five years. These policies acknowledge the importance of older buildings to their neighbourhoods, and seek to identify and retain them where possible.

The City's processes for the review, delay and/or denial of permits for properties with heritage value must be in compliance with the Building Bylaw and the tools available through the Local Government Act. A summary of relevant regulations is included in Attachment 2.

## History of the Heritage Review Policy

**1987:** Council adopted a policy that all demolition and building permit applications for buildings listed on the City's **Heritage Register** be reviewed by the Community Heritage Commission (then Heritage Advisory Committee), and that this group could refer the applications to Council as warranted. This practice continues today.

**1993:** Council amended the policy to include a review of demolition permit applications for all **pre-1950 buildings**. However, the review of these previously non-identified buildings would be conducted by Planning Division staff, who would forward the application to the Community Heritage Commission (CHC) for review if they deemed it appropriate. The CHC could then refer the applications to Council, as with Heritage Register buildings.

**2011:** Pre-1900 buildings were identified as significantly few, important, and at risk. As such, the policy was changed so that demolition permit applications for **pre-1900 buildings** would always be reviewed by the Community Heritage Commission, similar to buildings on the Heritage Register. The policy was also updated to capture staff review of all buildings older than **50 years, as a rolling date**. In 2016, this policy was reconfirmed including that all efforts be made to retain and restore such buildings (through an HRA) if the development requires a rezoning.

**2020:** Council expanded the policy again to include all buildings **100 years and older, as a rolling date**, as opposed to the earlier cut-off of 1900. This change is similar to the 2011 policy update that installed automatic staff review of demolition permits for 50 year old buildings, as a rolling date, as opposed to the earlier cut-off of 1950.

## DISCUSSION

The proposed change would increase the number of properties covered by the more expansive elements of the Heritage Review policy by about 89, city-wide.

Expanding the heritage review program in this way would:

1. provide earlier and more clear indication to current or potential owners of these properties;
2. demonstrate that all buildings listed on the Heritage Inventory are important to the City of New Westminster, regardless of their age; and
3. provide staff with the authority to request a heritage assessment be conducted on older buildings without seeking Council permissions each time.

Overall, the proposed policy change is more transparent for owners, more efficient for the City, and reflects existing practice of identifying buildings listed on the Heritage Inventory as historically important, regardless of their age. It also will make heritage policies and practices more consistent across the program.

**FINANCIAL IMPLICATIONS**

Requiring a heritage assessment be submitted for buildings listed on the Heritage Inventory will reduce the amount of staff time required to complete a Heritage Review, which also serves to reduce demolition permit review timelines.

**OPTIONS**

The following options are available for Council's consideration:

1. That Council expand the "Buildings 100 Years Old or Older" Heritage Review Policy to include buildings listed on the Heritage Inventory.
2. That Council provide staff with alternative direction.

Staff recommend option 1.

**ATTACHMENTS**

Attachment 1: Extract of November 3, 2021 Community Heritage Commission (CHC) Meeting Minutes

Attachment 2: Policy and Regulations Summary

Attachment 3: Statistical Analysis

This report was prepared by:  
Kathleen Stevens, Heritage Planning Analyst

This report was reviewed by:  
Britney Dack, Senior Heritage Planner  
Rupinder Basi, Supervisor, Development Planning  
Jackie Teed, Senior Manager, Climate Action, Planning and Development

This report was approved by:  
Emilie K. Adin, Director, Climate Action, Planning and Development  
Lisa Spitale, Chief Administrative Officer

## Attachment 1

*Extract of November 3, 2021  
Community Heritage Commission  
(CHC) Meeting Minutes*

**COMMUNITY HERITAGE COMMISSION****MINUTES - Extract**

**Wednesday, November 3, 2021**

**Meeting held electronically and open to public attendance  
in Council Chamber, City Hall**

**6. STANDING REPORTS AND UPDATES****6.1 General Inquiries from the Commission**

A discussion ensued regarding the heritage review policy for properties on the Heritage Inventory List.

In response to questions from the Commission, Britney Dack, Senior Heritage Planner, and Kathleen Stevens, Heritage Planning Analyst, provide the following comments:

- As part of the heritage review process, buildings over 50 years of age are reviewed by staff but if a property is listed on the Heritage Inventory, it typically is brought forward to the Commission for feedback; however, there is no requirement that a Heritage Assessment be provided unless a building is 100 years and older; and,
- Staff have the opportunity through the redevelopment process to require a Heritage Assessment be submitted for properties that are part of a redevelopment application beyond the site's existing entitlement.

The Commission provided the following comments:

- It is surprising that the City does not have a heritage review policy for places included on the Heritage Inventory List and 349 Cumberland is a good example of where such a policy would be appropriate;
- Heritage assessments should be required regardless of the age of the building;
- It would be beneficial to receive input on this issue from the community to gain a sense of how the community values a property. This may be helpful in avoiding unnecessary conflict in the community and, while it may take a long time to compile the feedback, it would be a good place to start; and,
- Consideration should also be made with respect to same-style homes in close proximity to one another and preserving them all as houses lend to the importance of one another.

MOVED and SECONDED

*THAT the Community Heritage Commission recommend that Council apply the same heritage assessment requirements included in the 100 Years or Older Policy to properties included on the City's Heritage Inventory List.*

**Carried.**

All Commission members present voted in favour of the motion.



## 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:

<b>Protection Category</b>	<b>Authority</b>	<b>Mechanism</b>
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.

## Attachment 3

### *Statistical Analysis*

## **STATISTICAL ANALYSIS**

*Table 1: Heritage Inventory Buildings Subject to City's Heritage Review Policy*

<b>Subject to Heritage Review</b>	<b>50 Years and Older Policy</b>	<b>100 Years and Older Policy</b>	<b>No Heritage Review Required</b>	<b>Total</b>
753 (99.1%)	189 (24.9%)	564 (74.2%)	7 (0.9%)	760 (100.0%)

Notes:     \* Seven properties are listed on the Heritage Inventory but not subject to the current Heritage Review policy as they are under 50 years old  
               \* 50 Years and Older Policy is inclusive of buildings 50 to 99 years old

*Table 2: Heritage Inventory Buildings Under 100 Years*

	<b>50 Years and Older Policy</b>	<b>No Heritage Review Required</b>	<b>Total</b>	<b>%</b>
Not Listed on Register, Protected	88	0	88	(44.9%)
Listed on Register, Not Protected	6	0	6	(3.1%)
Listed on Register, Protected	13	0	13	(6.6%)
Not Affected by Policy Change	107	0	107	(54.6%)
Affected by Policy Change	82	7	89	(45.4%)
Listed on Inventory	189	7	196	(100.0%)

Notes:     \* Building under 50 years old not subject to the current Heritage Review policy  
               \* 50 Years and Older Policy is inclusive of buildings 50 to 99 years old  
               \* Properties protected or listed on the Heritage Register would already be subject to the more expansive elements of the Heritage Review policy  
               \* Protected would be through one or more of the following heritage protection tools: Queen's Park Heritage Conservation Area, Heritage Revitalization Agreement, Heritage Designation, or Conservation Covenant