

What is ‘Heritage Designation’?

Heritage designation is a local government land use regulation in the form of a bylaw that is attached to the land title and protects heritage property.

What does it do?

A heritage designation at the local government level is intended to give long-term legal protection to heritage property. It is the primary method that a local government can use to prohibit demolition.

It may be applied to the whole property, part of a property or building, affixed interior fixtures or features identified in the bylaw, and landscape features.

Heritage designation may prohibit one or more of the following:

- Exterior alterations;
- Structural changes;
- Moving a structure;
- Actions which would damage a specified interior feature;
- Actions which would damage a specified heritage landscape feature; and/or
- Alteration, excavation, or construction on protected land.

How are changes to the property allowed?

Changes to a heritage designated property may be allowed under the following two circumstances:

- Specific types of changes have been included in the heritage designation bylaw; and/or
- With a heritage alteration permit.

What is a heritage alteration permit?

A heritage alteration permit allows certain kinds of changes to protected heritage property.

There is no charge for a heritage alteration permit.

All applications are reviewed by the Community Heritage Commission and by City Council or its delegate.

A heritage alteration permit allows a local government to respond to the changing needs of a property and its owner over time. The changes proposed must be consistent with the intent of the heritage designation bylaw.

Is my property eligible for heritage designation?

Any property that is identified by the City as having heritage value may be eligible for receiving a heritage designation bylaw.

A property that is listed on the City’s Heritage Resource Inventory or on the City’s Heritage Register is eligible.

Properties not previously identified will need to have their heritage value established by the Community Heritage Commission and confirmed by City staff.



What types of charges can I expect?

There are no City fees associated with the heritage designation of a property.

Do I get a plaque?

Once a property’s heritage designation bylaw has been adopted by City Council, the property owner will receive a bronze plaque to place near the front entrance of the building or property.

What about compensation?

The *Local Government Act* allows for a property owner to be compensated (monetary or other) if it can be proven that heritage designation has directly resulted in a reduction of the property’s market value at the time of designation. The property owner must apply for compensation within one year of the adoption of the heritage designation bylaw.

In New Westminster, when a property owner volunteers his or her property for heritage designation, the City requests that the owner waive all compensation claims by submitting a signed “Compensation Waiver” form.

Without a signed compensation waiver, the City may choose not to proceed with heritage designation.

This is discussed with the applicant early in the process.

Designation Process

The process for heritage designation follows the procedures as outlined in Part 27 of the Local Government Act. They include the following steps:

1. Preliminary Inquiry

A property's eligibility is determined through a completed 'Historic Information Form' or the Heritage Register listing. The Community Heritage Commission conducts an assessment.

2. Application

The application form and a signed compensation waiver form are submitted by the property owner.

3. Staff Report

Staff prepare a report that outlines the following:

- Heritage value or character of the property;
- Compatibility with the Official Community Plan;
- Compatibility with the lawful use of the property and adjoining lands;
- Condition and economic viability of the property;
- If there is a need for financial support.

4. Bylaw

The heritage designation bylaw is prepared.

A public hearing is held prior to third reading of the heritage designation bylaw.

The bylaw is adopted or defeated at fourth reading.

Within 30 days of approval or defeat of the bylaw, the following must be notified:

- Property owner(s);
- Property occupier(s);
- Land Title Office;
- Minister responsible for the Heritage Conservation Act.

What is Heritage?

Any structure constructed prior to 1950 may be considered to have heritage value. However, there is an understanding that heritage may be more recent than that, and is essentially something that is defined by the community.

According to the *Standards and Guidelines for the Conservation of Historic Places in Canada* (Parks Canada, 2003), 'heritage value' is defined as the:

aesthetic, historic, scientific, cultural, social or spiritual importance or significance for past, present or future generations.

The heritage value of a historic place is embodied in its character-defining materials, forms, location, spatial configurations, uses and cultural associations or meanings.

Historic buildings, sites and landscapes reflect the forces that shape a community and are the tangible elements of the past that help make each community unique.

Heritage conservation is the management of change. It is a comprehensive and continuous activity that has its foundation in legislation and in community participation and support.

Each building, structure and landscape is unique and it will have its own distinct set of character-defining elements.

These will range from the tangible features (such as massing, materials, construction, decorative details, how and where it sits on the site, its relation to its surroundings) - to the intangible features (such as memories, stories, associated people or events, its sense of time and place).

For more information on Part 27 of the *Local Government Act*, refer to *Heritage Conservation: A Community Guide* found at:

http://www.tca.gov.bc.ca/heritage/docs/pdf/HC_guide.pdf

For more information on the City of New Westminster, refer to: www.newwestcity.ca



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