

CORPORATION OF THE CITY OF NEW WESTMINSTER



HERITAGE PROCEDURES BYLAW NO. 7606, 2013

EFFECTIVE DATE: July 8, 2013

CONSOLIDATED FOR CONVENIENCE ONLY
(June 30, 2017)

This is a consolidation of the bylaws listed below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

AMENDMENT BYLAW
7928, 2017

EFFECTIVE DATE
June 13, 2017

The bylaw numbers highlighted in this consolidation refer to the bylaws that amended the principal Bylaw No. 7606, 2013. The number of any amending bylaw that has been repealed is not referred to in this consolidation.

Obtainable from the City Clerk's Office

CITY OF NEW WESTMINSTER

BYLAW NO. 7606, 2013

A bylaw to authorize the withholding of approvals in respect of heritage property

WHEREAS the City has adopted bylaws designating property as heritage property, and has adopted a community heritage register; and

WHEREAS under Part 15 of the *Local Government Act* the Council may authorize officials of the City to withhold permits authorizing the alteration or demolition of buildings having heritage merit;

NOW THEREFORE the Council of the City of New Westminister, in open meeting assembled, enacts as follows:

1. In this Bylaw,

“Community Heritage Register” means the register adopted by Council resolution on May 26, 1997, as amended from time to time.

BYLAW 7828, 2017

“Heritage Conservation Area Property” means property that is included in a heritage conservation area designated by an official community plan;

BYLAW 7828, 2017

“Protected Heritage Property” means property:

- (a) that is the subject of a heritage designation bylaw;
- (b) in respect of which a temporary heritage protection order has been made under Part 15 of the *Local Government Act*; or
- (c) in respect of which a heritage control period has been declared under Part 15 of the *Local Government Act*.

2. The Chief Building Inspector must withhold the issuance of any demolition permit in respect of property that is included in the Community Heritage Register until a building permit and any required development permit or special development permit have been issued to authorize the construction of a building to replace the building that is being demolished.

BYLAW NO. 7828, 2017

3. The Chief Building Inspector must withhold the issuance of any demolition permit in respect of:
 - (a) any Protected Heritage Property; and
 - (b) any Heritage Conservation Area Property in respect of which a heritage alteration permit is required for demolition,

until a heritage alteration permit has been issued with respect to that property and a building permit and any required development permit or special development permit have been issued to authorize the construction of a building to replace the building that is being demolished.
4. The Chief Building Inspector must not withhold the issuance of any demolition permit in respect of any demolition which is required by an enactment, or is reasonably required to mitigate a hazard to public safety.

BYLAW 7828, 2017

5. The Chief Building Inspector may withhold the issuance of any building permit and the Director of Development Services may withhold the issuance of any development permit or special development permit where he or she is of the opinion that the permit would authorize:
 - (a) an alteration to a Heritage Conservation Area Property, including new construction of a building or structure or an alteration or addition to an existing building or structure, in respect of which a heritage alteration permit is required;
 - (c) an alteration to a Protected Heritage Property;
 - (d) an alteration to property in the Community Heritage Register.
6. The official who has withheld a permit under section 5 must notify the applicant by registered mail that the matter of the issuance of the permit will be considered by the Council at a regular meeting the date, time and location of which are stated in the notice, unless the meeting date is within five days of the date on which the notice would be mailed in which case the notice must be given by personal service and not mailed.

7. After hearing the applicant for the permit, the Council may authorize the official to continue to withhold the permit until:
 - (a) a heritage alteration permit is issued to authorize the work to which the withheld permit relates;
 - (b) the applicant for the permit grants a covenant to the City under s. 219 of the *Land Title Act* containing terms and conditions satisfactory to the City to protect or preserve the heritage value or character of the property, and registers the covenant in the Land Title Office in priority to all financial charges against the property; or
 - (c) in the case of property subject to a temporary heritage protection order or heritage control period, the temporary protection expires.
8. If the Council takes no action under section 7, the official must issue the permit on the business day following the date of the Council meeting if the permit is otherwise issuable under the City's bylaws, the New Westminster Redevelopment Act or the Building Code.
9. This Bylaw may be cited as "City of New Westminster Heritage Procedures Bylaw No. 7606, 2013".