

**CORPORATION OF THE CITY OF NEW WESTMINSTER**



**HERITAGE ALTERATION PERMIT PROCEDURE BYLAW NO. 7859, 2016**

EFFECTIVE DATE: June 15, 2016

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  
7929, 2017

EFFECTIVE DATE  
June 13, 2017

The bylaw numbers highlighted in this consolidation refer to the bylaws that amended the principal Bylaw No. 7859, 2016. The number of any amending bylaw that has been repealed is not referred to in this consolidation.

Obtainable from the City Clerk's Office

**CORPORATION OF THE CITY OF NEW WESTMINSTER**

**BYLAW NO. 7859, 2016**

A bylaw of the Corporation of the City of New Westminster to establish procedures for the issuance of heritage alteration permits

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**WHEREAS** the *Local Government Act* authorizes the Council to define procedures under which a person may apply for the issue of a permit under Part 15 – Heritage Conservation of the Act;

**AND WHEREAS** the *Community Charter* authorizes Council to delegate its powers, duties and functions, including those specifically established by an enactment, to its officers and employees, its committees or its members or to other bodies established by the Council;

**NOW THEREFORE** City Council of the Corporation of the City of New Westminster in open meeting assembled enacts as follows:

TITLE

1. This Bylaw may be cited for all purposes as "City of New Westminster Heritage Alteration Permit Procedure Bylaw No. 7859, 2016."

REPEAL

2. City of New Westminster Heritage Alteration Permit Delegation Bylaw No. 7260, 2008 is repealed.

HERITAGE ALTERATION PERMITS

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3. Where a heritage alteration permit is required for a proposed action by:
  - (a) the *Local Government Act*,
  - (b) Official Community Plan Designation Bylaw No. 7435, 2011, as amended,
  - (c) a bylaw or an order under Part 15 of the *Local Government Act*,

(d) a heritage revitalization agreement, or

(e) a covenant under section 219 of the *Land Title Act*,

application shall be made to the City's Director of Development Services in the manner and on the form prescribed by the Director.

4. The Director of Development Services is authorized and empowered to:
- (a) issue a heritage alteration permit authorizing the following alterations or other actions if such authorization is required by a heritage revitalization agreement, a heritage designation bylaw, or a heritage covenant under Section 219 of the *Land Title Act*:
    - i. exterior repainting of part or whole of building;
    - ii. changes to exterior building materials;
    - iii. changes to exterior roofing materials;
    - iv. exterior building repairs that alter the building appearance;
    - v. new exterior windows or doors, in existing locations that alter the building appearance;
    - vi. placement of exterior communications equipment that is visible from the street or neighbouring properties;
    - vii. additions to the building or structure, whether fully or partially enclosed or fully open to the outside except for a roof covering, where the total interior floor area is increased by 20 square metres or less;
    - viii. new building or structure for storage of refuse and recycling;
    - ix. new buildings or structures with a total interior floor area of 20 square metres or less that provide covered or enclosed bicycle parking; and
    - x. landscape changes or new landscaping, including both installation of planting materials (but not seasonal planting) and installation of permanent planters, guardrails and other hard landscaping;

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- (b) issue a heritage alteration permit authorizing:

- i. subdivision of land within a heritage conservation area, including any consolidation of parcels that constitutes a subdivision of land under the *Land Title Act*;
- ii. new construction of a building or structure within a heritage conservation area;
- iii. an addition to or an alteration of a building or structure in a heritage conservation area, including demolition;
- iv. alteration of land in a heritage conservation area; and
- v. alteration of a feature in a heritage conservation area that is protected heritage property,

where such authorization is required in accordance with Official Community Plan Designation Bylaw No. 7435, 2011, as amended;

- (c) withhold the issue of a heritage alteration permit for an action which, in the opinion of the Director of Development Services, would not be consistent with the purpose of the heritage protection of the property;
- (d) establish and impose terms, requirements and conditions on the issue of a heritage alteration permit which the Director of Development Services considers consistent with the purpose of the heritage protection of the property; and
- (e) determine whether the terms, requirements and conditions of a heritage alteration permit have been met.

#### RECONSIDERATION BY COUNCIL

5. Where an applicant for a heritage alteration permit is dissatisfied with a decision made by the Director of Development Services, the applicant may apply to the Council for reconsideration of that decision within 30 days of the decision being communicated to them.
6. An application for reconsideration must be delivered in writing to the City Clerk and must set out the grounds upon which the applicant considers the

decision of the Director of Development Services is inappropriate, and what, if any, decision the Council ought to substitute.

7. The City Clerk shall place the matter on the agenda of a Council meeting and shall advise the applicant, in writing, of the date and time of the meeting and the applicant's right to be heard at the meeting.
8. At the meeting of Council at which reconsideration occurs, the Council may hear from the applicant, the Director of Development Services and any other person interested in the matter who wishes to be heard, and may either confirm the decision of the Director or substitute its own decision.