



Corporation of the City of
NEW WESTMINSTER

REPORT

Development Services

To: Mayor Côté and Members of Council **Date:** 7/4/2016
From: Beverly Grieve **File:**
Director of Development Services
Item #: 243/2016
Subject: **Heritage Control Period Administrative Policy**

RECOMMENDATION

THAT Council endorse the Heritage Control Period Administrative Policy attached to this report.

EXECUTIVE SUMMARY

On June 15, 2016, Council adopted Heritage Control Period Bylaw No. 7856, 2016 for a period of one year for the Queen's Park neighbourhood. The purpose of this bylaw is to manage, through a heritage alteration permit process, major exterior changes to and demolitions of buildings in the neighbourhood that were constructed prior to December 31, 1966. Council also directed staff to develop an administrative policy that would guide the process and recommendations that staff gives the Community Heritage Commission, Council and its delegate for their consideration of heritage alteration permit applications that arise from the heritage control area. The proposed administrative policy is the subject of this report.

PURPOSE

The purpose of this report is to request that Council endorse the heritage control period administrative policy attached to this report.

POLICY AND REGULATORY CONTEXT

Heritage Control Period

Section 608 of Part 15 of the Local Government Act provides that a local government may identify a specific area for heritage conservation planning by adopting a bylaw declaring a period of up to one year during which all property within the area would be subject to temporary heritage protection.

Heritage Alteration Permit

A heritage alteration permit, allowed through Sections 617 and 618 of the Local Government Act, is a permit issued by either Council or its delegate that authorizes alterations or other actions for property that is protected heritage property, such as those under a Heritage Control Period. It may not vary density or flood plain specifications.

Council or its delegate may refuse to issue a heritage alteration permit if they feel that the work proposed is contrary to heritage conservation principles; however, they must inform the applicant of the requirements or conditions under which they could achieve the allowable density.

Delegation of Authority

Section 154 of the Community Charter gives Council the authority to delegate, through a bylaw, certain powers, duties and functions to a council member, council committee, officer or employee of the municipality, or another body established by Council. As this relates to heritage alteration permits, the specifics of the authority would be listed in the heritage alteration permit procedures bylaw (HAPP).

BACKGROUND

Queen's Park Neighbourhood Heritage Study

On November 4, 2013, Council endorsed the work program for the Queen's Park Neighbourhood Heritage Study regarding exploring options to support heritage conservation in the Queen's Park neighbourhood. Study recommendations were provided to Council on April 25, 2016. One of the recommendations was the creation of a heritage conservation area, for which the community indicated a high level of support through the study process.

Queen's Park Heritage Control Period

Adopted on June 15, 2016 by Council, the heritage control period (HCP), requires that all single family dwellings within the Queen's Park neighbourhood that were constructed on or

before December 31, 1966 must apply for a heritage alteration permit (HAP) in addition to any other permits if they want to demolish the building, do any renovations to the front or sides of the outside of the building, or if they want to change the design of the roof.

Trees and other landscape elements (walls, stairs, etc.) and general maintenance (e.g. roof repair) do not require a HAP. Trees are already subject to the Tree Protection and Regulation bylaw.

DISCUSSION

Purpose of Administrative Policy

A clear policy regarding the administration of certain aspects of the bylaw would be helpful to staff and Council as well as members of the public. The policy is intended to guide the process and recommendations that staff gives the Community Heritage Commission (CHC), Council and its delegate for their consideration of heritage alteration permit applications that arise from the heritage control area.

Provisions of the Heritage Control Period Administrative Policy

The following are the provisions of the Heritage Control Period Administrative Policy for the Queen's Park neighbourhood. The formal policy is attached in Appendix 1.

New Application Process

Applications made regarding a building permit for exterior work or for a demolition of a house that qualifies for temporary protection through the HCP bylaw would be subject to the following process¹:

- A completed HAP application for a property that qualifies under the HCP bylaw is submitted to the Building Division with other required permitting documentation.
- The HAP application is forwarded to the Planning Division for an initial review and assessment of the appropriateness of the proposed exterior renovation or demolition.
- Demolition and/or building permit application review by the Building Division will not proceed unless the HAP application is approved.
- The HAP application is added to the next available agenda for the CHC for their review and recommendation. The CHC meets monthly with the exception of the summer months during which time the Chair may call a meeting.

¹ Regular maintenance or repair work, re-roofing, interior alterations, and renovations to the rear of the house do not require a HAP, but may require a Building Permit.

- Once the CHC recommendation is received, the application is reviewed for consideration of approval by:
 - The Director of Development Services for all renovation HAP applications.
 - Council for all demolition HAP applications.

Possible Outcomes of Review Process

- The Director of Development Services (the delegate) has the discretion to forward any renovation HAP to Council for their consideration.
- Council may direct that a notice of its intention to issue a heritage alteration permit be given in the same manner as a notice of its intention to issue a development variance permit.
- If approved by the Council or the delegate, the HAP is signed and the standard demolition and/or building permit application review by the Building Division begins.
- Council or its delegate has the right to deny a HAP if they feel it is not consistent with the principles of heritage conservation. If either the demolition or the renovation HAP application is denied, the applicant and the Planning Division work together to find a solution where the heritage house is retained and the allowable density proposed in the application can be achieved.

Review Considerations

- Staff and the CHC will assess each HAP application for a renovation against the “Standards and Guidelines for the Conservation of Historic Places in Canada”. This is the standard document that is used across Canada and that provides a series of first principles that heritage professionals use to assess heritage conservation projects.
- For a HAP application that seeks demolition for a house that is deemed to have heritage value, it is unlikely that this HAP would be approved. The Planning Division would work with the applicant to determine an appropriate and sensitive renovation to the historic house in order to achieve the density that the applicant requested in the original HAP application. The new HAP renovation application would be reviewed again by the CHC and then by Council’s delegate.
- Council or its delegate may require a security in order to guarantee that the work is carried out according to the HAP. The amount of the security would be determined on the basis of an estimate by the applicant’s architect or design consultant of the cost that the City would incur in undertaking and completing the work.

- Council or its delegate has the authority to determine whether the HAP has been contravened and to undertake the work required to satisfy the HAP, with the cost to be recovered from the applicant through either the security or other means.
- An applicant may ask Council to reconsider any decision made by the delegate with respect to HAP applications in the Heritage Control Area.

OPTIONS

The following options are available for Council consideration:

- 1) That Council endorse the Heritage Control Period Administrative Policy attached to this report, or
- 2) That Council give staff alternative direction.

Staff recommends option 1.

ATTACHMENTS

Appendix 1: Heritage Control Period Administrative Policy

This report has been prepared by:
Julie Schueck, Heritage Planner

This report was reviewed by:
Jackie Teed, Manager of Planning

Approved for Presentation to Council



Beverly Grieve
Director of Development Services



Lisa Spitale
Chief Administrative Officer

Appendix 1
Heritage Control Period
Administrative Policy



This Heritage Control Period Administrative Policy is in effect from June 16, 2016 to June 16, 2017 and applies to the single family dwellings within the Queen's Park neighbourhood.

Background

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