

**LIVE WEBCAST / TELECAST:** Please note Regular Meetings, Council Open Workshop, Public Hearings, Evening Meetings and some Special Meetings of City Council are being streamed and are accessible through the website at <http://www.newwestcity.ca/>

**IMPORTANT REMINDER:** Submissions on land use bylaws (e.g. OCP amendment, rezoning, etc) are not permitted after a public hearing has been scheduled for the bylaw, unless the bylaw has been either adopted or defeated.

**PUBLIC HEARING NIGHT:** Public Hearings, when scheduled, commence at 6:00 pm. The Regular Meeting of City Council will reconvene immediately following the closure/adjournment of the Public Hearing.

## **SPECIAL REGULAR MEETING OF CITY COUNCIL**

Notice is hereby given of the following Special Regular Meeting of Council:  
June 15, 2016 at 7:00 p.m.  
Council Chamber  
City Hall

### **AGENDA**

**Call to order.**

#### **BYLAWS**

**1. Bylaws for Adoption:**

**a. Heritage Control Period Bylaw No. 7856, 2016**

**ADOPTION**

**b. Heritage Alteration Permit Procedures Bylaw No. 7859, 2016**

**ADOPTION**

#### **NEXT MEETING**

**June 20, 2016**

The Open Workshop will begin at 12:00 p.m. in the Council Chamber on the 2<sup>nd</sup> Floor at City Hall. The proposed Regular Session convenes at 2:00 p.m. and immediately adjourns to closed session in Council Chamber. The Regular Meeting

will briefly reconvene at 5:45 p.m. in the Council Chamber, followed by a Public Hearing at 6:00 p.m. Immediately following the Public Hearing, the proposed Regular Meeting of Council reconvenes in the Council Chamber, 2<sup>nd</sup> Floor at City Hall.

### **Public Hearing**

- **Mobile Food Vending Bylaw No. 7850, 2016**
- **Heritage Designation (1031 Sixth Avenue ) Bylaw No. 7853, 2016**
- **Heritage Revitalization Agreement (1031 Sixth Avenue) Bylaw No. 7854, 2016**

### **Opportunity to be Heard**

- **401 and 451 Salter Street: Temporary Use Permit**

**ADJOURNMENT**



There is no Report with this Item.  
Please see Attachment(s).

**CITY OF NEW WESTMINSTER**

**BYLAW NO. 7856, 2016**

A bylaw to declare a heritage control period

WHEREAS the Queen's Park neighbourhood has a high concentration of buildings that have heritage value or heritage character, many of which are on the City's Heritage Register; and

WHEREAS the Council intends to consider long-term heritage protection measures for the neighbourhood and for properties in the neighbourhood; and

WHEREAS under Part 15 of the *Local Government Act* the Council may declare a heritage control period for heritage conservation planning purposes;

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

1. This Bylaw may be cited as "Queen's Park Heritage Control Period Bylaw No. 7856, 2016".
2. The Council declares a heritage control period under Section 608 of the *Local Government Act* in respect of the area outlined in heavy black line on Schedule A to this Bylaw (the "Heritage Control Area").
3. The length of the heritage control period declared by this bylaw is one year.
4. All types of alterations to property in the Heritage Control Area are allowed without obtaining a heritage alteration permit, except the following:
  - a. demolition or relocation of a residential dwelling any portion of which was constructed before December 31, 1966;
  - b. addition of floor area to a residential dwelling any portion of which was constructed before December 31, 1966, if any part of the additional floor area is located between an exterior wall of the dwelling as it existed on the date of adoption of this bylaw and:
    - i. the front lot line of the lot on which the dwelling is located; or
    - ii. either of the side lot lines of the lot.
  - c. alterations to the roof structure of a residential dwelling that was constructed before December 31, 1966 that are visible from the street from which the dwelling takes its civic address;
  - d. alterations to an exterior wall of the dwelling that faces the street from which the dwelling takes its civic address, or either of the side lot lines of the lot on which the dwelling is located, that involve the location or dimensions of any door or window or the design or material composition of any verandah, porch including sleeping porch, railing or architectural detailing.
5. For the purposes of Section 4, a building was constructed on the earliest of the dates on which the City issued a building permit authorizing the construction or authorized, in writing, the connection of the building to the City's water supply, sewage collection or electrical power supply systems.

6. A heritage alteration permit is not required for any alteration for which a complete building or demolition permit application was made prior to the date of first reading of this Bylaw.
7. The Council delegates to the Director of Development Services authority to issue a heritage alteration permit for an alteration described in Subsection b, c or d of Section 4, and in such cases references to the Council in Sections 7, 8, 9, and 10 shall be interpreted as references to the Director.
8. The 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.
9. The Council may, prior to considering the issuance of a heritage alteration permit, refer the permit application to the Community Heritage Commission for its recommendation.
10. The Council may, subject to s. 617(6) of the *Local Government Act*, refuse to issue a heritage alteration permit for an alteration that would, in the Council's opinion, not be consistent with the purpose of the heritage control period declared in this bylaw.
11. A heritage alteration permit issued by the Council under this bylaw may be made subject to terms, requirements and conditions that the Council considers consistent with the purpose of the heritage control period declared in this bylaw, including a requirement that the applicant provide security as described in s. 618 of the *Local Government Act*.
12. If the Director of Development Services requires under Section 11 that an applicant provide security to guarantee the performance of the terms, requirements and conditions of the permit, the amount of the security shall 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 that would be required to satisfy a term, requirement or condition of the permit specified by the Director for the purposes of this Section.
13. The Council delegates to the Director of Development Services the authority to determine whether the holder of a heritage alteration permit issued in respect of the Heritage Control Area has contravened or failed to comply with a term, requirement or condition of the permit, and to undertake and complete the work required to satisfy the term, requirement or condition or ameliorate the effects of the contravention or noncompliance.
14. An applicant who is subject to a decision of the Director of Development Services under this Bylaw is entitled to have the Council reconsider the matter, in accordance with the procedures set out in City of New Westminster Heritage Alteration Permit Procedure Bylaw No. 7859, 2016.
15. No person shall undertake or perform any work described in Section 4 in the Heritage Control Area without obtaining a heritage alteration permit.
16. No person shall undertake or perform any work authorized by a heritage alteration permit in the Heritage Control Area, except in accordance with the terms, conditions and requirements specified in the permit.

17. Nothing in this bylaw is intended to affect in any way the force or effect of heritage protection of any property in the Heritage Control Area existing on the date of adoption of this bylaw, including without limitation any heritage designation bylaw, heritage covenant, or heritage revitalization agreement.

READ A FIRST TIME this 13th day of June, 2016.

READ A SECOND TIME this 13th day of June, 2016.

READ A THIRD TIME this 13th day of June, 2016.

ADOPTED this      day of                     , 2016.

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Mayor

\_\_\_\_\_  
City Clerk

# SCHEDULE A

## MAP OF QUEEN'S PARK HERITAGE CONTROL AREA





There is no Report with this Item.  
Please see Attachment(s).



**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

3. Where a heritage alteration permit is required for a proposed action by the *Local Government Act*, a bylaw or order under Part 15 of the *Local Government Act*, a heritage revitalization agreement, or 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;
  - (b) 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;
  - (c) 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

- (d) 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.

READ A FIRST TIME this 13th day of June, 2016.

READ A SECOND TIME this 13th day of June, 2016.

READ A THIRD TIME this 13th day of June, 2016.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK