



## **Heritage Designation Policy**

*Adopted January 21, 2013*

### **A. INTRODUCTION**

The Local Government Act gives municipalities the authority to pursue heritage conservation efforts in their municipality. In the City of North Vancouver, this is done through a Heritage Program. Our Heritage Program includes efforts in: Public Awareness; a Heritage Inventory/Registry; Heritage Incentives, Regulatory Controls; and Ongoing Monitoring. A Heritage Advisory Commission advises Council on Heritage matters and assists with public awareness efforts.

This Policy Statement addresses one particular type of regulatory control, "Heritage Designation". Heritage Designation has the effect of protecting a heritage resource from demolition, alteration or other damage, unless approved through the issuance of a Heritage Alteration Permit. Heritage Designation occurs through the adoption by City Council of a Heritage Designation Bylaw pursuant to section 967 of the Local Government Act. Heritage Designation is only one of the Regulatory Controls made available to municipalities through the Act.

This Policy Statement is intended to clarify the City of North Vancouver's current position on the use of this specific regulatory control. The City reserves the right to amend this policy from time to time at its sole discretion. This policy does not apply to other methods of heritage protection such as the creation of a Heritage Conservation Area, Heritage Revitalization Agreement, temporary protection measures or others, as provided for in the Local Government Act.

### **B. DESIGNATION POLICY**

Heritage Resources in the City of North Vancouver are identified through a Heritage Inventory. The Heritage Inventory has been adopted as the City's "Heritage Registry" pursuant to the Local Government Act. All lands, buildings, structures or landscape features listed in the City's Heritage Inventory/Registry are eligible for protection through Heritage Designation.

There are three circumstances in which the City may consider Heritage Designation, as follows:

### 1. **Voluntary Designation**

Some owners want to ensure that their heritage building is not destroyed after they sell it. This can be achieved by requesting that the City protect the property through the adoption of a Heritage Designation Bylaw. When this occurs at the request of an owner, it is described as a "voluntary designation". A written agreement will be required confirming that the designation is occurring with the consent of the owner. To initiate a voluntary designation, see Section 4 Process.

#### Heritage Sites that May be Considered for Voluntary Designation

All 'A' & 'B' Inventoried Buildings.

### 2. **Negotiated Designation**

When heritage designation occurs with the owner receiving something in return from the City, it is described as a "negotiated designation". This has usually occurred as part of a rezoning of the property with the benefit received by the owner from the City being the amended Zoning. Other benefits to the owner can also be considered.

An assessment of the condition and potential future use of the heritage building is usually required. The City may contribute to the cost of such a study. It is usually required that the building be upgraded to ensure that it has a reasonable life-span. A written agreement will be required confirming that the designation is occurring with the consent of the owner, as negotiated. This is usually in the form of a covenant. To pursue a negotiated designation, see Section 4 Process.

#### Heritage Sites that May be Considered for Negotiated Designation

All 'A' & 'B' Inventoried Buildings.

### 3. **Involuntary Designation**

Heritage Designation can occur without the consent of the owner. This is known as an "involuntary designation". This type of site specific designation is not intended to be a common practice of the City. Involuntary designations would only be considered for very significant heritage resources in the City. Please note that the process of considering an involuntary designation may or may not result in the actual adoption of a Heritage Designation Bylaw by City Council.

When considering an involuntary designation, the City will undertake an evaluation of the building condition, upgrade requirements, potential uses, upgrade costs and potential reduction in market value (if any) caused by designation. In instances where the designation of the site would result in a reduction in market value, the City would address compensation in accordance with the Local Government Act.

It has been decided that involuntary designations will be considered only for the heritage resources listed below. These sites could also be dealt with through a voluntary designation, negotiated designation or other protection tool as provided for in the Act.

#### Heritage Sites that May be Considered for Involuntary Designation

All 'A' Inventoried Buildings.

#### **4. Process**

To initiate a voluntary or negotiated designation, you should contact Planning Division Staff in the Community Development Department. It is recommended that you meet with staff to discuss the site, its heritage significance and any expectations you have for legally protecting the heritage property. A Heritage Designation Bylaw may or may not be the best tool to suit your needs. Staff can advise you of your options. A site visit will usually be arranged at this time.

Following your meeting with staff, a letter should be sent to the Planning Division requesting legal heritage protection. If the property is under joint ownership, all owners should be in agreement with a voluntary or negotiated designation. If a rezoning is part of a negotiated designation, a rezoning application must be submitted. Planning staff will then process your request. Referral to the Heritage Advisory Commission will occur as early as possible. Staff will then prepare a report to City Council presenting a Heritage Designation Bylaw along with your request.

A Public Hearing must be held in accordance with the Local Government Act for all heritage designations. Notice to the affected owner(s) and the public will be sent prior to the Public Hearing. In this way owners and the public are assured of a reasonable opportunity for input prior to City Council considering the adoption of a Heritage Designation Bylaw. This applies to voluntary, negotiated and involuntary Heritage Designation Bylaws.

Applicants for voluntary or negotiated designation will be asked to sign an agreement with the City confirming that the designation is occurring with their support. Upon adoption of the Bylaw, a notation is placed on the title of the

property alerting prospective purchasers to the heritage designation. This is a Local Government Act requirement.

Voluntary designations will usually be processed with no cost to the owner and be completed in 3 to 4 months. Negotiated designations that involve a Zoning amendment will be processed as part of your rezoning application process.

**C. ADDITIONAL INFORMATION**

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