

# The Corporation of the District of North Vancouver

## Bylaw 7945

A bylaw to authorize withholding permits in respect of property included in the community heritage register

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The Council for The Corporation of the District of North Vancouver enacts as follows:

### 1. Citation

1.1. This bylaw may be cited as “Heritage Procedure Bylaw 7945, 2012”.

### 2. Definitions

2.1. In this bylaw:

- a) “Building Permit” means a permit issued pursuant to the District’s Building Regulation Bylaw 7353, as amended;
- b) “Chief Building Official” means the person designated in or appointed to that position by the District, and any person named by the Council to act in place of the chief building official;
- c) “Community Heritage Register” means the District’s community heritage register established pursuant to section 954 of the *Local Government Act*;
- d) “Council” means the municipal council of the District;
- e) “District” means the District of North Vancouver; and,
- f) “*Local Government Act*” means the *Local Government Act*, RSBC 1996, c. 323, as amended or replaced.

### 3. Authority to Withhold Permit

3.1. Subject to sections 3.2 and 4.1, the Chief Building Official is authorized to withhold the issuance of a permit or other approval with respect to any building or structure identified in the Community Heritage Register where, in the opinion of the Chief Building Official, the work authorized by the permit or approval would result in a significant adverse impact on the heritage value of the building or structure.

- 3.2. Where a permit or other approval has been withheld pursuant to section 3.1, the matter must be referred to Council for consideration at its next regular meeting.
- 3.3. Subject to section 4.1, unless an order for temporary protection is made by Council pursuant to section 962 of the *Local Government Act*, nothing in section 3.1 authorizes the withholding of a permit to which an applicant would otherwise be entitled, beyond the time of the meeting at which the matter is considered by the Council under section 3.2.

#### **4. Demolition Permits**

- 4.1. Subject to section 4.2, regardless of whether Council has made an order for temporary protection pursuant to section 962 of the *Local Government Act*, the Chief Building Official must continue to withhold the issuance of a demolition permit with respect to property identified in the Community Heritage Register until a Building Permit and any other necessary approvals have been issued with respect to the alteration or redevelopment of the property.
- 4.2. Notwithstanding sections 3.1 and 4.1, the Chief Building Official must not withhold approval for demolition of a property identified in the Community Heritage Register where:
  - (a) the demolition is reasonably required to mitigate a hazard to public safety; or,
  - (b) as a pre-condition of subdivision approval, the Approving Officer has required that the building be removed.

#### **5. Exceptions**

- 5.1. This Bylaw does not apply to property identified in the community heritage register which is also:
  - (a) designated as protected heritage property pursuant to section 967 of the *Local Government Act*; or,
  - (b) the subject of a heritage revitalization agreement pursuant to section 966 of the *Local Government Act*.

**READ** a first time this the 23<sup>rd</sup> day of July, 2012

**READ** a second time this the 23<sup>rd</sup> day of July, 2012

**READ** a third time this the 23<sup>rd</sup> day of July, 2012

**ADOPTED** this the 10<sup>th</sup> day of September, 2012

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Mayor

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Municipal Clerk