



City of Port Moody

Bylaw No. 3546

A Bylaw to authorize the withholding of approvals in respect of heritage property, to delegate Council's powers under Part 15 of the *Local Government Act* and to establish application procedures in respect of bylaw amendments and permits under Part 15 of the *Local Government Act*.

The Council of the City of Port Moody enacts as follows:

1. Citation

- 1.1 This Bylaw may be cited as "City of Port Moody Heritage Procedures Bylaw, 2026, No. 3546."

2. Repeal

- 2.1 City of Port Moody Heritage Procedures Bylaw, 2001, No. 2489 and all amendments thereto are hereby repealed.

3. Definitions

- 3.1 In this Bylaw, unless the context requires otherwise:

"Alter" means to change in any manner and without limiting this, includes:

- (a) the making of an improvement as defined in the *Builders Lien Act*; and
- (b) any action that detracts from the heritage value or character of heritage property.

"Approval" means a permit, licence, or other authorization required under any enactment administered by the local government.

"Delegate" means in relation to a power or duty, a person given authority under section 229 of the *Local Government Act* or section 154 of the *Community Charter* to exercise that power or duty.

"Community Heritage Register" means the City's community heritage register established pursuant to section 598 of the *Local Government Act*.

"Protected Heritage Property" means property:

- (a) that is the subject of a heritage designation bylaw;
- (b) listed as protected heritage property in a schedule to the City's Official Community Plan;
- (c) in respect of which a temporary heritage protection order has been made under Part 15 of the *Local Government Act*; or

- (d) in respect of which a heritage control period has been declared under Part 15 of the *Local Government Act*.

4. Withholding of Approvals

- 4.1 The Manager of Building and Bylaw Enforcement is hereby authorized to withhold, for such periods as are permitted under the *Local Government Act*, the issuance of any permits, subdivision, or other Approvals which in their opinion would Alter or cause to Alter:
 - (a) property included within a Heritage Conservation Area and listed in a Schedule to the City of Port Moody Official Community Plan, Bylaw, 2026, No. 3522 as Protected Heritage Property under the *Local Government Act*;
 - (b) property that is subject of a heritage designation bylaw;
 - (c) property identified on the Community Heritage Register; or
 - (d) property in respect of which temporary protection has been ordered under section 606, or a heritage control period has been declared under section 608 of the *Local Government Act*.
- 4.2 The Manager of Building and Bylaw Enforcement must withhold the issuance of any demolition permit in respect of property referred to in subsections 4.1 (a) or 4.1 (b) until a heritage alteration permit and any other necessary approvals have been issued with respect to alteration or redevelopment of the property.
- 4.3 The Manager of Building and Bylaw Enforcement must withhold the issuance of any demolition permit in respect of property referred to in subsections 4.1 (c) or 4.1 (d) until:
 - (a) a building permit and any required development permit has been issued to authorize the construction of a building to replace the building that is being demolished; or
 - (b) in the case of temporary protection, that protection expires.
- 4.4 Notwithstanding subsections 4.1 and 4.3, the Manager of Building and Bylaw Enforcement must not withhold Approval for demolition of a property identified in the Community Heritage Register where a demolition is reasonably required to mitigate a hazard to public safety.
- 4.5 The Manager of Building and Bylaw Enforcement must notify the applicant for a permit withheld under this section by registered mail that the matter of the issuance of the permit will be considered by Council at its next regular meeting date, time and location which are stated in the notice, unless the meeting date is within five days of the date on which the notice would be mailed in which case notice must be given by personal service and not mailed.

5. Delegation of Authority

- 5.1 The General Manager of Community Development may exercise the powers and perform the duties of Council in respect of:
 - (a) heritage inspections under section 600 of the *Local Government Act*;
 - (b) requiring an applicant to provide heritage impact information under section 602 of the *Local Government Act*;

- (c) the making of agreements with applicants as to terms and conditions to be imposed on a permit so as to prevent or mitigate impairment of the heritage value or heritage character of property where an application for an Approval described in this Bylaw has been made and the Approval would otherwise be withheld in accordance with this section;
- (d) issuing heritage alteration permits pursuant to section 617 of the *Local Government Act* so long as the heritage alteration permit:
 - (i) does not vary the use or density of use;
 - (ii) does not alter a zoning bylaw in relation to residential rental tenure;
 - (iii) does not vary a flood plain specification; or
 - (iv) is in accordance with the guidelines established in the Official Community Plan for the heritage conservation area.
- (e) establishing requirements and conditions of a heritage alteration permit under section 618 of the *Local Government Act*, including the provision of security in the form of cash or a letter of credit, and the determination of whether such requirements and conditions have been met.

5.2 The General Manager of Community Development may require the provision of security in the form of cash or letter of credit as a condition of a heritage alteration permit where the permit authorizes or requires the construction or alteration of a building or structure and the form, exterior design, or exterior finish of the building or structure is regulated by permit. In such cases the amount of security must be no more than the amount estimated by the Manager of Building and Bylaw Enforcement to be the actual cost of construction of the building or structure so as to conform to the requirements of the permit with respect to the form, character, exterior design, or exterior finish as the case may be.

6. Reconsideration

- 6.1 An owner of property subject to a decision made by the General Manager of Community Development may apply to Council for reconsideration of the decision within thirty (30) days of the decision being communicated in writing to the Owner. When seeking council reconsideration of the decision, the Owner shall provide to the Corporate Officer:
- (a) the name of the Delegate who made the decision, the date of the decision, and the nature of the decision;
 - (b) the basis and grounds for seeking reconsideration by Council;
 - (c) the decision the Owner requests be made by Council, with brief reasons in support of the requested decision; and
 - (d) a copy of any materials relevant to the reconsideration that the Owner wishes to be placed before Council.
- 6.2 In reconsidering the decision of the General Manager of Community Development, Council shall consider the material submitted by the Owner and any materials submitted in reply by staff.

- 6.3 The Corporate Officer must place each application for reconsideration on the agenda of a regular meeting of Council to be held not earlier than two weeks from the date the application for reconsideration was delivered and must notify the applicant and any other party who the Corporate Officer reasonably considers may be affected by the reconsideration of the date of the meeting at which the reconsideration will occur.
- 6.4 At the meeting, Council may hear from the applicant and any other person interested in the matter under reconsideration to be heard and may either confirm the requirement or decision of the General Manager of Community Development or substitute its own requirement or decision, including decisions regarding the permit conditions and amounts of security.

7. Application for Heritage Revitalization Agreements and Amendments

- 7.1 An owner of land may apply to the City to enter into a heritage revitalization agreement in accordance with section 610 of the *Local Government Act*.
- 7.2 Applications for Heritage Revitalization Agreements and amendments to Heritage Revitalization Agreements must comply with the requirements of the City of Port Moody Development Approval Procedures Bylaw as if the sections addressing:
 - (a) application requirements;
 - (b) pre-application reviews;
 - (c) development approval information;
 - (d) public notice requirements; and
 - (e) procedures for processing proposed bylaw amendments;were references to Heritage Revitalization Agreements and amendments to Heritage Revitalization Agreements.
- 7.3 An owner of land that is subject to a heritage revitalization agreement may apply to amend the agreement or the bylaw authorizing the agreement but only one such application may be made in respect of a particular heritage property in any 12-month period.

8. Application for Heritage Alteration Permit

- 8.1 An owner of land may apply for a heritage alteration permit.
- 8.2 Applications for Heritage Alteration Permits must comply with the requirements of the City of Port Moody Development Approval Procedures Bylaw as if the sections addressing:
 - (a) application requirements;
 - (b) pre-application reviews;
 - (c) development approval information;
 - (d) public notice requirements; and
 - (e) procedures for processing permit applications;were references to Heritage Alteration Permits.

9. Exemptions

9.1 A heritage alteration permit will not be required under the following conditions:

- (a) for the lifting, temporary relocation, and/or storage of buildings included within a Heritage Conservation Area and listed in a Schedule to the City of Port Moody Official Community Plan, provided appropriate security measures are in place (and approved by the City) and provided the building is ultimately relocated on a new foundation at its original location. In such cases, a building permit will be required for the construction of any new foundations, the grade must be returned to its original level, and the building must be relocated at the same relative relationship to original grade;
- (b) where environmental remediation of a vacant site within a heritage conservation area is being undertaken, providing grade is returned to its original level;
- (c) where environmental remediation of a property included within a Heritage Conservation Area and listed in a Schedule to the City of Port Moody Official Community Plan, up to the building's perimeter, if the building itself is not moved or altered, and the site is returned to its original grade; and
- (d) where an Owner undertakes minor repairs or maintenance which do not alter the appearance or character of the Property, which minor repairs or maintenance may include in-kind replacement of existing deteriorated materials on a limited basis.

10. Inactive Applications

10.1 Heritage related applications are required to adhere to the inactive applications provisions of the City of Port Moody Development Approval Procedures Bylaw.

11. Security

11.1 Prior to the issuance of a heritage alteration permit or heritage revitalization agreement, the Applicant may be required to deposit a security in a form acceptable to the City to guarantee performance of the terms of the Permit.

11.2 The amount of security required in connection with a delegated heritage alteration permit shall not be less than two and a half percent (2.5%) of the construction cost of the proposed development, as estimated by the Manager of Building and Bylaw Enforcement in accordance with the City of Port Moody Building Bylaw.

12. Heritage Conservation Standards and Guidelines

12.1 Work to be undertaken on Protected Heritage Properties, including scheduled properties within a Heritage Conservation Area, should conform to accepted heritage conservation principles, standards, and guidelines. For the purposes of this bylaw, the Standards and Guidelines for the Conservation of Historic Places in Canada will be used as the basis for the review of any proposed work on legally Protected Heritage Properties.

13. Severability

13.1 If a portion of this Bylaw is found invalid by a court, it will be severed, and the remainder of the Bylaw will remain in effect.

Read a first time this 9th day of June, 2026.

Read a second time this 9th day of June, 2026.

Read a third time this 9th day of June, 2026.

Adopted this 23rd day of June, 2026.



M. Lahti
Mayor



S. Lam
Corporate Officer