



City of Port Moody

Report/Recommendation to Council

Date: October 10, 2023
Submitted by: Community Development Department – Policy Planning Division
Subject: Repeal of Heritage Designation Bylaw 2015, No. 3006 (Belcarra South Cottages)

Purpose

To repeal City of Port Moody Heritage Designation Bylaw 2015, 3006 (Belcarra South Cottages).

Recommended Resolution(s)

THAT City of Port Moody Heritage Designation Bylaw Repeal Bylaw, 2023, No. 3423 be read a first and second time as recommended in the report dated October 10, 2023, from the Community Development Department – Policy Planning Division regarding Repeal of Heritage Designation Bylaw 2015, No. 3006 (Belcarra South Cottages);

AND THAT Bylaw No. 3423 be referred to a Public Hearing.

Background

On April 28, 2015, Port Moody Council adopted Bylaw No. 3006 to designate six of the Belcarra South Cottages as protected heritage property. This bylaw was later amended by Bylaw No. 3073 on February 28, 2017, to update the relevant legal descriptions.

More recently at the Regular Council Meeting on July 11, 2023, the following resolution was released from the Closed Council meeting held on June 27, 2023:

CC23/108-109

THAT staff be directed to begin the process of rescinding the heritage designation bylaw of the Belcarra South Cottages, with the exception of the Bole House.

The Bole House is designated under a separate bylaw (Bylaw No. 3081) adopted on May 23, 2017, and will not be affected by the repeal of the heritage designation bylaw for the Belcarra South Cottages.

Discussion

The Statement of Significance (SOS) which accompanied the heritage designation of the Belcarra South Cottages is included as **Attachment 1**. The SOS notes that the property where the cottages are situated was purchased by the Bole family in 1907. Construction of the

cottages started in the early twentieth century and continued through the 1930s. The cottages, which were used as summer homes until the early 1970s, represent a cultural tradition once common to urban middle-class families and are considered an important aspect of the social history of Metro Vancouver. It is this unique heritage value that is recognized through the municipal heritage designation bylaw.

Since 2015 and the passing of the *United Nations Declaration on the Rights of Indigenous Peoples Act*, all levels of government have sought to better understand, respect, and recognize the values and rights of indigenous people. For the area known as Belcarra Regional Park, these efforts have led to renaming the park to təmtəmx̱w̱tən/Belcarra Regional Park in recognition of the ancestral home of the Tsleil-Waututh Nation. In 2020, an agreement between Metro Vancouver and the Tsleil-Waututh Nation was formalized to co-operatively manage the 1,100-hectare park.

Repealing the municipal heritage designation for the Belcarra South Cottages acknowledges that these lands have both environmental and archaeological significance to the Tsleil-Waututh Nation and provides an opportunity to restore and preserve these values associated with the foreshore lands.

Tsleil-Waututh Nation has provided a statement with additional background information related to their request to repeal the heritage designation for the Belcarra South Cottages (**Attachment 2**).

Legislative Framework for Heritage Designation

Section 611 of the *Local Government Act (LGA)* establishes provisions to enable the continued protection of property deemed by a local government to have heritage value and where the designation of the property is necessary or desirable for the conservation of a protected heritage property. Currently, neither the *LGA*, nor the provincial *Heritage Conservation Act*¹, includes a framework for decision making when multiple differing heritage values for a property are expressed.

There is currently no specific provision or framework in the legislation that outlines criteria for reconsideration of a heritage designation. As City Council held a Public Hearing and passed a resolution to apply the heritage designation in 2015, City Council can repeal the designation bylaw through the same process. The proposed repeal bylaw is included as **Attachment 3**.

Financial Implications

There are costs associated with staff time and notifications necessary to process a repeal of a heritage designation bylaw, estimated to be approximately \$2,000. These costs could be covered within the existing budget for Community Development.

¹ The Province is currently undertaking the Heritage Conservation Act Transformation Project to provide alignment with the UN Declaration on the Rights of Indigenous Peoples and support lasting and meaningful reconciliation. It also aims to increase certainty and stability for First Nations, landowners, proponents, developers, and government, while supporting sound decision making. This work is anticipated to be completed in Spring 2024.

Communications and Civic Engagement Initiatives

Before a heritage designation bylaw can be repealed, the local government must hold a Public Hearing on the proposed repeal bylaw. Notification of the Public Hearing will be posted on the City's website and to the City's Facebook and X (formerly Twitter) pages. Subscribers to the City's News alerts at portmoody.ca/news will also be notified directly when a new Public Hearing notice is posted to the City's website. Direct notification will be sent to the property owner and occupiers of the property proposed to be undesignated, as outlined in section 612(1) of the *Local Government Act* and the City's Development Approval Procedures Bylaw.

Council Strategic Plan Objectives

The proposed repeal of the heritage designation bylaw for the six Belcarra South Cottages is consistent with the strategic priority of Healthy Community Development in the 2019-2022 Council Strategic Plan as it relates to the objective of incorporating the City's values, including Truth and Reconciliation, into the City's policies, plans, and initiatives.

Attachment(s)

1. Statement of Significance: Belcarra South Cottages, May 2014, prepared by Donald Luxton and Associates Inc.
2. Statement from Tsleil-Waututh Nation dated September 30, 2023.
3. Draft City of Port Moody Heritage Designation Bylaw Repeal Bylaw, 2023, No. 3423 (Belcarra South Cottages).

Report Author

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Report Approval Details

Document Title:	Repeal of Heritage Designation Bylaw, 2015, No. 3006 (Belcarra South Cottages).docx
Attachments:	- Attachment 1 - Statement of Significance Belcarra South Cottages, May 2014, Donald Luxton and Associates Inc.pdf - Attachment 3 - Draft City of Port Moody Heritage Designation Bylaw Repeal Bylaw, 2023, No. 3423.pdf
Final Approval Date:	Oct 2, 2023

This report and all of its attachments were approved and signed as outlined below:

Kate Zanon, General Manager of Community Development - Sep 29, 2023 - 8:02 AM

Tracey Takahashi, Deputy Corporate Officer, for Stephanie Lam, City Clerk and Manager of Legislative Services - Sep 29, 2023 - 2:34 PM

Lindsay Todd, Manager of Communications and Engagement - Sep 29, 2023 - 3:36 PM

Paul Rockwood, General Manager of Finance and Technology - Sep 29, 2023 - 4:34 PM

Jeff Moi, General Manager of Engineering and Operations, for Tim Savoie, City Manager - Oct 2, 2023 - 7:18 PM