

Memo



Date: May 19, 2011
File: 1240-01
To: City Manager
From: Policy and Planning
Subject: Heritage Register Demolition Permit Policy

Report Prepared By: Lauren Bytelaar, Planner

Recommendation:

THAT Council receives, for information, the report from Policy and Planning dated May 19, 2011 with respect to the Heritage Register Demolition Permit Policy;

AND THAT staff be directed to prepare a demolition awareness bulletin.

Purpose:

To respond to Council's directive from August 10, 2010 that staff "look into a Demolition Permit Policy that would consider the removal and/or sale of buildings, and/or salvage and re-use of materials in buildings with heritage significance."

Background:

In the summer of 2010, three adjacent houses on Laurier Avenue in downtown were demolished in the process of a rezoning/development permit application. One of the three houses had been on the Heritage Inventory (1982) but was not included in the Heritage Register (a list of properties that Council has endorsed as having community heritage significance). As a result of this demolition some members of the public expressed concern about the demolition process as well as the potential loss of materials that could have been salvaged. After hearing from the public, Council asked staff to look into opportunities for the salvage and re-use of building materials with heritage significance.

When a demolition permit is submitted for a house listed on the Heritage Register, the City's computer system automatically emails staff and the system is locked to prevent the issuance of the demolition permit. Once notified, staff bring the information to the Community Heritage Commission (CHC) for consideration. The CHC assesses the significance of the property, probes as to why the demolition is being sought and assesses whether there are alternatives to demolition. If demolition is the only viable solution, the CHC makes the recommendation that materials with any re-use value be salvaged prior to demolition. After the appropriate review process is completed, staff authorize the issuance of the demolition permit. The only alternative for protecting a property on the Heritage Register is to delay the issuance of the demolition permit, and bring forward the application to Council. Details on that process are provided later in this report, under Legal/Statutory Procedural Requirements.

At the May 5th, 2011 CHC meeting, the Commission recommended that staff consider opportunities for future cooperation with local businesses and non-profit organizations regarding the removal and salvage of building materials with heritage significance. Staff have been unable to locate local businesses that salvage and restore building materials from heritage homes.

Staff also looked to the non-profit housing sector for reuse of building materials. "ReStores" are building supply stores run by Habitat for Humanity affiliates that accept and resell quality new and used building materials. Currently the nearest ReStore is in Kamloops. Recognizing the importance of reusing building materials and items being discarded during demolition or renovation, ReStores aim to salvage used materials and supplies from buildings undergoing such projects. The salvaging of commercial and building materials and recycling of demolition waste otherwise destined for landfills would be environmentally beneficial and would help to decrease greenhouse gas (GHG) emissions.

The Executive Director for Habitat for Humanity Kelowna noted that due to the high cost of commercial rent in Kelowna and a lack of volunteers, they do not yet have a program for salvaging building materials from homes that are to be demolished. However, they have a committee looking into the viability of opening a 'ReStore' in Kelowna.

The current review process for properties on the Heritage Register provides all the protection that legislation will allow without Council intervention. Given that the preservation of a building is voluntary, the current role of the City is to encourage and advise alternative options to a demolition. In concert with this advisory role, staff suggest that the City prepare an awareness bulletin to promote heritage preservation and advise applicants on the substantial environmental benefits. This bulletin could be given out at the time a demolition permit is issued. Staff note that there may be opportunities for close collaboration with Habitat for Humanity in the future.

Internal Circulation:

Director, Development Services
Director, Infrastructure Planning
Director, Land Use Management

Legal/Statutory Authority:

Local Government Act, sections 960-965, and 967-969

Legal/Statutory Procedural Requirements:

If Council is supportive of protecting a property, the local government can force a heritage designation on the property. If this were to happen, then "*the local government must compensate an owner of the designated property ... in an amount or in a form the local government and the owner agree on or, failing an agreement, in an amount or in a form determined by binding arbitration*" (section 969, Local Government Act). Council has, to-date, never forced a heritage designation on a property.

Existing Policy:

Heritage Strategy

1. Heritage Planning. Continue to preserve and protect significant heritage resources through the use of protection tools and heritage planning initiatives;

6. Heritage Communication. Continue to raise public awareness and appreciation of the City's heritage resources;

7. Heritage Partnerships. Enhance partnerships between the City and all aspects of the City's heritage, to achieve a more inclusive approach to heritage.

Financial/Budgetary Considerations:

The expense for the printed demolition awareness bulletins could be funded out of the existing Policy and Planning Department Heritage budget.

Personnel Implications:

Staff time from the Policy and Planning Department would be required to create the demolition awareness bulletins.

Considerations not applicable to this report:

External Agency/Public Comments:

Community & Media Relations Comments:

Submitted by:



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Reviewed by:



Theresa Eichler, Manager, Community Planning

Approved for Inclusion:



Signe Bagh, Director, Policy and Planning

cc: Office of the City Clerk