

HERITAGE ALTERATION PERMIT APPLICATION GUIDE

Introduction

The heritage alteration permit (HAP) system in Cumberland recognizes and enhances the historic nature of the Historic Village Commercial Core for the benefit of present and future generations. It ensures that building restorations, rehabilitations, renovations or alterations and property development or redevelopment respects the history and enhances the heritage character within this area.

If you own a property in Cumberland within the Heritage Conservation Area – Historic Village Commercial Core, a HAP is required before making any specified changes to the property. This guide will walk you through the process of applying for a HAP in Cumberland.

When Is A Heritage Alteration Permit Required?

Within the Heritage Conservation Area – Historic Village Commercial Core, a HAP is required before taking any of the following actions:

- Starting the construction of a new building or structure or an addition to an existing building or structure within the area.
- Altering a building or structure or land within the area.
- Altering a feature that is protected heritage property.
- Subdividing land.
- Demolition of a building.

In accordance with the Village's OCP, some development and building activities do not require a HAP. See list of exemptions in *Part D Section 11: Historic Village Commercial Core of the Official Community Plan*. Contact development services staff to confirm any potential exemptions prior to initiating work.

Minor Heritage Alteration Permits

In some cases, a HAP may be considered minor and can be approved by the Manager of Development Services. These delegated HAPs do not require Council approval if they meet the criteria set out in the [Development Application Procedures Bylaw](#). A HAP may be considered minor if the following applies:

- Signs, fences, or accessory buildings.

- New or replacement windows and doors that do not affect the character defining elements of the building.
- Single or duplex residential additions up to a maximum of 100m² at the rear of the building without variances.
- Minor amendments to an existing approved permit.

The Manager of Development Services will refer a minor HAP to Council if the application is in conjunction with a Development Variance Permit not delegated to staff or if they deem it to be in the public interest to instead have the application considered by Council.

Prior To Making An Application

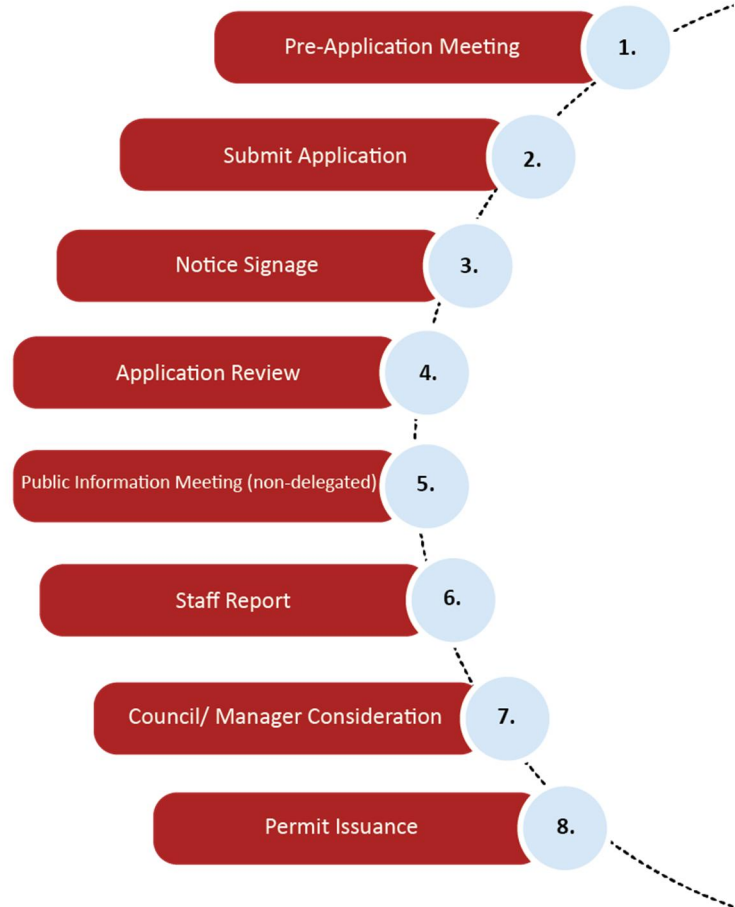
Applicants should ensure they understand the Village of Cumberland’s policies, procedures, and regulations before preparing a HAP application. Prior to applying, the applicant should review the following:

- **Official Community Plan (OCP) - land use designation:** Check the [Village’s Interactive Map](#) online to determine whether your property is in the Heritage Conservation Area.
 - Policies and guidelines pertaining to heritage preservation and the Heritage Conservation Area can be found within *Part C Section 5: Built Environment* and *Part D Section 11: Historic Village Commercial Core* of the OCP.
- **Zoning Maps and Zoning Bylaw** – Check the [Village's Interactive Map](#) to find the zoning designation and zoning requirements for the property. This will help the applicant determine if the proposal aligns with the zoning and if the zoning will need to be varied.
 - Ensure that your proposal meets the required zoning regulations (i.e., Use, density, lot coverage, setbacks, height, condition of uses).
- **Development Application Procedures Bylaw** – Review to understand the evaluation criteria and guidelines for what is considered a minor HAP and to get a general understanding of the processing procedure.
- **Contact the Development Services Department:** Contact the development services department to discuss your proposed development and determine if a formal Pre-Application Meeting and HAP are required. If it is determined that a Pre-Application meeting is required, submission requirements can be found on the Pre-Application Meeting Guide. Staff will provide guidance throughout the application process and determine if any revisions are required prior to submission.

Heritage Alteration Permit Costs

The cost of a HAP can vary depending upon the complexity of the application. An application fee, as outlined in the [Fees Amendment Bylaw](#), will always be required. Other costs can include:

- Actual cost of any third-party professional review of applications.
- Any plans needed to meet the application requirements (i.e., site plan, landscape plans, elevations, Surveyors Certificate).
- Village of Cumberland Development Cost Charges as per the Development Cost Charges Bylaw, at time of building permit.
- Village bonding requirements for landscaping agreements, remediation, or performance security.
- Professional reports (i.e., geotechnical assessment, engineered stormwater management plan, planning rationale).
- Public notification fees (i.e., signage, advertising).
- Legal fees (i.e., covenants).



Application Process and Processing Timelines

Applicants are encouraged to submit their application by email, if possible. **Incomplete applications will not be accepted.** The following processing timelines are established from the date of receipt for a complete application.

- **Delegated Minor Heritage Alteration Permit:** 1-2 months.
- **Council Approved Heritage Alteration Permit:** 4-6 months.

While this is a target, it is understood that different circumstances (i.e., revisions, new plans, complexity of application, provincial approvals) may alter timelines to be shorter or longer than outlined below. It is essential for applicants to respond to staff requests for information to ensure that it is processed in a timely manner. Applicants will be able to track their application online to view what stage of the process they are at. For more information about what to expect at each stage of the application process, see the Detailed Application Process below.

Detailed Application Process

Pre-Application Meeting

1.

Contact the Village to determine if a formal pre-application meeting is required. If yes, schedule a pre-application meeting with Development Services staff to discuss the proposal and application requirements. The applicant must fill out a Pre-Application Meeting Scheduling Form and is expected to come to the meeting prepared (tips for preparation are outlined in the Meeting Guide).

Submit Application

2.

The applicant is encouraged to submit the application online if possible. Once submitted, staff will review the application to determine whether it is complete at this stage (i.e. all required documents and fees) and, if incomplete, staff will request the required information from the applicant. Once the file is complete, staff will issue a receipt to the applicant.

Notice Signage

3.

The applicant is required to post a Notice of Application Sign on the property to notify other property owners and residents of the proposal. The sign must follow the requirements identified on the Village Sign Format Sheet. The applicant will provide a mock-up of the sign with their complete application for review and approval prior to final printing. Once the sign is posted, the applicant shall demonstrate proof to the Staff of the posted sign within 10 days of staff's approval of the mock-up.

Application Review

4.

The HAP application is reviewed by the Development Services Department, referred to all applicable Village departments, advisory committees, Development Review Team (DRT), government ministries, agencies and organizations to provide the applicant with comprehensive feedback on the application. Revised plans and additional documents may be required from the applicant or the applicant's architect, engineer or other coordinating professional. The timing of the review will depend on how quickly the applicant can provide additional information to staff as requested.

Public Information Meeting (non-delegated)

5.

Applicants may be required to hold a public information meeting for non-delegated HAPs. It is the responsibility of the applicant to arrange and conduct the meeting at their expense. The public information meeting is an opportunity for the applicant to get an understanding of the public's position on the proposal and address any issues early in the process. More information about the PIM can found in the PIM guide.

The public information meeting needs to be conducted at a location approved by staff, accessible to individuals with disabilities and in the Village and/or on a virtual meeting platform. The meeting must be advertised in a local newspaper at least 10 days prior to the meeting at their expense.

Staff Report

6.

Once staff have received all feedback from internal and external agencies and completed their review of the application, staff will prepare a report for consideration by Council (Council approved HAP) or the Manager of Development Services (delegated minor HAP). The staff report takes into consideration any input received from other staff departments, referral agencies, policies in the Official Community Plan, and applicable regulations in the Zoning Bylaw. Staff will communicate with the applicant to ensure they are aware of the associated staff recommendation.

Council/Manager Consideration

7.

If the staff determines the application meets the criteria for a delegated Minor HAP, the report will be referred to the Development Services Manager for consideration. Otherwise, the report will be brought to Council for consideration.

- If it is a delegated minor HAP, the Manager of Development Services will review the staff report and recommendations and make the final decision on the permit. If the application has been denied by the Manager, the applicant may request that the application be referred to Council for consideration.
- If it is a Council approved HAP, the staff report and recommendations will be considered by Council. Council may refer the application to any of the Council commission/committees for comment before making a final decision on the permit. If the application is referred to a committee, the report and permit will need to be presented to Council a second time for consideration.

The outcome may be approval to issue the permit, conditions to issuance of the permit, or amendments / revisions to the permit. If the outcome is amendments / revision to the permit, the permit will need to be revised before being presented a second time for consideration.

Permit Issuance

8.

If approved, staff will prepare the required HAP and related schedules for signature and obtain a security deposit, if required. A Notice of Permit will be registered against the title of the property at the Land Title Office by staff. The applicant will receive a copy of the signed permit via email or post once registration on title has been confirmed.

Questions?

If you have any questions about heritage designations or applying for a permit, please contact us.

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<https://cumberland.ca/heritage-alteration-permits/>

This guide is not a legal document. Any contradiction, dispute or difference between the contents of this brochure and applicable Village bylaws, plans, policies or guidelines will be resolved by reference to the bylaws or other official documents.

HERITAGE CONSERVATION AREA – HISTORIC VILLAGE COMMERCIAL CORE HCA-

