

COMMUNITY HERITAGE COMMISSION

TO: MAYOR AND COUNCILLORS

**SUBJECT: IMPLEMENTATION OF THE HERITAGE POLICY AND PROGRAMS
REVIEW**

RECOMMENDATION:

THAT staff be authorized to implement the action items outlined in the report titled "Implementation of the Heritage Policy and Programs Review," dated November 9, 2023.

REPORT

The Community Heritage Commission, at its meeting held on November 9, 2023, received and adopted the *attached* report sharing the findings of the Heritage Policy and Programs Review and seeking authorization to implement the action items outlined in this report.

On behalf of the Community Heritage
Commission,

Councillor D. Tetrault
Chair

Councillor R. Lee
Vice Chair

TO: COMMUNITY HERITAGE COMMISSION (CHC)

FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT

SUBJECT: IMPLEMENTATION OF THE HERITAGE POLICY AND PROGRAMS REVIEW

PURPOSE: To share the findings of the Heritage Policy and Programs Review and to seek authorization to implement the action items outlined in this report.

RECOMMENDATION

THAT staff be authorized to implement the action items outlined in the report titled “Implementation of the Heritage Policy and Programs Review,” dated November 9, 2023.

EXECUTIVE SUMMARY

This report summarizes the findings of the Heritage Policy and Programs Review (HPPR) and outlines action items to implement its recommendations. This report seeks Council’s authorization for staff to implement the action items.

1.0 POLICY SECTION

Legislation, bylaws, and policies that support or impact the work outlined in this report include:

- Part 15 of the *Local Government Act* (1996), which outlines local government powers for the protection and management of heritage resources;
- *Heritage Conservation Act* (1996), which governs the protection of archaeological resources;
- *Burnaby’s Official Community Plan* (1998), specifically goal 12.2;
- *Corporate Strategic Plan* (2022);
- *Burnaby Social Sustainability Strategy* (2011);
- *Truth and Reconciliation Commission of Canada – ‘Calls to Action’ for Local Government – Proposed Framework for Further Action* (Council report, November 18, 2019); and
- *United Nations Declaration on the Rights of Indigenous Peoples* (2007).

2.0 BACKGROUND

At its June 24, 2019 meeting, Council directed staff to advise on the feasibility and advisability of developing a strategic plan to recognize the histories and contributions of diverse settlement communities, and of the Indigenous histories of the lands where the City of Burnaby is now located. A July 6, 2020 report responded to Council’s direction, and included a commitment to undertake a heritage policy review. The scope of the heritage

policy review was outlined in a September 20, 2021 report to Council. The scope included a review and analysis of policies and operations of the City that relate to the identification, preservation, and interpretation of tangible and intangible heritage resources. Specifically, the project was to include a review and analysis of:

- The City's use of tools available under the *Local Government Act* for conservation of private heritage properties and retention of character homes and landscapes;
- Engagement of Burnaby's diverse community with Burnaby's history and heritage, and public awareness of Burnaby's heritage resources and unique historical character;
- Inclusion of First Nations and Indigenous heritage and cultural resources in the City's heritage policy framework;
- Management of civic heritage resources, including buildings and landscape features, artifacts, and documentary heritage, and
- Communication and interpretation of community history and heritage resources.

The Heritage Policy and Programs Review (HPPR) was led by a staff steering committee from Parks, Recreation and Culture (PRC), Legislative Services, and Planning and Development with input from the Director of Indigenous Relations and Reconciliation. Reporting and input sessions with the General Managers of these three work areas and the General Manager of Lands and Facilities were held to review the work. A consulting team led by C&S Planning Group was retained to conduct the review and provide recommendations.

Some of the recommendations and action items identified in this report reflect policy direction received from Council and Committees of Council between November 2020 and June 2023. In those cases, a reference to the Council or Committee meeting is included in the report.

This report summarizes the HPPR and outlines action items to support implementation of its recommendations. A table summarizing the action items is included as Attachment 1, and the full HPPR final report is included as Attachment 2.

3.0 GENERAL INFORMATION

The HPPR is intended to build upon the strong foundation of the City's heritage programs by providing direction to update policies and programs, address gaps, improve practices, and align our heritage programs with City priorities, including the City's commitment to reconciliation with Indigenous peoples and to advancing equity, diversity, inclusion, and belonging. It reflects a commitment to recognizing the history and ongoing connection of the original inhabitants to these lands, the host Nations – the xʷməθkʷəy̓əm (Musqueam), Skwxwú7mesh (Squamish), səliłwətał (Tsleil-Waututh), and kwikwəłəm (Kwkwetlem) Peoples, on whose territories the City of Burnaby is now located.

The report uses the term “cultural heritage” as a term to capture a wide range of tangible and intangible resources. Heritage resources can include built heritage resources (such as buildings), tangible and intangible resources (such as objects and stories), and natural heritage resources (such as trees and gathering sites). This broader term also recognizes that “heritage” is more than objects and stories from the past: it is an expression of living culture that can connect past and present. The term “cultural heritage” is intended to be

inclusive of Indigenous cultural heritage resources, and resources that represent the cultures and histories of diverse settler communities.

The HPPR final report identifies four goals supported by 17 recommendations. The goals are:

1. Grow capacity to identify, manage, and interpret cultural heritage.
2. Develop policies to strengthen cultural heritage.
3. Ensure best practices in cultural heritage planning.
4. Strengthen policy and processes for protecting archaeological sites.

Action items to support implementation of the HPPR’s recommendations were created by a working group that included the General Managers of the departments that led and had input into the work, and the CAO and Deputy CAO. The action items are intended to advance the report’s recommendations in coordination with existing work plans, processes, and priorities.

Below is a brief summary of each of the four goals and associated recommendations contained in the HPPR final report, followed by action items recommended by staff. Should Council adopt the recommendation of this report, the action items will be incorporated into staff work programs.

3.1 GOAL 1: Grow Capacity to Identify, Manage, and Interpret Cultural Heritage

Recommendations to support this goal include increasing staff capacity for cultural heritage work, developing a consistent approach across the City for engaging with the host Nations for cultural heritage initiatives, expanding representation on the CHC to better represent the diversity of the community’s heritage, and creating a heritage grants program to encourage more community-initiated cultural heritage initiatives. The intent of a grants program would be to support cultural communities to identify and create cultural heritage projects, such as publications, events, and displays that preserve, enhance, and create opportunities to share cultural traditions.

The HPPR final report notes that an increase in staff capacity to undertake cultural heritage work will be required to implement its recommendations. An action item to specifically address staff capacity is not included, as implementation of the Action Items will be integrated into department work plans and any related budget requests would be made as part of the City’s financial planning process.

Action items for Goal 1 include:

Action	Target Date	Additional Information
Co-develop a framework with Burnaby’s host Nations for collaboration on cultural heritage projects.	2024-2025	To be led by the Director of Indigenous Relations and Reconciliation
Review terms of reference of the Community Heritage Commission, as part of larger review of the Terms of Reference	2024-2025	To be reviewed by Legislative Services and advanced to Council

Action	Target Date	Additional Information
of Council committees to encourage more diverse representation from the community.		
Include consideration of Cultural Heritage Grants in the City’s review of its grants programs and policies.	2025	To be reviewed by Legislative Services

3.2 GOAL 2: Develop Policy and Plans to Strengthen Cultural Heritage Management

The second goal outlined in the HPPR final report recommends formalizing some of the City’s long-standing heritage activities through Council-approved plans and policies. Adoption of formalized plans will support continued work across City departments to provide management, access, and interpretation for the broad range of City-owned heritage resources and City heritage services.

Recommendations include preparing a Built Heritage Asset Management Strategy to guide maintenance, conservation, and use of civic heritage assets, including heritage buildings and monuments. The HPPR also recommends preparation of a Culture Strategy, development of policies to guide future naming and commemoration, consideration for recognizing and protecting heritage resources within new long range plans, and exploration of options for providing spaces for Indigenous cultural heritage expression and sharing of Indigenous cultural heritage.

The recommendations and related action items create the opportunity to embed a cultural heritage lens in the City’s planning framework, including embedding policy direction in the Official Community Plan and subsequent Parks, Recreation and Culture Master Plans (including a Culture Strategy). The intent is to ensure that policies and actions to support inclusion of cultural heritage in the City’s long-range plans include both tangible heritage resources (such as buildings and monuments), and intangible cultural resources with opportunities for commemorating a diverse range of community stories, for example. A Built Heritage Asset Management Strategy will enable the City’s civic heritage resources to be integrated into the City’s broader asset management approach.

Staff work to develop policies for naming and commemoration for Council’s consideration will include preparing a recommended commemoration and naming policy to include the naming of parks, streets and facilities, memorials and commemorative installations at City-owned parks and facilities, and the formal commemoration of events by Council.

Finally, it is noted that staff are already working toward the last recommendation in this section, to explore options for providing spaces for Indigenous cultural heritage expression and sharing of Indigenous cultural heritage. The action item to advance this recommendation is for Parks, Recreation and Culture to continue this work within the existing policy framework of the City, while furthering opportunities through future planning processes.

Action items for Goal 2 include:

Action	Target Date	Additional Information
Complete a Built Heritage Asset Management Strategy for City-owned assets.	2025	To be included in operational work plan of Lands & Facilities Department
Complete a Culture Strategy following completion of the Official Community Plan update and development of a Parks, Recreation and Culture Master Plan (2024-2027).	2028	To be advanced to Council through the Parks, Recreation and Culture Commission
Develop a policy to guide the naming of civic facilities (including parks) and streets, and a commemoration policy to guide the City’s official commemoration of important places, people, and events through plaques and other commemorative works. The policy will be reflective of the City’s commitment to reconciliation with Indigenous Peoples, and to equity, diversion, and inclusion.	2024	To be advanced to Council through the Executive Committee
Include policy direction in the Official Community Plan update for retention of cultural heritage resources, including consideration of incorporating community history into strategies for place-making (such as public realm design and public art); and for consideration of retaining and incorporating tangible and intangible cultural heritage resources in civic projects, including neighbourhood and community plans, and Parks, Recreation, and Culture plans.	2025	To be advanced to Council through Planning and Development as part of the Official Community Plan update.
Parks, Recreation, and Culture to continue to identify and provide spaces for Indigenous cultural heritage expression through its operational work, and to consider policy to advance this work through development of a Parks, Recreation, and Culture Master Plan and a Culture Strategy.	2024-2027 (Parks, Recreation and Culture Master Plan) 2028 (Culture Strategy)	To be advanced to Council through the Parks, Recreation and Culture Commission

It is noted that at its February 3, 2021 meeting, the Executive Committee provided direction to staff for policy to guide consideration of requests for formal commemorative installations when it reviewed the Commemorative Plaques and Memorials Installations on City Hall Grounds report, and requested that staff update the report’s recommendations to apply to

dedications at any City-owned facility and to provide for nominations from the community. The actions to support Goal 2 of the HPPR built on the direction provided by the Executive Committee and will lead to a comprehensive naming and commemoration policy.

3.3 GOAL 3: Ensure Best Practices in Heritage Planning

Recommendations in this section are intended to build the City's capacity to achieve retention of privately-owned built heritage resources. They are also intended to increase the diversity of resources included on the heritage inventory and the Community Heritage Register, which include both civic heritage assets and resources that are privately-owned.

The Local Government Act (1996) ("LGA"), provides powers to local governments for protection of heritage resources. These powers include creating a formal list of resources considered worthy of protection (a Heritage Register), and protection of private property through heritage designation. Other heritage powers provided through the *LGA* include enabling local governments to offer grants to heritage property owners to maintain and enhance their property, to appoint a Community Heritage Commission to provide advice to Council on issues related to heritage, and to recognize community heritage through heritage plaques or other methods.

Burnaby retains an informal list of heritage resources (the "heritage inventory") with a smaller list of properties on the Community Heritage Register, which is a formal list of properties Council has identified as deserving protection. Inclusion on the Community Heritage Register does not permanently protect a property but does provide the local government with heritage management tools, including the ability to issue temporary protection orders and conduct inspections. Encouraging migration of resources to the Community Heritage Register, as recommended in the HPPR final report, would increase access to these additional management tools.

The HPPR final report also recommends that the City adopt a Heritage Property Maintenance and Standards Bylaw and a Heritage Procedure Bylaw. A Heritage Property Maintenance and Standards Bylaw specifies maintenance standards for protected heritage properties, including requirements for owners to keep a protected property in good repair. These bylaws are important tools to prevent designated properties from being lost due to neglect or lack of maintenance. A Heritage Procedures Bylaw can be used to identify how the City implements the heritage tools included in the *LGA*. These bylaws can be used to provide the public with information, and to ensure consistency in how the tools are used by the City. For example, the Bylaw could include provisions that enable the streamlining of HRA applications, which is also an action item considered in this report.

Finally, the HPPR final report recommends updating the City's draft thematic framework. A thematic framework is a heritage management tool that identifies historical themes that are significant to the history and character of the community. A thematic framework is used to assist with decision-making on retention and interpretation of heritage resources that have value to the community.

A draft thematic framework was received by the Community Heritage Commission at its April 4, 2022 meeting. The *Burnaby History and Heritage – Draft Thematic Framework* report noted that the thematic framework document would remain a draft until a review of the framework by the host Nations could be completed. In the meantime, the draft thematic framework would be used as a working document by Planning and Development to assist

with the review of applications for Heritage Revitalization Agreements and other heritage application types.

Comments on the draft thematic framework received from the host Nations through the HPPR referral process indicate that further work is needed to incorporate themes relevant to Indigenous histories into the framework. Staff will continue to work on the framework, as outlined in the action items below.

Action items for Goal 3 will be led by the Planning and Development Department, with input from other departments as required.

Action items for Goal 3 include:

Action	Target Date	Additional Information
Planning and Development Department to review and update the heritage inventory, with the goal of increasing diversity of resources, considering migration of places of significance to the Community Heritage Register, and being more inclusive of Indigenous cultural heritage.	Ongoing	Additions to the Community Heritage Register to be advanced to Council through the Community Heritage Committee
Planning and Development to engage with the Host Nations, through the framework for cultural heritage projects outlined in Section 3.2, to revise the thematic framework to be more inclusive of Indigenous cultural heritage, and to support identification of resources for inclusion in the heritage inventory or heritage register.	2027	Revised thematic framework to be advanced to Council through the Community Heritage Committee
Planning and Development to advance a proposal, for Council consideration, for a grants program to support conservation and maintenance of privately-owned heritage buildings by 2025.	2025	To be advanced to Council through the Community Heritage Committee
Planning and Development to include provisions for the retention of privately owned heritage resources in the Housing Choices program, and prepare guidelines submitting HRA applications in residential neighbourhoods.		Housing Choices Program policy is advanced to Council through the Planning and Development Committee
Planning and Development to advance a report to Council through the Community Heritage Commission to seek authorization to prepare a Heritage Property Maintenance and Standards Bylaw.	2026	

Action	Target Date	Additional Information
Planning and Development to advance a report to Council on the advisability of developing a Heritage Procedure Bylaw.	2026	To be advanced to Council through the Community Heritage Committee

3.4 GOAL 4: Strengthen Policy and Processes for Protecting Archaeological Sites

The protection of archaeological sites is primarily a provincial responsibility, as outlined in the *Heritage Conservation Act (HCA)*. The Province of BC is responsible for maintaining and distributing information related to archaeological sites, and deciding if permits can be issued to allow development to take place within or adjacent to protected archaeological sites. Administration of these responsibilities is performed by the Archaeology Branch (the ‘Branch’).

Development proponents are responsible under the *HCA* for avoiding or managing impacts to archaeological sites. Local governments support development proponents by identifying when a proposed development overlaps with a known archaeological site, and in such cases can notify proponents of their responsibilities under the *Act*.

The *Archaeology Policy Framework* report advanced to Council on November 9, 2020 outlined the City’s responsibilities under the *HCA*. The report noted that local governments are responsible to fulfill all necessary regulations when they themselves are the proponent. It also noted that the host Nations have an interest in the protection of archaeological sites, and that it is an increasingly common practice in B.C. for local governments, Crown corporations, and private companies to develop policies that exceed the minimum legislative requirements of the *HCA*, in order to avoid impacts to archaeological sites while undertaking infrastructure projects.

At the November 9, 2020 meeting, Council authorized staff to develop an Archaeology Policy Framework to provide guidance to City staff when they are implementing an infrastructure project. Work on a Civic Archaeology Policy to guide projects on City lands continues and includes engagement with the host Nations. The forthcoming policy is intended to support staff to meet the requirements of the *Act* and will outline additional measures to support engagement with the host Nations to advance the City’s commitment to reconciliation.

A recommendation in support of developing a Civic Archaeology Policy is included in the HPPR final report, and the report further recommends that the City implement additional policies to protect archaeological resources located on both private and public lands in Burnaby. Specifically, it recommends incorporating policy for protection of archaeological sites in the updated OCP and considering requiring an archaeological risk assessment for some development applications.

Action items related to these recommendations include continued work to advance a Civic Archaeology Policy and consideration of the inclusion of policies in the OCP to support protection of archaeological sites.

All the action items in this section are the responsibility of the Planning and Development Department, working in coordination with other departments as required.

Action items for Goal 4 include:

Action	Target Date	Additional Information
Advance an Archaeology Policy Framework to Council to guide the City’s protection of archaeological resources during planning and implementation of City infrastructure projects.	2024	To be advanced to Council through the Executive Committee
Include consideration of policies for protecting archaeological resources as part of the Official Community Plan update. Policies could address notification of applicants when a permit application overlaps with an area of archaeological concern, and could include introducing requirements for applicants in cases when an overlap is identified.	2025	To be advanced to Council through Planning and Development as part of the Official Community Plan update

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

Development of the HPPR final report included interviews with staff and community stakeholders, and presentations to the Executive Committee, Parks, Recreation and Culture Commission, Community Heritage Commission, and Management Committee to share information and receive feedback.

Following Management Committee review, a draft report was circulated to the host Nations for review and input. Referral letters invited the Nations to meet with the project team to discuss and to provide input. Interest in engaging in the work was expressed by kwikwəłəm (Kwkwetlem), Skwxwú7mesh (Squamish) and səliłwətał (Tsleil-Waututh) First Nations. Meetings were held with Skwxwú7mesh and kwikwəłəm Nations, and written comments were received from kwikwəłəm, Skwxwú7mesh, and səliłwətał Nations.

Public engagement for the HPPR focused on interviews with a select group of community stakeholders that the City engages with on heritage projects. These stakeholders included the Heights Merchants Association, Tourism Burnaby, and the Nikkei Centre. A consultation session for participants from Burnaby’s urban Indigenous community was also held.

No further community engagement on the HPPR is planned. It is expected that findings and recommendations provided in the report will contribute policy direction for the OCP update, which includes a public consultation process.

5.0 FINANCIAL CONSIDERATIONS

With Council’s authorization that staff undertake the action items identified in this report, action items will be integrated into the service delivery programs of the departments to

which they are assigned, with financial requirements advanced through the City's budget process.

Respectfully submitted,

E.W. Kozak, General Manager Planning and Development

ATTACHMENTS

Attachment 1 – Summary of Action Items

Attachment 2 – Heritage Programs and Policy Review Final Report

REPORT CONTRIBUTORS

This report was prepared by Lisa Codd, Planner 2, and reviewed by Lily Ford, Planner 3; Lee-Ann Garnett, Deputy General Manager Planning and Development; Mary Morrison-Clark, General Manager Parks Recreation and Culture; James Lota, General Manager Lands and Facilities, Juli Halliwell, General Manager Corporate Services, and Noreen Kassam, Deputy Chief Admin Officer CFO.

Summary of Action Items to Support Implementation of the Recommendations of the Heritage Policy and Programs Review

GOAL 1: Grow Capacity to Identify, Manage, and Interpret Cultural Heritage

Action	Target Date	Additional Information
Co-develop a framework with Burnaby's Host Nations for collaboration on cultural heritage projects.	2024-2025	To be led by the Director of Indigenous Relations and Reconciliation
Review terms of reference of the Community Heritage Commission, as part of larger review of the Terms of Reference of Council committees to encourage more diverse representation from the community.	2024-2025	To be reviewed by Legislative Services and advanced to Council
Include consideration of Cultural Heritage Grants in the City's review of its grants programs and policies.	2025	To be reviewed by Legislative Services

GOAL 2: Develop Policy and Plans to Strengthen Cultural Heritage Management

Action	Target Date	Additional Information
Complete a Built Heritage Asset Management Strategy for City-owned assets.	2025	To be included in operational work plan of Lands & Facilities Department
Complete a Culture Strategy following completion of the Official Community Plan update and development of a Parks, Recreation, and Culture Master Plan (2024-2027).	2028	To be reviewed by Legislative Services and advanced to Council
Develop a policy to guide the naming of civic facilities (including parks) and streets, and a commemoration policy to guide the City's official commemoration of important places, people, and events through plaques and other commemorative works.	2024	To be advanced to Council through the Executive Committee
Include policy direction in the Official Community Plan update for retention of cultural heritage resources, including consideration of incorporating community history into strategies for	2025	To be advanced to Council through Planning and Development as part of the Official Community Plan update.

Action	Target Date	Additional Information
place-making (such as public realm design and public art); and for consideration of retaining and incorporating tangible and intangible cultural heritage resources in civic projects, including neighbourhood and community plans, and Parks, Recreation, and Culture plans.		
Parks, Recreation, and Culture to continue to identify and provide spaces for Indigenous cultural heritage expression through its operational work, and to consider policy to advance this work through development of a Parks, Recreation, and Culture Master Plan and a Culture Strategy.	2024-2027 (Parks Master Plan) 2028 (Culture Strategy)	To be advanced to Council through the Parks, Recreation and Culture Commission

GOAL 3: Ensure Best Practices in Heritage Planning

Action	Target Date	Additional Information
Planning and Development Department to review and update the heritage inventory, with the goal of increasing diversity of resources, considering migration of places of significance to the Community Heritage Register, and being more inclusive of Indigenous cultural heritage.	Ongoing	Additions to the Community Heritage Register to be advanced to Council through the CHC
Planning and Development to engage with the Host Nations, through the framework for cultural heritage projects outlined in Section 3.2, to revise the thematic framework to be more inclusive of Indigenous cultural heritage, and to support identification of resources for inclusion in the heritage inventory or heritage register.	2027	Revised thematic framework to be advanced to Council through the CHC
Planning and Development to advance a proposal, for Council consideration, for a grants program to support conservation	2025	To be advanced to Council through the CHC

Action	Target Date	Additional Information
and maintenance of privately-owned heritage buildings by 2025.		
Planning and Development to include provisions for the retention of privately owned heritage resources in the Housing Choices program, and prepare guidelines for submitting HRA applications in residential neighbourhoods.		Housing Choices Program policy is advanced to Council through the PDC
Planning and Development to advance a report to Council to seek authorization to prepare a Heritage Property Maintenance and Standards Bylaw.	2026	To be advanced to Council through the CHC
Planning and Development to advance a report to Council on the advisability of developing a Heritage Procedure Bylaw.	2026	To be advanced to Council through the CHC

GOAL 4: Strengthen Policy and Processes for Protecting Archaeological Sites

Action	Target Date	Additional Information
Advance an Archaeology Policy Framework to Council to guide the City’s protection of archaeological resources during planning and implementation of City infrastructure projects.	2024	To be advanced to Council through the Executive Committee
Include consideration of policies for protecting archaeological resources as part of the Official Community Plan update. Policies could address notification of applicants when a permit application overlaps with an area of archaeological concern, and could include introducing requirements for applicants in cases when an overlap is identified.	2025	To be advanced to Council through Planning and Development as part of the Official Community Plan update

Heritage Policy and Program Review

C+S Planning Group

March 2023

This report was completed on the ancestral and unceded homelands of the hən̓q̓əmin̓əm̓ and Skwxwú7mesh speaking peoples. We are grateful for the opportunity to develop this report in this territory.

Table of Contents

- Defining 'Heritage' 3
- Executive Summary..... 4
 - Goals and Recommendations..... 6
- Scope of Work 7
- Background: Heritage Planning in British Columbia 10
 - City of Burnaby's Staff Roles and Responsibilities 14
- Review of City Documents..... 16
- Comparable Communities..... 19
- Engagement with Host First Nations 22
 - Referrals Process..... 22
- Engagement with Urban Indigenous Residents 24
- Archaeology Review..... 25
- Stakeholder Interviews..... 27
 - Key Themes from Stakeholder Interviews..... 27
 - THEME 1: Articulate a holistic definition of heritage 27
 - THEME 2: Engage with diverse community members to share their stories 28
 - THEME 3: Learn from the work of the Burnaby Village Museum 28
 - THEME 4: Work across departments to maintain civic heritage assets..... 28
 - THEME 5: Do more work to interpret and share the City's history..... 29
 - THEME 6: Support staff learning..... 30
- Goals & Recommendations 31
 - Goal 1. Grow Capacity to Identify, Manage, and Interpret Cultural Heritage 31
 - Goal 2. Develop Policies and Plans to Strengthen Cultural Heritage..... 34
 - Goal 3. Ensure Best Practices in Heritage Planning..... 36
 - Goal 4. Strengthen Policy and Processes for Protecting Archaeological Sites 37
- Conclusion..... 39
- Glossary of Terms..... 41
- Endnotes 44

Defining ‘Heritage’

“We call upon federal, provincial, territorial, and municipal governments to repudiate concepts used to justify European sovereignty over Indigenous peoples and lands, such as the Doctrine of Discovery and terra nullius, and to reform those laws, government policies, and litigation strategies that continue to rely on such concepts.”

– Truth and Reconciliation Commission’s Calls to Action #47¹

Through Call to Action #47, the Truth and Reconciliation Commission of Canada (TRC) called on all levels of government to refute interpretations of history that ignore Indigenous presence and suggest that Canada was an empty land (terra nullius) open for settlement. These interpretations of history are not only incorrect, but have been used to justify laws and policies that ignore Indigenous sovereignty and have led to policies that included forced assimilation through residential schools and the erasure of Indigenous culture.

Heritage work has been developed in a legislative framework that has been exclusive, focusing on preservation and interpretation of heritage resources that celebrate the efforts of dominant settlers and pioneers. This has been done without reference to Indigenous presence on the lands and is not only an incomplete interpretation, but one that contributes to the continuing legacy of colonialism.

This Review explores how Burnaby could manage and interpret community heritage in a way that acknowledges Burnaby as a community formed by diverse settler communities on the unceded homelands of the hən̓q̓əmin̓əm̓ and Skwxwú7mesh speaking peoples, and also acknowledging the historical, sustained, and ongoing interests and responsibilities of Burnaby’s Host Nations in these lands.

Being transparent about the use of the word “heritage” is part of this effort. The term ‘heritage’ is fraught with meaning that can make it challenging to engage a wide audience in heritage work. In BC, and throughout Canada, ‘heritage’ and ‘heritage planning’ have become synonymous for many with recognizing and protecting the built heritage of dominant settlers.

While in some cases, Burnaby is bound by legislation (including the BC *Heritage Conservation Act* and *Local Government Act*) to apply a narrow definition of heritage, we can choose to apply a broader definition of heritage in our own policy and program development to incorporate built, Indigenous, intangible and natural heritage – a term such as cultural heritage.

Cultural heritage - the tangible and intangible elements of culture that are passed from one generation to the next, that define our society and from which we derive meaning, purpose, and identity.²

Our use of the terms ‘heritage’ and ‘cultural heritage’ throughout the report respects a more holistic view of heritage that exists in many Indigenous communities, and includes Indigenous, intangible, natural as well as built heritage. The use of the term ‘heritage’ in this report should be understood as this broad definition. However, when referencing provincial legislation, a narrower interpretation may be understood given the legislative framework that focuses primarily built settler heritage.

Executive Summary

*“When we start to look at the land, we think of things as just a street, a lake, a pond, a tree. But there is so much more heritage – the original First Peoples have history/ heritage/context for thousands of years, back further than any of us can imagine.”**

The Heritage Policy and Program Review (Review) was initiated by the City of Burnaby to better understand its heritage planning policy and programs in the context of emerging issues and best practices, and to align its heritage programs and policies with the City’s priorities and policy context.

Heritage planning in British Columbia is being re-evaluated through the lenses of reconciliation, diversity, equity and inclusion. Within this context, this review offers the chance to identify where there may be service gaps and opportunities, and what may no longer be working as effectively as it had in the past.

In 1988 the Municipality of Burnaby initiated a Heritage Advisory Committee. The Heritage Advisory Committee created an inventory of built heritage resources by using the “Windows on the Past” inventory of pre-1930 buildings, compiled by the Burnaby Historical Society (BHS) in 1985. The City later updated this inventory of heritage resources, replacing the older BHS version. The updated inventory was published in 2007.

In 1996 the Province updated the *Heritage Conservation Act* (HCA). Any legislation in the HCA that related to municipal heritage was incorporated in the newly created *Local Government Act* (1998). Heritage policy in the *Local Government Act*, among other things, has given local governments the authority to create a Community Heritage Register, a formal list of sites with heritage value that is adopted by a municipal council. In 2003, the City created a Heritage Register, and the Heritage Advisory Committee became the Community Heritage Commission (CHC). Both changes were made in order to be in alignment with the *Local Government Act*. Today, Burnaby continues to reference its Heritage Inventory, and also lists some resources on its Community Heritage Register.

The City of Burnaby is considered by many working in the field to be a leader in heritage planning because of the comprehensiveness of its heritage program. The City’s heritage services include operation of one of the province’s largest museums (Burnaby Village Museum), a city archives with a “total archives” mandate to collect City and community records, and a built heritage program that makes use of tools available under the *Local Government Act*.

Early in the project, the opportunity to grow the capacity of the City’s Archives to have a greater focus on community archives work was identified. To further explore this opportunity, Corporate Services engaged Cornerstone Planning Group to develop a *Community Archives Strategy*, which was completed in January 2023. The *Community Archives Strategy* includes a set of recommendations to build the capacity of the City Archives to reflect and serve Burnaby’s diverse community members, and to work across departments in a coordinated approach. It also includes recommendations:

* Quotes throughout the report were captured through the stakeholder interview process. Stakeholders have been kept anonymous throughout.

- to build capacity to serve and engage with Indigenous communities, including considering the interests of Burnaby's Host Nations,
- serving residents who are members of the Host Nations, and
- serving urban Indigenous community members

Though there is work to do, the City's work to engage with Indigenous communities was identified as a strength by many who were interviewed for this project. The City's work has included the publication of the *Indigenous History of Burnaby Resource Guide* and establishing the position for a Director, Indigenous Relations and Reconciliation, whose role includes building government-to-government relationships with Host First Nations. Currently, the Host First Nations include the kʷikwə́ləm (Kwikwetlem), Skwxwú7mesh (Squamish), xʷməθkʷəy̓əm (Musqueam) and sə́lilwə́təʔ (Tsleil-Waututh) Nations.

While the City's heritage program has a strong foundation, there are opportunities to update its policy and programs to address gaps, improve practices, and align its programs with City priorities and policies, primarily its Reconciliation Framework. The opportunities in this report are identified as goals and recommendations and have been informed by engagement with the Host First Nations, Indigenous and non-Indigenous residents of Burnaby, key stakeholders, and City staff.

Goals and Recommendations

Goal	Recommendations	Desired Outcome
1. Grow capacity to identify, manage, and interpret cultural heritage	1a. Increase staff capacity for cultural heritage work across departments	Clear, consistent and funded approach to expand the work of cultural heritage to be more inclusive, diverse and align with the TRC Calls to Action.
	1b. Develop a consistent approach to collaborate with Host First Nations on cultural heritage projects	
	1c. Expand representation on the Community Heritage Commission to encourage more diversity	
	1d. Develop a Cultural Heritage Grants program to encourage community-led cultural heritage initiatives	
2. Develop policies and plans to strengthen cultural heritage	2a. Develop a Built Heritage Asset Management Strategy for City-owned assets	Internal consistency with the City's heritage assets, policy and programs.
	2b. Develop an Arts, Culture and Heritage Plan	
	2c. Develop policies to guide future naming and commemoration	
	2d. Consider recognition and protection of cultural heritage resources within the scope of new long range plans and major development projects	
	2e. Work with Host First Nations and Indigenous residents to secure space at civic facilities for Indigenous cultural heritage expression, including ceremonial practices	
3. Ensure best practices in cultural heritage planning	3a. Work with Host Nations to revise and update the <i>Thematic Framework</i> prior to advancing it to Council	Continue to be aligned with best practices for cultural heritage planning.
	3b. Update the Heritage Register	
	3c. Develop a Heritage Building Grants Program for heritage property owners	
	3d. Develop guidelines and streamline the process for Heritage Revitalization Agreements	
	3e. Develop policies to ensure standardized practices for built heritage recognition, protection and maintenance	
4. Strengthen policy and processes for protecting archaeological sites	4a. Incorporate specific policy for protecting archaeological sites in the updated OCP	Provide City staff, developers and residents information that is relevant to archaeological sites.
	4b. Establish policy and guidelines to reduce the risk of impacting an archaeological site on City lands when working on City infrastructure projects	
	4c. Include the requirement of an Archaeological Impact Assessment for major development applications and those that require an OCP amendment	

Scope of Work

“Heritage means a way we interact with each other, how we place value on things, places, people.... The places and people we uphold and are meant to see ourselves reflected in.”

The purpose of the Heritage Policy and Program Review is outlined in the *Heritage Policy and Programs Review* report advanced to Council through the Community Heritage Commission at its 2021 September 20 meeting. The project’s scope is to provide a review and analysis of:

- the City’s use of tools available under the *Local Government Act* for conservation of private heritage properties and retention of character homes and landscapes;
- engagement of Burnaby’s diverse community with Burnaby’s history and heritage, and public awareness of Burnaby’s heritage resources and unique historical character;
- inclusion of First Nations and Indigenous heritage and cultural resources in the City’s heritage policy framework;
- management of civic heritage resources, including buildings and landscape features, artifacts, and documentary heritage; and,
- communication and interpretation of community history and heritage resources.

Other policy directions considered for this work include:

- Council’s adoption of a framework for reconciliation as outlined in the 2019 October 30 Council Report *Framework for Implementation of the Truth and Reconciliation Commission’s (TRC) Recommendations*
- the City’s commitment to celebrate a diverse community identified in the *Corporate Strategic Plan (2017)*.

This Review also considers recent direction from the Community Heritage Commission and Council to advance work that recognizes diverse settler and Indigenous histories. As part of this, the CHC is developing a draft *Thematic Framework*, and Council has approved a three-year project to document and share Chinese Canadian history in Burnaby at its 2019 June 24 meeting.

The Heritage Policy and Program Review is also a response to Council’s direction at its 2019 June 24 meeting to be advised on the feasibility and advisability of developing a strategic plan to recognize the histories and contributions of diverse settlement communities, and of Burnaby’s Indigenous history. The 2020 July 6 report responding to Council’s direction included a commitment to undertake a heritage policy review.

Prior to the start of this project, the City had completed relevant work including a review of the heritage development application process to streamline applications for heritage revitalization agreements (HRAs), and to introduce thematic frameworks and heritage assessments as conservation tools. This background work in part informs this report.

Early in the project, further background research was conducted including:

- meetings with City staff from the Indigenous Relations and Reconciliation portfolio
- bi-weekly team meetings between City staff project team (three members) and the consulting team
- a review of existing City documents and related information

- one-on-one interviews with City staff
- a discussion with City staff on the impacts of housing policy and built heritage
- a discussion with City staff on reconciliation and collections practices (both archival and museum)
- referrals were sent to four Host First Nations regarding the *Thematic Framework for Heritage*, including the kʷikwə́ləm (Kwkwetlem), Skwxwú7mesh (Squamish), xʷməθkʷəy̓əm (Musqueam) and səilwətał (Tsleil-Waututh) Nations

The City organizational chart included in this Report was developed to show the existing working relationship among staff working in cultural heritage so that recommendations could be drafted appropriately (see Figure 2). A comparison of four similar sized communities was also conducted which noted staff responsibilities, best practices and emerging issues in cultural heritage (see Table 1).

After the initial background research was completed, a number of potential directions were explored and presented to representatives of senior management, the Community Heritage Commission, the Parks, Recreation and Culture Commission, and the Executive Committee of Council. These presentations helped to evaluate support for recommended directions and to determine next steps.

Subsequently, stakeholder interviews were conducted with City staff and community stakeholders who have an interest in heritage. Staff interviews included the Director, Indigenous Relations and Reconciliation, as well as several members of the Indigenous staff working group.

At the completion of the stakeholder engagement, a report was drafted. Following a review by senior management, the draft report was sent through a referral process to kʷikwə́ləm (Kwkwetlem), Skwxwú7mesh (Squamish), xʷməθkʷəy̓əm (Musqueam) and səilwətał (Tsleil-Waututh) Nations. This referral followed the format of the earlier referral of the draft *Thematic Framework* to the four Host Nations.

The second referral package noted that the consulting team and staff project team were available to provide presentations and facilitate a sharing circle with representatives from the host Nations as requested. Following the initial referral for the *Thematic Framework*, kʷikwə́ləm Nation requested a presentation and Skwxwú7mesh Nation recommended review by their Language and Cultural Affairs Department.

Following the second referral, sharing circles were held with staff from kʷikwə́ləm Nation and from Skwxwú7mesh Nation Language and Cultural Affairs Department. Feedback from the sharing circles was recorded from the sessions. These two Host Nations also provided written feedback as did the səilwətał Nation. No response was received from xʷməθkʷəy̓əm (Musqueam).

Finally, a sharing circle was held with representatives from Burnaby's urban Indigenous community. All of these streams of engagement fed into the final report and recommendations, including revising the *Thematic Review*, developing a consistent approach to collaborating with Host Nations on cultural heritage work, and working with Host First Nations and Indigenous

residents to secure space at civic facilities for Indigenous cultural heritage expression. All feedback shared through all streams of engagement were reviewed and considered, though some go beyond the scope of this project and require more government to government engagement to develop. Regardless, all feedback received, whether reflected in this report or not, has been shared with the City to support the work ahead.

Background: Heritage Planning in British Columbia

“I think being in Canada, and being on Indigenous lands, we should improve. When people come here that is what they are looking for – the First Nations history as well as about reconciliation and what is being done.”

Heritage is a term that often has an assumed meaning without an overtly specific definition. UNESCO, the keeper of world heritage site designations, defines it as:

Our legacy from the past, what we live with today, and what we pass on to future generations. Our cultural and natural heritage are both irreplaceable sources of life and inspiration.³

Other Western definitions include “what is left behind”⁴ and “features belonging to the culture of a particular society, such as traditions, languages or buildings which come from the past and are still important.”⁵

In the local government context, heritage is generally understood to represent objects, buildings and stories of importance from past generations that should be recognized in the present and preserved into the future. Today, as part of heritage work, many communities are exploring and evaluating who the community’s heritage is important to, why, and how it will be carried forward.

Beginning in 1865, legislation in British Columbia recognized protection of archaeological sites and declared any human remains and associated articles to be property of the Crown.⁶ Heritage legislation was revised considerably between 1865 and 1996. In 1996, the current *Heritage Conservation Act* (HCA) was completed and the *Local Government Act* was introduced.

The 1996 HCA update recognized the Province’s role in protecting archaeological sites, which is defined in the legislation as physical evidence of human habitation prior to 1846). It also granted local governments, for the first time, the authority to recognize and protect municipally-significant heritage (1846 and after). The date of 1846 was selected because it is the year that Canada and the United States settled on the 49th parallel as the boundary between the United States and the British colonies that would later become Canada. It was also the year that Britain made the colonial declaration of sovereignty in British Columbia.⁷

BC’s heritage legislation separates heritage into two streams: archaeology and community heritage. In 1996, powers for local governments to manage community heritage resources were removed from the *Heritage Conservation Act*, and included in the *Local Government Act*. The Province kept responsibility for recognition and protection of archaeological sites, which by legislative definition include all First Nations heritage sites prior to 1846. Local governments could then recognize and protect sites of significance to their community. While the legislation does not exclude local governments from recognizing and protecting sites of significance for First Nations, the divided nature of the legislation and the provincial oversight of archaeological sites implied a separation of authority and relationships.

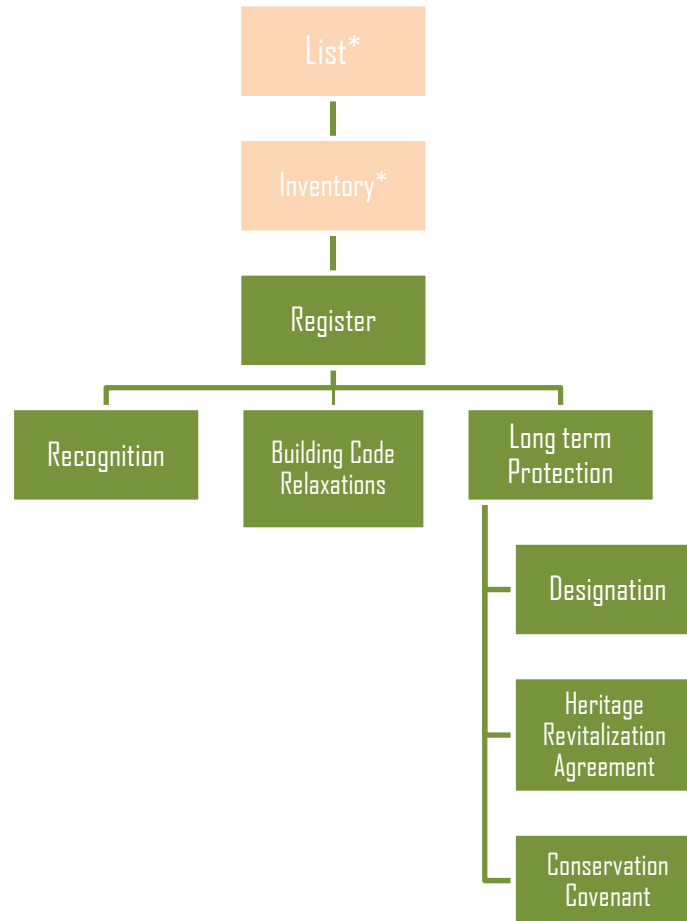
With the 1996 update, the Province created the only legislation that specifically grants local governments authority over ‘culture.’ Through Part 15 of the *Local Government Act*, local governments are permitted to create a Heritage Register, extend protection of private property

through Heritage Designation, publicly recognize heritage (most often through plaques and interpretive signage), offer grants to heritage property owners to maintain and enhance their property, and appoint a body – a Community Heritage Commission - to advise local government on issues related to heritage, including land use considerations.

Burnaby retains an informal list of resources (an “Inventory”). A smaller list of properties is included on its Community Heritage Register, which is a formal list of properties Council has identified as deserving of protection. Recognition on a Register does not permanently protect a property, but it does provide the local government with heritage management tools, including the ability to issue temporary protection orders and conduct inspections. Properties on a Register are also eligible under the *Local Government Act* for recognition (such as plaques), grants, and building code relaxations.

A local government can work with a property owner to achieve long-term protection of the heritage property through tools available through the *LGA*, including designation, negotiation of a heritage revitalization agreement, and conservation covenants.

Figure 1 – Model of Municipal Heritage Planning Tools Used in Burnaby



**not a heritage tool identified within the Local Government Act*

Cultural Heritage Planning in Burnaby

“Heritage creates culture.”

Burnaby, like most communities across British Columbia, has focused on recognizing built heritage (including homes, commercial buildings, and monuments) as well as some landscape features located in Burnaby parks. The heritage inventory lists 169 resources, including 56 resources that are protected through a heritage designation bylaw or other mechanism, and 63 resources included on the Community Heritage Register.

Burnaby, unlike many communities, did not develop a Heritage Grants program. Instead, the increased value of a property achieved through a heritage revitalization agreement (HRA) or through provisions included in a Comprehensive Development Rezoning are the main incentives for a property owner to make a commitment to keep and maintain a privately-owned heritage resources.

Through its focus on built heritage, Burnaby recognized cultural heritage in a way similar to most communities. However, the *Local Government Act* (Section 588 (1)) does allow for recognition of lands it describes as natural landscapes and undeveloped land if the site:

- (a) [is] necessary for the conservation of adjacent or proximate real property that is protected heritage property,
- (b) with respect to a site that has heritage value or heritage character related to human occupation or use, or
- (c) with respect to individual landmarks and other natural features that have cultural or historical value.⁸

By recognizing natural landscapes, it is possible to recognize some Indigenous and intangible cultural heritage resources. These include stories, ceremonial or community practices, and traditional uses of the land and waters that may not have left behind a physical marker. By including powers for recognition of natural landscapes and ‘undeveloped land’, the *Local Government Act* permits the recognition and, possibly, protection of sites that may have no lasting built form.

Identifying significant sites and cultural values related to them of Indigenous cultural heritage would be done in partnership with Host First Nations and with community members who have knowledge of the significance of the value and the traditional use of the sites. Staff are aware of significant sites and their cultural values that could be recognized and managed using these tools, and additional sites could be identified through relationship building with Host First Nations and community members. This work may inform the Heritage Register update.

Powers and responsibilities for protection of Indigenous cultural heritage resources are likely to change with the Province’s adoption of DRIPA. In March 2022, the Province presented its *Declaration of the Rights of Indigenous Peoples Act (DRIPA) - Action Plan*. The Action Plan includes, “Work[ing] with First Nations to reform *the Heritage Conservation Act* to align with the UN Declaration, including shared decision-making and the protection of First Nations cultural, spiritual, and heritage sites and objects.”⁹ The Province has already begun this work and anticipates an updated HCA to be completed by 2024.¹⁰

City of Burnaby's Staff Roles and Responsibilities

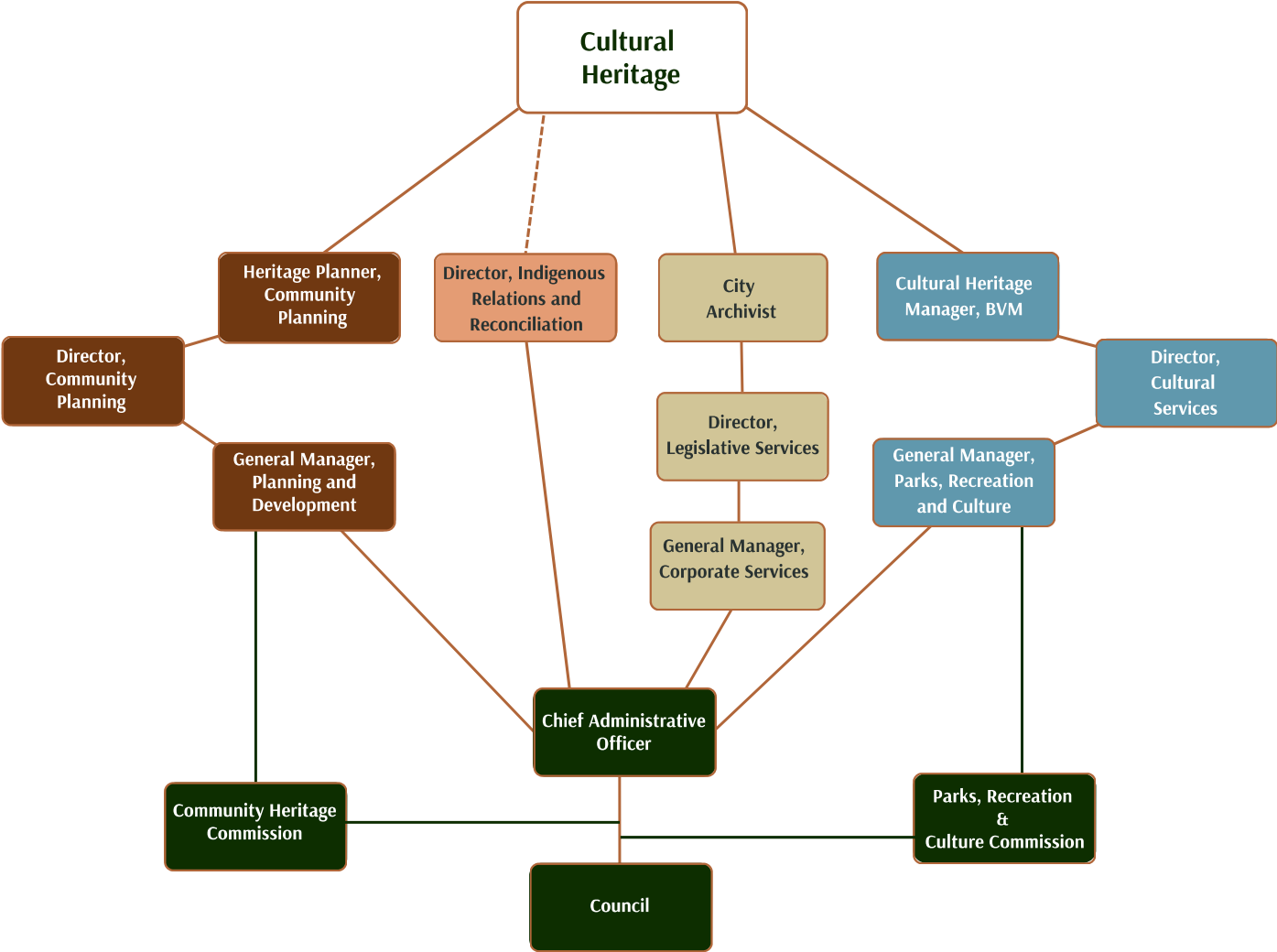
Staff roles and responsibilities for cultural heritage planning in Burnaby were identified through conversations with City staff, both one-on-one and in team meetings (see Figure 2). While this report recognizes four key roles in cultural heritage planning, management of the City's cultural heritage resources is the responsibility of many staff members, as well as Mayor and Council.

The management of cultural heritage resources is important to the City's ongoing work toward reconciliation, and its efforts to advance diversity, inclusion and equity. Cultural heritage has a key role to play as a part of community culture, identity, placemaking and connection.

The four key staff roles and responsibilities for management of cultural heritage resources include:

- Heritage Planner (Community Planning) - serving as staff liaison to Community Heritage Commission with responsibilities for implementing the CHC work plan, developing and advancing heritage policy, and reviewing development permit applications with a heritage component
- Director, Indigenous Relations and Reconciliation (Office of the Chief Administrative Officer) – supports the City's government-to-government relations with First Nations and develops protocols for City staff to engage with the Nations on areas of mutual interest
- City Archivist - manages all aspects of archival and heritage programs and provision of services at the City of Burnaby Archives
- Cultural Heritage Manager – plans, develops, coordinates and oversees programs and events for the Burnaby Village Museum, city-wide heritage activities and cultural community partnerships

Figure 2 – City of Burnaby’s Heritage Organization Chart



Review of City Documents

“Heritage is the stories that we inherit.”

The City’s Heritage Policy and Program Review includes a review of City of Burnaby policy documents and other relevant materials. The documents that were reviewed include:

- Municipal Heritage Policy (1991)
- The Official Community Plan (1998)
- Social Sustainability Strategy (2011)
- Report to Council: *Framework for Implementation of the Truth and Reconciliation Commission’s (TRC) Recommendations* (2019 October 30)
- HOME: Burnaby’s Housing and Homelessness Strategy (2021)
- Report to the Community Heritage Commission: *Thematic Framework for Heritage* (2022 April 4)

This review indicates that cultural heritage and the City’s commitment to reconciliation and building relationships with First Nations governments have become more integrated into planning policy in recent years. More recent documents such as *HOME: Housing and Homelessness Strategy* and the *Thematic Framework for Heritage* identify these commitments, but they are lacking in earlier documents such as the *Corporate Strategic Plan*, *Official Community Plan (OCP)* and *Social Sustainability Strategy*.

Following is a short summary of the policy documents that were reviewed, with a summary of significance for cultural heritage planning in Burnaby today:

The *Municipal Heritage Policy* (1991) focuses on the recognition and protection of municipally-owned heritage sites. The policy recognizes the importance of identifying and managing heritage resources on City lands, including archaeological sites. It outlines the need to stabilize and maintain heritage assets and the importance of natural and culturally-modified landscapes. It outlines an active role for Burnaby’s local government to acquire and provide access to heritage assets.

The *Official Community Plan* (1998) reflects the perspective of its era and focuses largely on settler heritage that is recognized and protected in built form. The OCP includes a chapter on ‘Heritage’ and identifies a heritage goal (12.2):

To provide opportunities for increased awareness and the conservation of the City’s unique natural, cultural, archeological and built heritage.

The four key directions identified in the Heritage Planning section of the 1998 OCP are:

- Neighbourhood Heritage
- Public Awareness
- Conservation Incentive Program
- Stewardship of Civic Heritage Resources

The City's existing OCP does not provide direction for how to implement the work described in the four key directions.[†]

The *Social Sustainability Strategy* (2011) identifies celebrating diversity and culture, and enhancing neighbourhoods as strategic priorities. Strategic Priority 2 - "Celebrating Diversity and Culture" speaks to supporting cultural expression by Burnaby's diverse cultural groups and reducing barriers to participation in the economic and social life of the community. Enhancing neighbourhoods includes recommended action 86 - To recognize and promote examples of urban design with 'character' including public art and historical monuments.

Two more recent reports outline a commitment to Indigenous engagement and equity: *Framework for Implementation of the Truth and Reconciliation's Recommendations* (2019 October 30) and *HOME: Housing and Homelessness Strategy* (2021). While these reports do not advance recommendations related specifically to the City's cultural heritage programs, they align with best practices in cultural heritage resource management.

The 2019 October 30 Council Report outlined a framework for implementing the Truth and Reconciliation Commission's calls to action and detailed the City's existing work to physically demonstrate ancestral and ongoing Indigenous presence on the land. The report also identified further actions to be taken including: initiating government-to-government relationships; building organizational cultural competency, and; coordinating and prioritizing reconciliation efforts with the assistance of a dedicated staff coordinator. The framework emphasizes the need for greater understanding of Indigenous culture, Indigenous-settler relationships and the impacts of colonization. These objectives reflect best practices in heritage planning for British Columbia and can be advanced through the City's heritage programs.

HOME: Burnaby's Housing and Homelessness Strategy (2021) provides an inclusive approach to developing long-term policy. *HOME* places social inequity as a key consideration in access to housing and the issue of homelessness, with the recognition that one in five households are in core housing need¹¹. *HOME* also recognizes the number of residents who identify with Indigenous ancestry. The strategy recommends the City work with Indigenous housing providers to secure access to housing. Finally, a submission from the səllilwətał Nation is included in the document and informs policy direction.

One of the key goals of the housing strategy is to improve the diversity of housing choices for residents with the introduction of gentle density in primarily single-family housing neighbourhoods. In terms of built heritage sites, the introduction of gentle density could impact the recognition and retention of heritage houses. Historically, Burnaby protected older, character homes by permitting density increases through a negotiated heritage revitalization agreement (HRA). With the possibility of more density without an HRA, this incentive may no longer have the

[†] With the forthcoming OCP Update, there is the opportunity to include more specific land-based policy for neighbourhood heritage, incentive programs, stewardship of civic built heritage resources and public awareness. There is also the opportunity for policy for strengthening relationships with Host First Nations, which will be central when recognizing Indigenous Cultural Heritage and supporting the Council Report *Framework for Implementation of the Truth and Reconciliation Commission's Recommendations*. Parallel to this report an OCP Discussion Guide has been developed to help inform the OCP Update as it relates to Cultural Heritage.

same value as before. However, the *HOME Strategy* includes Action 1.6 to “implement measures to retain neighbourhood character (and) heritage buildings in infill developments.”

Finally, a vision for a more inclusive heritage program is outlined in the draft *Thematic Framework for Heritage*, developed by the Community Heritage Commission and received at its 2022 April 4 meeting. A thematic framework is a heritage management tool that is used to help assess the significance of heritage resources in relation to the unique historical character of a community.

Burnaby’s draft Framework expresses a commitment to:

- identifying a broad range of tangible and intangible heritage resources;
- proactively recovering unheard voices and perspectives in Burnaby’s historical narratives to acknowledging, and;
- telling and redressing the uncomfortable truths of our past and their enduring impact.

The draft Framework was sent through the referral process to the four Host First Nations. Feedback from the Host Nations indicated that more work needs to be done on the draft Framework to better represent and be inclusive of Indigenous cultural heritage. A revision of this document is currently underway as informed by the feedback.

Comparable Communities

“People experience heritage through spaces, events, and programming.”

Research for the Heritage Policy and Program Review included interviews with staff from four local governments to help assess best practices and to compare Burnaby’s policy and programs with those of its peers. These interviews with staff at Nanaimo, New Westminister, Richmond and Surrey revealed that Burnaby is seen as a leader in its approach to cultural heritage planning. The comparison also helped to identify trends and emerging best practices.

Key findings from comparable communities:

- heritage is a shared responsibility between departments in all of the comparable communities. Typically the roles include:
 - Heritage Planner in planning department with a focus on land use planning, long range policy, and the liaison with the Community Heritage Commission
 - Cultural Planner in the parks and recreation department with a focus on managing City-owned heritage assets, programming, and implementing interpretive signage
 - An Archivist managing a “Total” Archives program (with both community and City records) and a museum managed by the City (New Westminister, Richmond and Surrey).
- good communication across departments was identified as imperative to managing heritage resources and programs to avoid a siloed approach.
- addressing management and interpretation of Indigenous and intangible cultural heritage through heritage planning tools as an emerging issue, and is generally being incorporated through programming initiatives.
- diversifying from a Eurocentric view by telling more inclusive stories of the land (including painful stories) was identified, as well as recognizing additional types of cultural heritage resources to better represent diverse settler communities and Indigenous cultural heritage.
- moving toward having a Heritage Register in lieu of a Heritage Inventory, although many cities still have both.
- re-examining the role of Community Heritage Commissions to be more proactive. For example, New Westminister is providing new direction to their Commission so that the members can do more than provide comment on development applications.

The other cities identified that Burnaby is seen as a leader for:

- taking steps toward reconciliation including publication of the *Indigenous History of Burnaby Resource Guide*, the establishment of government-to-government relationships with Host First Nations, and the creation of the Director Indigenous Relations and Reconciliation position;
- the inclusion of diverse voices in Burnaby's history through the CHC's Chinese Canadian History project and the work of the Museum to engage with diverse community members to develop exhibits and programs, and;
- its informed and enthusiastic Community Heritage Commission which has advanced projects to Council and through its work plan to recognize diverse and Indigenous histories in Burnaby.

Table 1

Comparable Cities

Heritage Operations

	Land Use Heritage Planner	Cultural (Heritage) Planner (Parks/recreation/culture)	City-managed Community Archives	City-managed Museum	Heritage Register/Heritage Inventory	Indigenous Relationships	Emerging Trends
Burnaby	✓	✗	✓	✓	<ul style="list-style-type: none"> • Inventory • Register 	Manager of Indigenous Relations	<ul style="list-style-type: none"> • Community heritage is diversifying from Eurocentric dominant view • What is Burnaby's character and where does Heritage fit into that?
Nanaimo	✓	✓	✗	✗	<ul style="list-style-type: none"> • Register only, since 2002 • Updated every 1 - 2 years 	Deputy city manager	<ul style="list-style-type: none"> • Intangible heritage
New Westminster	✓	✓	✓	✓	<ul style="list-style-type: none"> • Inventory updated 1996 (then stopped) • Register updated regularly 	<ul style="list-style-type: none"> • Manager of Museum and Heritage Services • New position coming up: Indigenous Relations Advisor 	<ul style="list-style-type: none"> • Intangible heritage • Perception of heritage is changing
Richmond	✓	✓	✓	✓	<ul style="list-style-type: none"> • Inventory updated 2002 (updating now) • Register 	<ul style="list-style-type: none"> • No single position • Managers of departments/projects 	<ul style="list-style-type: none"> • Community heritage is diversifying from Eurocentric dominant view
Surrey	✓	✓	✓	✓	<ul style="list-style-type: none"> • Inventory updated 2016 • Register updated 2016 	<ul style="list-style-type: none"> • No single position • Project dependent 	<ul style="list-style-type: none"> • Community heritage is diversifying from Eurocentric dominant view

Engagement with Host First Nations

“Protocol is such an important part about how we create relationships.”

The First Peoples’ Cultural Council defines heritage as:

... comprised of all objects, sites and knowledge the nature or use of which has been transmitted from generation to generation, and which is regarded as pertaining to a particular people or its territory. The heritage of an indigenous people also includes objects, knowledge and literary or artistic works which may be created in the future based upon its heritage.¹²

This definition of cultural heritage differs from most colonial definitions as it speaks to culture that is not static but woven into the foundation of community and into the future. It highlights how cultural heritage is understood from an Indigenous perspective. Indigenous cultural heritage is an evolving aspect of community, culture and identity. Reconciling colonial and Indigenous worldviews will be a key piece of cultural heritage work moving forward.

In 2019, the City of Burnaby formally acknowledged that it is located on the ancestral and unceded homelands of the hən̓q̓əmin̓əm̓ and Sk̓wx̓wú7mesh speaking people, and initiated government-to-government relationships with Burnaby’s Host Nations. The City-operated Burnaby Village Museum released the *Indigenous History in Burnaby Resource Guide (2019)* in consultation with several Host First Nations, deepening knowledge of the historical narratives of these lands and increasing public education about Burnaby’s Indigenous history. In 2020 the City’s first Indigenous Relations Manager was hired (now the Director of Indigenous Relations and Reconciliation position).

The City has recently hired a full time Indigenous Education Programmer at the Burnaby Village Museum to oversee and support Indigenous content and program delivery at the Museum. Programming is largely delivered in the on-site Indigenous Learning House and Matriarchs’ Garden, designed in partnership with local knowledge-keepers and Elders. The Cedar Grove plant interpretation space has been recently added to enhance programming.

Working with the Director, Indigenous Relations and Reconciliation, and building from the government-to-government work that Burnaby is undertaking, a referral process was implemented as part of the Heritage Policy and Program Review based on the City’s referral process. Early engagement on preferred processes with several Host Nations indicated a preference for using the referral process for this project. Over the course of this work, we learned that kwikwə́ləm̓ (Kwikwetlem) prefers a less regulatory approach. These preferences were tracked in an internal Referrals Profile tool developed to support this project and have also been shared with City staff to help inform engagement moving forward.

Referrals Process

The first referral package was sent to four host First Nations - kwikwə́ləm̓ (Kwikwetlem), Sk̓wx̓wú7mesh (Squamish), x̓m̓əθk̓wəy̓əm̓ (Musqueam) and səliłwətał (Tsleil-Waututh) Nations - based on direction provided by the Director, Indigenous Relations and Reconciliation. The first referral package included:

- the draft *Thematic Framework for Heritage*;
- a letter describing the referral, and;
- a spatial file to assist the Nations in their review.

The referral allowed for a 45-day review period, with a reminder sent to the Nations as the deadline approached. The City received two written responses to the first referral. The kwikwəłəm Nation requested a presentation, and the Skwxwú7mesh Nation recommended contacting Language & Cultural Affairs staff for feedback.

A second referral package was sent following the 45-day review period for the first referral. This package included:

- the draft Heritage Policy and Program Review report;
- a letter describing the referral, and;
- a spatial file to assist the Nations in their review.

A virtual sharing circle was facilitated with staff from the kwikwəłəm Nation the Skwxwú7mesh Nation Language & Cultural Affairs staff where feedback was recorded. Both these Nations, as well as the səlilwətał Nation provided a written feedback to the referral process and referrals.

Key takeaways from the engagement with the four Host First Nations include:

- continue to prioritize ongoing government-to-government relations between the City of Burnaby and the Host First Nations
- foster relationships through early and meaningful involvement of the four Host Nations
- understand that the four Host First Nations have place names, stories, cultural use areas, information, knowledge, data, values and priorities that should be considered
- clearly communicate the City of Burnaby commitment to implementing the Truth and Reconciliation Commission's Calls to Action. This information should be easily accessible for the Host First Nations, local residents, City staff, and other key stakeholders
- build capacity for the recognition, protection and celebration of Indigenous cultural heritage, as well as intangible and natural cultural heritage, throughout City departments
- specify when a policy or program is focused on built heritage, for example a *Built* Heritage Asset Management Plan
- strengthen the processes around identifying and protecting archaeological sites, both known and potential, and build internal capacity to do this work

Engagement with Urban Indigenous Residents

To better understand the experience urban Indigenous residents, a sharing circle was facilitated with Indigenous community members and representatives of organizations that serve Indigenous populations living in Burnaby. The sharing circle was attended by community members and Indigenous City staff who shared a wide range of experiences and perspectives.

Following a presentation from the consulting team, an open discussion was held to share views on how the City's heritage programs could be inclusive of urban Indigenous residents in Burnaby. Three key questions were asked:

1. What words come up for you when thinking about heritage?
2. How do you experience heritage in Burnaby?
3. What would you recommend the City do to make Burnaby more inclusive of indigenous heritage?

While participants expressed diverse backgrounds and viewpoints, they shared a common perception that Indigenous cultural heritage feels all but invisible in Burnaby. Of note was the lack of clear resources and supports for people from Indigenous backgrounds, such as appropriate cultural education and language resources. As well, spaces designed to recognize and celebrate Indigenous cultural heritage where ceremony could be performed safely is also missing.

The participants expressed a desire for the cultures of the Host Nations to be visible through naming, place-making, public art, and other methods. They also expressed the need for spaces and places to practice their own cultures, including places to gather and places to harvest traditional resources.

Archaeology Review

In order to better understand best practices for heritage planning at a local government level, five communities were interviewed about their policies and practices for identification, management, and protection of archaeological sites: Vancouver, Victoria, Nanaimo, New Westminster, and the Capital Regional District (CRD).

As per the *Heritage Conservation Act*, the protection of archaeological sites is the responsibility of the Province, administered through the Archaeology Branch. In current legislation, any development work that is within 50 meters of a known archaeological site requires application for a permit from the Province. The Archaeology Branch provides local governments with access to their *Remote Access to Archaeological Data (RAAD)* dataset so that staff can identify overlap between applications and archaeological sites, and refer developers to the Archaeology Branch for work that is within 50 meters of known sites. In their role as developers and managers of land, local governments are also subject to the requirements of the Act to not disturb an archaeological site.

The protection of archaeological sites is primarily a provincial responsibility, many local governments in British Columbia have adopted a more rigorous protocol for protection of archaeological sites in order to reduce risk of impacting a site when they are working on City lands and infrastructure projects, and to support relationships with First Nations. Each of the five communities interviewed had its own approach to the identifying and protecting archaeological sites. Practices ranged from, in order of least and most requirements:

- referring development permit applicants to the Archaeology Branch if the application includes ground disturbance within 50 meters of a known archaeological site, as identified on the RAAD system. (Victoria, CRD)
- referring applicants to the Archaeology Branch for permits within 50 meters of a known archaeological site, and withholding a development permit until the applicant has received a permit from the Province and completed an assessment and/or mitigation work. (New Westminster)
- referring large development applications and OCP amendments to local First Nations. (New Westminster)
- reviewing local government-led infrastructure projects through an in-house archaeologist to assess risk of impacting an archaeological site. The archaeologist may liaise with local First Nations, if feasible. (CRD, City of Vancouver)
- developing a GIS 'potential' layer to identify areas with significant potential to contain an archaeological site that has not been previously identified, and for sites of cultural significance for local First Nations. The potential layer will be shared with the Archaeology Branch once the work is completed. (Nanaimo)
- working with Host First Nations to review development permits for any site within a buffer zone that can be between 50-100 meters of known archaeological sites or of sites with high potential, such as former village sites. (Vancouver)
- requiring third party applicants for infrastructure projects (i.e. BC Hydro, Fortis) to have policies and practices that align with the City's own policies for protection of archaeological sites. (Vancouver)

Through the interview process with staff in other communities, it was suggested that protecting archaeological sites may be best achieved by developing relationships with Host First Nations. Understanding the significance of places is always a work in progress as new information is shared through stories and cultural knowledge. This sharing is an important source of information, and is sometimes only available once a good relationship has been assured between a Host Nation and local government.

Recommended actions for archaeological protection for the City of Burnaby are included in the recommendations, and are based on best practices of other local governments and the BC Archaeology Branch. As archaeology is a high priority area for First Nations, the City of Burnaby should be prepared for conversations about management of these resources as part of its government-to-government relationship building with the Host Nations.

Stakeholder Interviews

“When I travel I like to know where I am. What was this place like before settlers created the place today?”

Stakeholder[‡] interviews were conducted with City staff and community members with interest in heritage. The interviews were designed to gain insight into how stakeholders understand Burnaby’s heritage work, and where there may be opportunities to update heritage policies, programs and services.

Key Themes from Stakeholder Interviews

A total of 13 City staff were interviewed, following a standard template of interview questions. Three of the interviewees were managers leading divisions within the City that are key to the City’s heritage programs (Cultural Services, Legislative Services and Community Planning), three were managers whose work intersects with heritage asset management, and seven were identified as cultural heritage staff (including four Indigenous and three non-Indigenous staff members).

Seven representatives from community organizations were interviewed following a questionnaire designed for community stakeholders.

The interviews provided rich information, including many of the quotes shared throughout this document.[§] Interestingly, the key themes that emerged from the staff interviews were also key themes from the interviews with community members. For this reason a combined summary of the themes is provided.

THEME 1: Articulate a holistic definition of heritage

“The word ‘heritage’ has a strong colonial context, used to talk about one group – white settlers.”

“As an Indigenous person, the word opens up a door to the idea of ancestry vs identity. To me heritage means identity.”

Several stakeholders identified the need for the City to incorporate a more holistic definition of ‘heritage’ that recognizes a range of meanings from different communities. This more holistic understanding can be embedded in the City’s cultural heritage policies and programs. Definitions of cultural heritage range from a static representation (i.e. a building) to more complex understandings that include intangible heritage.

[‡] Sensitivities around the use of the term “stakeholder” are understood. For the purposes of this report, the term is used to identify those not from the four Host Nations. Feedback shared at sharing circles emphasized the importance of this distinction.

[§] Considering the small interview size, and the desire of some participants to remain anonymous, the project team has not added attributions to these quotes in this report. Personal names and associated Nations or organizations, are recorded in internal project records.

THEME 2: Engage with diverse community members to share their stories

“Community development is about spending the time and effort to develop relationships... Traditional forms of outreach will not meet these communities where they are at.”

“To break down the barriers we need to make connections and act.”

Stakeholders identified the important role the City has in amplifying voices of community members who have traditionally been marginalized or underserved. Several stakeholders noted this work would require understanding barriers to engagement and working proactively with community members to build relationships. **

THEME 3: Learn from the work of the Burnaby Village Museum

“I think there is a cultural shift at the City to think about heritage through more of an equity, diversity and inclusion lens. I think that started with the Museum and the work that was done around creating relationships with Indigenous members and the Host Nations.”

Almost all stakeholders identified the leadership of the Burnaby Village Museum as a strength, and several commented that the Museum’s model of Indigenous engagement could be reflected throughout the organization. The Museum has a full time Indigenous Education Programmer who programs and supports the Indigenous Learning House with on-site knowledge-keepers, Elders, and a variety of skilled traditional craftspeople. The Museum also partners with the Burnaby Public Library to produce relevant Indigenous and diverse community historical content through the Neighbourhood History Speakers Series. As a leader in an integrated approach, the Museum offers a model to learn from.

Stakeholders also shared the importance of moving forward with the lessons learned. For example, when a place name is shared, it should become known and used according to the guidance and direction of the Host Nations. Lessons learned should not remain only with one department. The work of the Burnaby Village Museum could and should help provide work for other departments to build on.

Each of the four Host Nations should be considered when work is done. While the work of the Burnaby Village Museum is a good start there is more work to be done.

THEME 4: Work across departments to maintain civic heritage assets

** A trauma-informed approach is important. Engaging with these populations requires early and ongoing cultural learning and a trauma-informed lens. Flexibility in the engagement process was also emphasized. Practical barriers like being unable to attend meetings or events during work hours should also be considered.

“I would imagine that throughout the park system we will find things we want to celebrate.”

“I would come up with a more active program to manage the assets and ensure resources to it as a dedicated built heritage restoration program.”

Staff involved in the care and maintenance of civic heritage assets (including heritage buildings, monuments, and landscapes) identified the need for a collaborative and coordinated approach to conservation and interpretation.

THEME 5: Do more work to interpret and share the City’s history

“Right now there is mostly just a small plaque on a house. We need some kind of indicator before you get to the heritage property. And more information – ‘This is one of the 180 heritage houses in Burnaby’ – I think people would love to learn and read up on it.”

Stakeholders noted that the City could be more active in interpreting Burnaby’s history beyond the Burnaby Village Museum. Suggestions included the City being more actively involved in sharing stories of Burnaby places, events, and people through interpretive signage, community-wide interpretive programs, and partnerships with the City’s diverse communities and stakeholders.

Stakeholders offered creative recommendations to broaden the understanding of the City’s history and heritage. Moving beyond signage and programs, the sharing of history and heritage could be through the sharing of stories on the land. Stakeholders acknowledged that the work has begun but that more work is needed to provide a more comprehensive and inclusive history of the City.

THEME 6: Support staff learning

“I think a lot about ‘unsettling myself’ or ‘decolonizing myself’. Sometimes I see the City wants to celebrate or do public facing/external events before really doing the work internally. I feel strongly that the City commits to that internal learning.”

Stakeholders note that staff will require support to learn new skills and understand how their work can advance City goals including reconciliation, diversity, inclusion and equity. The Library’s recent hiring of a consultant to perform an anti-racism audit was identified as a best practice for consideration. Several interviewees noted the need to grow staff’s cultural competencies for working with Indigenous community members and understanding the history and legacy of colonialism.

This trauma-informed learning needs to be ongoing and supported by all levels of the City. It might also extend beyond City staff, to be inclusive of contractors and others working for the City on short-term projects.

Goals & Recommendations

“Burnaby is accessed by vehicle - what are the points of entry that give a general sense of the story of this place?”

Four key Goals and related Recommendations have been developed, informed by the scope of work for this project.^{††}

Goal 1. Grow Capacity to Identify, Manage, and Interpret Cultural Heritage

The policy context, best practices, and stakeholder interviews for this report point to a need for the City to include a wider diversity of voices and representations in its cultural heritage programs. A more inclusive telling of the community’s history will require recognition of tangible, intangible and natural cultural heritage from diverse communities. It will also require engaging with the Host Nations to identify Indigenous cultural heritage resources within the boundaries of Burnaby. The following recommendations identify opportunities for the City of Burnaby to strengthen its work to recognize, protect and acknowledge the community’s diverse settler and Indigenous cultural heritage. They also include opportunities to strengthen capacity within the community to engage with cultural heritage.

Recommendations

- a) Increase staff capacity for cultural heritage work across departments, including Corporate Services, Parks, Recreation and Culture, Planning and Development, and Facilities and Lands.

Stakeholders both within and outside the City, as well as Host Nations, identified the importance of recognizing cultural heritage in many different forms, from interpretive signage to public art to community spaces. However, there is a shortfall in staff capacity to do the work currently required to meet best practices. There is also no formalized process to plan and implement work across the many departments engaged in cultural heritage work.

Addressing the capacity gap will require a review of the City’s ability to perform the expanded cultural heritage work outlined in this report, and to develop processes to support work across departments. A model for addressing capacity can be found in the Burnaby Public Library’s creation of an outreach staff position responsible for engaging with diverse communities. Elsewhere, the City of Victoria has a senior planner responsible for working with the Songhees Nation to uncover Songhees history and coordinate projects that advance redress, such as the renaming of Government Street in downtown Victoria.

^{††} Several interviewees mentioned the need for cultural competency training for City staff to engage with Indigenous community members and to understand the history and legacy of colonialism. Building these competencies across the City has already been identified as a City priority, with implementation within the Indigenous Relations portfolio. For that reason, specific recommendations related to that work have not been included in this report. However, it is noted that this work has been identified as critical to advance work within the City’s heritage programs.

The *Community Archives Strategy* (January 2003) commissioned by City of Burnaby Corporate Services outlines a process for collaborating across City departments to implement City policies and priorities, and to align services. The Strategy recommends an operating model that could be further explored as a model for cross-department heritage work at the City. It includes staff-led cross-department working groups where staff can collaborate on operational work and plan larger projects. Larger projects generated through the working groups can be advanced to the management committee through a subgroup of Directors with heritage responsibilities in their divisions, and projects requiring Council approval could be advanced through an Executive Sponsor (GM).

- b) Develop a consistent approach to collaborate with Host First Nations on cultural heritage projects to identify and manage sites of cultural heritage significance to the Host Nations.

The City has incorporated Indigenous relationship building in a number of departments, ranging from hiring an Indigenous Education Programmer at the Burnaby Village Museum to establishing a Director, Indigenous Relations and Reconciliation position reporting to the CAO. The City is developing best practices, and creating pathways for City departments to engage with the Host Nations. While continuing this work, the City may look to develop a consistent approach to consulting with the Host Nations, such as the referral process. A consistent protocol would help staff in all departments work with Burnaby's Host Nations to identify and manage Indigenous cultural heritage resources. Included in this work will be the need to ensure Host Nations have access to information that may be held across departments including the BVM and the Archives.

An understanding of the limitations and requirements of using this process is needed. Host Nations and indigenous communities may receive hundreds, or even thousands, of referrals a year. Limited staff, time and other resources make it challenging to respond to the volume of referrals. It is recommended that while Burnaby start with a referral approach, flexibility and consideration of community preferences and protocols are required. For example, the City of Vancouver has worked directly with Host Nation liaisons on project work.

Similarly, as the City uses a more formalized process of engagement, it will be important to record feedback, follow up on inquiries, and to continue to build relationships. The Director, Indigenous Relations and Reconciliation, has an important role in this, and City staff should regularly communicate with them. As relationships build, additional supports will be required. The development or updating of internal tools such as the referral guide will need to be ongoing.

- c) Expand representation on the Community Heritage Commission to better represent the diversity of the community's heritage. A revision to the Terms of Reference for the CHC could create positions for organizations or communities not currently represented on the Commission. This could include representatives from neighbourhoods (e.g. Edmonds), members of under-represented cultural communities, and members of the urban Indigenous community members.
- d) Develop a Cultural Heritage Grants program to encourage community-led cultural heritage initiatives. Based on the interviews with community members, there is a gap between what is

of interest at the community level and what the City is recognizing in terms of cultural heritage. Community-led initiatives funded through a grants program would amplify diverse voices from the community and provide greater connection between the City and community organizations interested in cultural heritage.

Goal 2. Develop Policies and Plans to Strengthen Cultural Heritage

The City of Burnaby's cultural heritage programs have largely been developed by long-serving members of Council, the Community Heritage Commission and staff. These stable working relationships have allowed for programs and policies to be implemented based on internal knowledge and shared understanding, without formalized plans, policies, and strategies. However, as the City grows and the cultural heritage environment changes, it would be valuable to have the direction for cultural heritage established through plans that have been developed with community and staff, and adopted through a public process.

Recommendations:

- a) Develop a Built Heritage Asset Management Strategy for City-owned assets in order to provide long-term planning for the City's built heritage and landscape resources. The City currently owns 32 heritage resources that it has committed to maintain. These assets should ideally provide a community benefit to local residents.

A Built Heritage Asset Management Strategy would include a review of the City's heritage assets and would create a framework for City departments to work together to maintain, interpret, and provide public access to these sites. A Strategy can help clearly identify the departments and their responsibilities, as well as create a framework to ensure capital and operational funding to maintain and revitalize heritage assets.

- b) Develop an Arts, Culture and Heritage Plan to ensure long range strategic planning. An Arts, Culture and Cultural Heritage Plan would provide a template for planning across City departments, as well as acknowledging (and potentially formalizing) the informal partnerships of staff in the many City departments that contribute to the management of cultural heritage.
- c) Develop policies to guide future naming of streets, parks and facilities, and for the formal commemoration of significant people, places and events. As the City seeks to further its work toward reconciliation and toward diversity, equity, and inclusion, a formal guide for naming and commemoration can aid staff and Council to recognize events, people and places while aligning with the City's values. This guide would be developed in cooperation with Host Nations and responsive to protocols and processes to ensure equity. These policies should also include a process for deaccessioning names and commemorations, including those that are inconsistent with the City's values.

- d) Consider recognition and protection of cultural heritage resources within the scope of new long range plans and major development projects. Including cultural heritage in the scope of work for long range plans can add a depth of understanding for work that may have previously been overlooked. As an example, cultural heritage as part of the scope of a neighbourhood plan can lead to discussion of significant spaces and traditions that have importance to a wide range of communities for a variety of reasons, which can then be recognized as the neighbourhood grows and changes.
- e) Work with Host First Nations and Indigenous residents to secure space at civic facilities for Indigenous cultural heritage expression, including ceremonial practices Through the referral process and the urban Indigenous engagement session, we heard that there is lack of visibility of Indigenous cultural heritage in Burnaby, and a lack of spaces where Indigenous peoples can practice and/or share their culture, access traditional resources, and to gather as community.

Goal 3. Ensure Best Practices in Heritage Planning

Although the City has shown leadership in heritage policy and programming, there are opportunities to strengthen and update current planning practices.

Recommendations:

- a) Work with Host Nations to revise and update the Thematic Framework prior to advancing it to Council. Through the referral process the Host First Nations identified gaps and limitations of the draft *Thematic Framework*. A key recommendation was to raise the prominence of Indigenous communities on the lands now known as Burnaby, prior to and since colonial settlement.
- b) Review and update the Heritage Register. The City continues to have a large list of properties on an inventory, which is an approach not recognized in the *Local Government Act*. As part of best practices, the City can work to migrate places of significance from the Inventory to the Register. The City can concurrently evaluate the list of resources on the Inventory and Register using an expanded definition of cultural heritage to assess if the diversity and complexity of Burnaby's story is adequately recognized. Part of this work could include working with Host First Nations to identify if there are sites of Indigenous cultural heritage that should be identified and protected. The update would also include removal of properties that no longer exist or have cultural heritage that no longer aligns with the City's priorities.
- c) Develop a Heritage Building Grants Program for property owners to encourage and support preservation of privately-owned heritage resources. The City's current program for long-term protection of heritage properties relies on the increased property value provided through heritage revitalization agreements and through variances permitted through the comprehensive development rezoning process. However, this does not ensure long-term maintenance and care of heritage properties.

Access to a Heritage Building Grants Program can be an incentive for owners of heritage properties to maintain their property, and for property owners to register their heritage site on the Heritage Register. A heritage grants program for property owners is recognized in the *Local Government Act* as a permissible use of taxation revenues for local governments.

- d) Develop guidelines and streamline the heritage revitalization agreement (HRA) process to encourage applications for HRA's. The City is advancing work to permit higher density in single family residential areas. This change may lead to the loss of buildings of heritage value as density that previously could only be achieved through an HRA may now be achieved through other mechanisms.

Developing guidelines and a streamlined process would help remove uncertainty from the application process and inform owners of the benefits of HRAs. Guidelines could also be considered for comprehensive development rezoning projects that include a heritage resource. As a reference, the City of Victoria's recently proposed "Missing Middle Housing Initiative"¹³ specifies additional density and zoning relaxations available to heritage properties,

such as permitting the development of basements in infill for heritage registered buildings. Action 1.6 of the *HOME Strategy* calls for the development of similar measures.

- e) Develop polices to ensure standardized practices, including a Heritage Procedure Bylaw and a Heritage Property Maintenance and Standards Bylaw. These bylaws would outline processes and procedures that support the City's planning program for built heritage resources.

A Heritage Procedures Bylaw provides definitions of heritage terms, and informs the public on City practices for implementing heritage legislation, specifically in terms of development applications. It is also a useful tool to be used internally for staff in all departments as a reference tool for the City's adopted heritage procedures. A Heritage Procedures Bylaw can define how the City manages its Heritage Register, how and when Heritage Alteration Permits are issued, and outline the steps for a heritage revitalization agreement.¹⁴ A heritage procedures bylaw is identified in the *Local Government Act*, Part 15 section 590 (1) : A local government may, by bylaw, define procedures under which a person may apply for an amendment to a bylaw under this Part or for the issue of a permit under this Part.

A Heritage Property Maintenance and Standards Bylaw specifies maintenance standards for protected heritage properties. It outlines requirements of an owner of protected property to keep their historic building, identified architectural features and landscape features in good repair. This bylaw would allow the City to ensure that important heritage properties are not lost due to neglect or lack of maintenance. It would also provide a standard of maintenance for the City to apply to its own heritage assets.

A Maintenance and Standards Bylaw is referenced in the *Local Government Act*:

- 1) A local government may, by bylaw, establish minimum standards for the maintenance of real property that is
 - (a) designated as protected by a heritage designation bylaw, or
 - (b) within a heritage conservation area.
- (2) Different standards may be established under subsection (1) for different areas or for different types or classes of property.

Goal 4. Strengthen Policy and Processes for Protecting Archaeological Sites

The protection of archaeological sites is a provincial government responsibility, as outlined in the *Heritage Conservation Act*. Under the *Act*, local governments are responsible for avoiding impacts to archaeological sites, both known and unknown. Many local governments access data from the BC Archaeology Branch and notify development proponents when they apply for a permit to develop within 50 meters of a known archaeological site. Notification is generally made through a standard template available through the BC Archaeology Branch issued to the development proponent by a local government. However, some local governments take additional actions to avoid impact to archaeological sites as a developer, and to direct private landowners to comply with the Branch and/or take additional measures to avoid impact.

Recommendations

- a) Incorporate specific policy for protecting archaeological sites in the updated Official Community Plan (OCP). In order to provide clarity for staff and the public the expectations for

archaeological sites, the City can include policy in the OCP. Examples of specific policy include:¹⁵

- a statement alerting and educating the public as to the existence of archaeological sites and their protection under law.
 - procedures that describe how archaeological issues will be identified as related to proposed development, i.e. upon receipt of a development application, planning staff will check the provincial archaeological site inventory for overlaps with protected archaeological sites
 - Procedures that will explain notification, i.e. the City will notify the applicant of any identified overlaps with archaeological sites or areas of archaeological potential. The notification will outline next steps and will direct the applicant to follow up with a qualified consulting archaeologist or the Archaeology Branch
 - Addressing archaeological concerns prior to application approval, i.e. the City require that an archaeological impact assessment be completed prior to receipt and/or approval for development applications where there is overlap with an archaeological site or area of archaeological potential.
- b) Establish policy and guidelines to reduce the risk of impacting an archaeological site on City lands when working on City infrastructure projects. City projects can be reviewed by a qualified archaeologist at the early project planning stages, with protocols developed to ensure communication between the City and host Nations to assess risk of impacting archaeological and/or cultural resources. At the conclusion of a project, the City can ensure that any archaeological-specific reports required for City-led projects are filed with the project documentation.
- c) Include the requirement of an Archaeological Impact Assessment for major development applications and those that require an OCP amendment. The City can enhance protection of archaeological sites currently not identified on the RAAD database by seeking further investigation of potential impacts with development applications for projects that require Council approval.

Goal	Recommendations	Desired Outcome
1. Grow capacity to identify, manage, and interpret cultural heritage	1a. Increase staff capacity for cultural heritage work across departments	Clear, consistent and funded approach to expand the work of cultural heritage to be more inclusive, diverse and align with the TRC Calls to Action.
	1b. Develop a consistent approach to collaborate with Host First Nations on cultural heritage projects	
	1c. Expand representation on the Community Heritage Commission to encourage more diversity	
	1d. Develop a Cultural Heritage Grants program to encourage community-led cultural heritage initiatives	
2. Develop policies and plans to strengthen cultural heritage	2a. Develop a Built Heritage Asset Management Strategy for City-owned assets	Ensure consistency with the City’s heritage assets, policy and programs.
	2b. Develop an Arts, Culture and Heritage Plan	
	2c. Develop policies to guide future naming and commemoration	
	2d. Consider recognition and protection of cultural heritage resources within the scope of new long range plans and major development projects	
	2e. Work with Host First Nations and Indigenous residents to secure space at civic facilities for Indigenous cultural heritage expression, including ceremonial practices	
3. Ensure best practices in cultural heritage planning	3a. Work with Host Nations to revise and update the <i>Thematic Framework</i> prior to advancing it to Council	Continue to be aligned with best practices for cultural heritage planning.
	3b. Update the Heritage Register	
	3c. Develop a Heritage Building Grants Program for heritage property owners	
	3d. Develop guidelines and streamline the process for Heritage Revitalization Agreements	
	3e. Develop policies to ensure standardized practices for built heritage recognition, protection and maintenance	
4. Strengthen policy and processes for protecting archaeological sites	4a. Incorporate specific policy for protecting archaeological sites in the updated OCP	Provide City staff, developers and residents information that is relevant to archaeological sites.
	4b. Establish policy and guidelines to reduce the risk of impacting an archaeological site on City lands when working on City infrastructure projects	
	4c. Include the requirement of an Archaeological Impact Assessment for major development applications and those that require an OCP amendment	

Conclusion

“The sky is the limit in terms of reconciliation! Let’s do it!”

This Heritage Policy and Program Review has provided a unique opportunity for the City of Burnaby to dig deeply into issues of cultural heritage, stories, histories and inclusion. It has been a rare chance to look at the full scope of cultural heritage planning, including a review of best practices of other municipalities, emerging trends in archaeological protection, the stories and experience of City staff and key stakeholders, engagement with urban Indigenous and non-Indigenous community members, and non-Indigenous residents, and a fulsome use of the referral process with Host First Nations. It provided the opportunity to consider how the City uses the term 'heritage' and to hear from community members who are eager to create initiatives important to their communities and diverse cultural heritage.

The engagement and sharing circles with Host First Nations and urban Indigenous residents (staff and non-staff), provided a rich understanding of cultural heritage, and an understanding that it can mean so much more than an artefact from the past. The discussions brought cultural heritage into everyday practices, places and relationships. In the process, the definition of 'heritage' itself was expanded, from a focus on built form protected by legislation and bylaws to an invigorated concept of place, meaning and interconnectedness.

'Heritage' is the only aspect of 'culture' that is protected by legislation in the *Local Government Act*. As such, it is the one aspect of the important realm of culture – who we are, how we are, and why we are – that local government has legislative tools for recognition, management, and acknowledgement. When the definition of 'heritage' is expanded to mean more, it brings a new dimension of life and meaning to the work. Based on the research, the findings and the involvement of a broad base of interested people, the opportunities for Burnaby moving forward on a renewed approach to cultural heritage are rich and promising.

Glossary of Terms

BC Declaration of the Rights of Indigenous Peoples (DRIPA) Action Plan (2022) – an action plan created in 2022, after the Province of BC adopted the United Nations Declaration on the Rights of Indigenous Peoples in 2019. The DRIPA Action Plan outlines 89 provincial actions through a five year action plan to achieve the objectives of UNDRIP. Working to support Indigenous Peoples’ inherent rights and title, right to self-determination and self-government, the Action Plan also seeks to address racism, and health and social inequities experienced by Indigenous Peoples. Specific to heritage work is Action 4.35 “Work with First Nations to reform the Heritage Conservation Act to align with the UN Declaration, including shared decision-making and the protection of First Nations cultural, spiritual, and heritage sites and objects.”¹⁶

Community Heritage Commission (CHC) – a body created or authorized by a local government to assist in the management and implementation of local heritage conservation planning.

Cultural heritage - the tangible and intangible elements of culture that are passed from one generation to the next, that define our society and from which we derive meaning, purpose, and identity.¹⁷

Heritage Alteration Permits (HAP) - a permit designed specifically for protected heritage properties including those with a covenant, revitalization agreement, designation, or an identified archaeological site. If granted, the HAP will provide the property owner with permission to complete alterations to a protected property.¹⁸

Heritage Conservation Act (HCA) – the Province of BC’s Act outlining how to recognize, protect and conserve cultural heritage. Aspects of the HCA have been incorporated into the Local Government Act.

Heritage Conservation Covenant - a contractual agreement between a property owner and a local government or heritage organization. Conservation covenants are registered on the title of the property. The covenant outlines the responsibilities of the covenant parties with respect to the conservation of a heritage property. Conservation covenants can be used for the protection of natural, historical, cultural, architectural, environmental, heritage, scientific, wildlife or plant-life values.

Heritage Designation – long-term heritage protection that is adopted by bylaw by a local government and outlines the requirements related to designation of a site. The designation is registered on title.

Heritage Inventory/Heritage List – a listing of heritage resources that is not a formal list enabled by provincial legislation; generally a tool for local governments to identify heritage resources prior to the creation of a Heritage Register.

Heritage Register – a formal list that recognizes sites with heritage value to a community and is enabled by the *Local Government Act*. A listing on the Heritage Register can be a first step to more formal protection. Listing a heritage property on the Heritage Register is generally a requirement for any owner seeking to apply for any heritage grants.

Heritage Revitalization Agreement (HRA) - a formal, voluntary, written agreement that is negotiated between a property owner and a local government. It outlines the duties and obligations of, and the benefits to both parties of the agreement. The agreement allows local governments to permit variances to local zoning regulations and to provide non-financial incentives which would make it viable for owners to conserve property of heritage merit. The HRA is registered on the property title.¹⁹

Host Nation – a First Nation whose ancestors occupied permanently or temporarily the lands of a current day municipality or regional district, and who maintain an interest in the lands of the municipality.

Indigenous Cultural Heritage (ICH) - for Indigenous Peoples, cultural heritage refers to “ideas, experiences, objects, artistic expressions, practices, knowledge, and places that are valued because they are culturally meaningful, connected to shared memory, or linked to collective identity. Indigenous cultural heritage cannot be separated from either Indigenous identity or Indigenous life.”²⁰ Indigenous cultural heritage can be inherited from ancestors or it can be created by people today as a legacy for future generations. Indigenous cultural heritage is an inherent right – since its associated practices and forms of knowledge pre-date contact with Europeans. This inherent right exists outside of the colonial frameworks that regulate and define state-sanctioned heritage that includes laws, policies, and programs.

Remote Access Archaeological Database (RAAD) - an online GIS application that lets authorized users view and download spatial and tabular data about B.C.'s archaeological sites in a variety of formats.

Reconciliation - establishing and maintaining a mutually respectful relationship between Aboriginal and non-Aboriginal people in Canada. Reconciliation requires awareness of the past, and acknowledgement of the harm that has been inflicted, atonement for the causes, and action to change behavior.

Total Archives - a documentation strategy developed in Canada as an attempt to document the political and social history of the country. Total archives emphasizes the collection of records, both public and private, in a wide range of media, including architectural drawings, cartographic material, audio-visual records, and microfilm.

Truth and Reconciliation Commission (TRC) - in order to redress the legacy of the residential schools and advance the process of Canadian reconciliation, the Truth and Reconciliation Commission made 94 calls to action for individuals, organizations, communities and governments. In order to redress the legacy of the residential school system, the Calls to Action include calling upon all levels of governments.

United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) - adopted by the UN General Assembly in 2007, UNDRIP is the most comprehensive international instrument on the rights of Indigenous Peoples. It establishes a universal framework of minimum standards for the survival, dignity and well-being of the Indigenous Peoples of the world. UNDRIP extends existing human rights standards and fundamental freedoms as they apply to the specific situation of

Indigenous Peoples, including a clear emphasis on the right to self-determination, self-government, lands and resources. Many countries are signatories to the UNDRIP, with an increasing number, including Canada, looking at how to implement UNDRIP into their own policies, laws, and processes.

Endnotes

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- ¹ https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/indigenous-people/aboriginal-peoples-documents/calls_to_action_english2.pdf
- ² ‘Considering Sea Level Rise and Cultural Heritage,’ Nicole F. Smith and ICLEI Canada, p 1 accessed at https://icleicanada.org/wp-content/uploads/2020/10/Considering-Sea-Level-Rise-and-Cultural-Heritage_FINAL.pdf
- ³ <https://whc.unesco.org/en/about/>
- ⁴ <https://www.etymonline.com/word/heritage>
- ⁵ <https://dictionary.cambridge.org/dictionary/english/heritage>
- ⁶ “First Nations, the Heritage Conservation Act and the Ethics of Heritage Stewardship,” Michael A. Klassen, from *The Midden* 40(04). file:///Users/administrator/Desktop/15606-Article%20Text-14167-1-10-20160518.pdf
- ⁷ Critics of the legislation have identified, among other things, that the 1846 date fails to acknowledge the living culture of First Nations beyond 1845, such as culturally modified trees, traditional fishing and hunting grounds, and sites of important cultural and spiritual practice. The 1846 date can be seen as a significant barrier for recognizing and protecting living Indigenous Cultural Heritage. More on this later.
- ⁸ https://www.bclaws.gov.bc.ca/civix/document/id/consol6/consol6/96323_27
- ⁹ <https://news.gov.bc.ca/releases/2022IRR0018-000457>
- ¹⁰ <https://www.youtube.com/watch?v=mlOlppqVHycU>
- ¹¹ <https://www.burnaby.ca/our-city/strategies-and-plans/housing-and-homelessness-strategy>, p.32.
- ¹² <https://fpcc.ca/stories/review-on-heritage-legislation/>
- ¹³ <https://engage.victoria.ca/missing-middle-housing/>
- ¹⁴ A well written Bylaw can be a useful tool in heritage planning (see City of Kelowna: https://www.kelowna.ca/sites/files/1/docs/community/bl11185_-_heritage_procedures_bylaw.pdf)
- ¹⁵ https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/archaeology/forms-publications/addressing_archaeology_in_an_official_community_plan.pdf
- ¹⁶ <https://declaration.gov.bc.ca/>
- ¹⁷ file:///Users/administrator/Desktop/Considering-Sea-Level-Rise-and-Cultural-Heritage_FINAL.pdf
- ¹⁸ <https://heritagebc.ca/wp-content/uploads/2019/11/Heritage-Alteration-Permits.pdf>
- ¹⁹ <https://heritagebc.ca/learning-centre/heritage-revitalization-agreements-a-resource-guide/heritage-revitalization-agreements-introduction/>
- ²⁰ <https://indigenousheritage.ca/>