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- DIR. PLNG. AND BLDG.

REPORT
1993 October 04

CITY OF BURNABY

HERITAGE ADVISORY COMMITTEE

HIS WORSHIP, THE MAYOR
AND COUNCILLORS

RE: BILL 70 - PROPOSED NEW
PROVINCIAL HERITAGE LEGISLATION

RECOMMENDATIONS:

1. THAT Burnaby Council send a letter to the Minister of Tourism and Minister Responsible for Culture indicating Burnaby's support for Bill 70 and requesting that the Bill be brought forward for consideration by the Legislature at the next session in 1994.

REPORT

1.0 BACKGROUND

On 1993 July 06, Bill 70 "Heritage Conservation Statutes Amendment Act 1993" was presented in the Legislature and received First Reading. It will be necessary for the Bill to be brought back to the next sitting when the Legislature reconvenes.

The H. A. C. previously reviewed the White Paper in 1990 which was endorsed by the Committee. In 1991 the Committee considered a Draft Heritage Bill which was the topic of some discussion. Ultimately some suggested amendments were made to the Minister as a result of H. A. C. discussions.

2.0 CURRENT BILL 70

Bill 70 has now been drafted as legislation to allow all interested groups to review the final version of the material and provide comment to the Minister.

The Bill is derivative of the earlier documents that were reviewed by the Committee. In general the heritage community, including the Heritage Society of British Columbia support the Bill.

One of the issues that was identified by the H. A. C. during the review of the White Paper had to do with First Nations heritage sites and artifacts. This section has been deleted from the Bill and a clause stating that the Act does not derogate or reduce the powers of existing legislation in the area of heritage matters pertaining to native peoples has been added in Bill 70.

Other points of interest to Burnaby in the Bill include the protection of natural sites and landscapes, the designation of building interiors, and the provision of authority for Council to provide grants to assist owners in the maintenance of heritage properties.

The legislation will provide local governments with a much larger range of tools for the management of heritage resources within their communities. The Bill provides greater powers to government but as a balance also provides significant safeguards to private property owners in terms of compensation and procedures. It provides to an appeal process through the Ombudsman. While it is difficult to anticipate how all of these new legislative mechanisms will work, it will be necessary to learn how to best utilize the opportunities that will be available. This Bill will provide stronger heritage legislation than anything else presently in existence in Canada. As a result, the H. A. C. is requesting Council express support for the proposed legislation and its early passage through the Legislature.

Respectfully submitted,

Councillor D. Lawson,
Chair

Councillor D. Drummond
Member

Members: Mrs. M. Canessa
Mr. A. Diamond
Mr. D. Johnston
Mrs. P. McGeachie
Mr. H. Pride
Ms. R. Richards
Mr. J. Ross