

## Appendix A

*Staff Report to Council, November 15, 2021*

# **REPORT**

## ***Climate Action, Planning and Development***

**To:** Mayor Cote and Members of Council      **Date:** November 15, 2021

**From:** Emilie K. Adin, RPP, MCIP      **File:** 13.2608.40-21  
Director, Climate Action, Planning and  
Development

**Item #:** 2021-530

**Subject:** **Heritage Revitalization Agreement Refresh: Principles and Community Consultation**

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### **RECOMMENDATION**

**THAT** Council endorse the principles and consultation program for the Heritage Revitalization Agreement Refresh project as described in this report.

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### **PURPOSE**

To request that Council direct staff to undertake community consultation on the principles of the Heritage Revitalization Agreement Refresh project.

### **EXECUTIVE SUMMARY**

The current (2011) policy for the use of Heritage Revitalization Agreements (HRAs) created a strong foundation for the program. One of the key elements of the policy is that applications balance private benefits (created through development incentives such as Zoning Bylaw relaxations) and public benefits (community amenities such as heritage retention). The HRA Refresh project looks to update and standardize these relaxations and requirements for small-scale residential projects in order to achieve that desired balance more quickly, easily, and transparently. In addition, the HRA Refresh seeks to ensure that the policy is reflective of the City's 2017 Official Community Plan.

The HRA Refresh is based on the City's current heritage policy and extensive past practice. Analysis of past applications identified five development incentives for further exploration in the Refresh:

1. density,
2. subdivision,
3. stratification,
4. conversion, and
5. infill.

Community benefits identified to balance those development incentives are proposed in four key policy areas:

1. heritage conservation,
2. housing choice,
3. community diversity and inclusion, and
4. energy reductions and environmental sustainability.

Two rounds of community consultation are proposed in the HRA Refresh project. The first round would be held immediately (November 2021 - January 2022) with identified stakeholders, City Committees, and Task Forces. The consultation would focus on the nine areas listed above, from which the findings would be used to draft the updated policy. The second round of consultation would engage the wider community on the draft policy and would be held in the early spring (likely February- March) of 2022, following which the final policy would be considered by Council for endorsement (April-May 2022).

## **BACKGROUND**

### **Previous Council Direction**

On August 30, 2021, Council endorsed a work plan for an update to the 2011 policy for the use of Heritage Revitalization Agreements (HRAs). The update would align the policy with the language of the 2017 Official Community Plan (OCP) and consider the City's designation in 2017 of the Queen's Park Heritage Conservation Area.

The scope of the project includes small-scale residential applications (houses, laneway houses, duplexes, etc.) in those areas designated for "Detached and Semi-Detached Housing" in the OCP.

The project's goals, as endorsed on July 12, 2021, are as follows:

1. Increase clarity, certainty, and expectations for applicants and the community;
2. Provide equitable incentives and requirements city-wide; and
3. Integrate with current City programs, policies, and Council priorities.

## **Heritage Revitalization Agreements (HRAs)**

Heritage Revitalization Agreements (HRAs) are negotiated agreements between the City and a property owner which typically exchange long term legal protection (a Heritage Designation Bylaw) and exterior restoration for consideration of certain zoning relaxations.

HRAs are an important and successful component of the City's heritage program. They are the primary method through which Heritage Designation is secured. Along with Vancouver, and Victoria, New Westminster is one of the leaders in the use of this tool in the province.

Many components of the City's heritage program support the use of HRAs. For example, buildings which have been identified as having heritage merit (through listing on the Inventory or Register) are eligible for an HRA. As another example, demolitions of houses fifty years and older are reviewed by staff and/or the Community Heritage Commission for heritage value and, if warranted, are offered an HRA as incentive to protect and restore the building.

### Policy for the Use of HRAs (2011)

The key elements of the City's current policy are that HRAs should:

- be integrated with other important City policies and priorities (specifically the OCP and strategies related to housing);
- balance development benefits with community benefits;
- have a clear application process;
- include methods for accountability in construction; and
- meet "The Standards and Guidelines for the Conservation of Historic Places in Canada".

The current policy has established a strong foundation of practice in the past 10-15 years, and will continue to guide large-scale HRA applications (which are outside of the scope of the Refresh project). As such, the principles proposed later in this report would build on, rather than replace, those above.

## **ANALYSIS**

### **Past Small-scale Residential HRA Applications**

The Refresh is intended to build on lessons learned from the City's extensive past practice. Over 60 HRAs have been completed in New Westminster to date. 65% of these were for small-scale residential projects. Queen's Park and Brow of the Hill are the most common neighbourhoods for which those applications are received, with about 25% of those applications in each of the two neighbourhoods. Moody Park/Kelvin, Sapperton, and Glenbrooke North each represented about 10% of the applications.

Though HRAs are not legally precedent setting, as each one is unique to a specific site, there are patterns which emerge from analysis of past applications. Through the analysis, five categories of development incentives were identified, as listed below:

1. *Density*

Primarily in the form of an addition to a heritage building, expanded basement or attic space; commonly over several floors.

2. *Subdivision*

Of the small scale HRAs, over 60% included subdivision. This incentive is commonly paired with roughly 20% increased density (usually from 0.5 to 0.65 floor space ratio/FSR).

a. *Small lot sizes* (3,000-4,000 sq.ft./ 280-370 sq.m.)

About half of subdivisions were to small lot sizes.

b. *Compact lot sizes* (<3,000 sq.ft./ <280 sq.m.)

Near 30% of subdivisions were to compact lot sizes.

3. *Stratification*

Without a small lot subdivision; this functions as a detached duplex or triplex. Though rare a decade ago, this is becoming a more common request as it allows creation of new units that are sold while providing more flexibility in the division of land and its responsibilities than a standard subdivision (e.g. shared spaces with shared maintenance).

4. *Conversion* (multiple units in a building)

Single-unit to multi-unit conversion of an existing larger building. Generally this involves duplexing or triplexing. The units could be rental or strata (ownership) or a mix of both.

5. *Infill*

Often rental infill tends to appear like a large or otherwise non-standard laneway or carriage house.

## **DISCUSSION**

### **Complementary Goals**

Foundational to the current policy (2011) is the balance of private and public benefits. The goal of the Refresh project is to make the balance of benefits more standardized, in order to:

1. provide greater clarity for applicants as well as the public, and
2. reduce the level of negotiation on each project, which otherwise draws out project timelines.

Reduced timelines and uncertainty help support small-scale infill projects, like HRAs, which are key to meeting the City's housing goals around the creation of "missing middle" housing, ground-oriented building forms, and family-friendly units. In this way, the City's housing goals can work in tandem with the City's goals to encourage heritage preservation.

## **Development Incentives**

The five development options identified through analysis of past HRA projects (i.e., density, subdivision, stratification, conversion, and infill) not only support infill housing in low density neighbourhoods, but are also an important element of the HRA program as they provide the incentive for legal protection as well as generate the funds needed for exterior heritage restoration work. These incentives would be the focus of the first round of this project's community consultation (proposed in the following section of this report).

## **Community Benefits**

Below is a list of proposed principles for the refreshed HRA policy, which identify the community benefits against which (the above listed) private development benefits would be balanced. The principles are consistent with best practice and have been grouped into four key policy areas, which reflect those of current City policies and priorities in Council's Strategic Plan: (1) heritage conservation; (2) housing choice; (3) community diversity and inclusion; and (4) energy reductions and environmental sustainability. They would also be the subject of the first round of community consultation (see the following report section).

### Heritage Conservation

#### *Recognize and protect*

- Include a site with confirmed heritage value
- Protect the heritage elements with a Heritage Designation Bylaw

#### *Conserve*

- Not require major restoration (which incentivizes neglect for the purposes of unlocking development potential)
- Include a Heritage Conservation Plan and long-term Maintenance Plan
- Engage a heritage professional for guidance in both the application review and construction phases of the project

#### *Incentivize*

- Consider heritage as a community amenity contribution
- Create sufficient development benefit to incentivize conservation and retention
- Be comparable in time, cost, flexibility, and complexity to other application types

## Housing Choice

### *Development*

- Allow development and change on sites with heritage assets
- Be consistent with the existing OCP land use designation and related heritage incentive

### *Infill*

- Focus on “missing middle” ground-oriented infill housing forms (family-friendly sized units preferred)
- Prioritize on-site space for living (e.g. housing, green-space, etc.) rather than for vehicle parking

### *Rental*

- Encourage the creation of rental units (such as through suite readiness)
- Do not reduce the number of existing rental units

## Community Diversity and Inclusion

### *Equity and access*

- Consider physical accessibility in both building and site design
- Provide a range of tenure and affordability options to expand the housing continuum
- Have equitable eligibility, benefits, and requirements for similar projects city-wide

### *More diverse stories*

- Support projects with histories that are not already represented in the program
- Broaden the definition of heritage value to include more diverse narratives (across economic, social, and cultural groups)

### *Expanded values*

- Define “heritage” as historic significance, not as an aesthetic
- Consider intangible heritage values or non-building attributes and places (e.g. trees, views, uses etc.)

## Energy Reductions and Environmental Sustainability

### *Green space*

- Provide access to at-grade on-site outdoor space for each residential unit
- Achieve appropriate storm water management and permeable surface ratios, with an emphasis on natural rather than engineered systems

### *Tree protection*

- Emphasize tree retention (on-site and in the public realm)
- Process a Tree Permit application concurrently with the HRA review process

*Green building*

- Apply Step Code for new construction
- Ensure access to “green building” incentive programs (e.g. thick wall density or Energy Save New West)
- Identify energy upgrades for the heritage building in its Conservation Plan

*Sustainable transportation*

- Provide secured, weather protected bicycle parking for each residential unit
- Support relaxations for on-site vehicle parking spaces where alternative transportation options exist

**CONSULTATION PROGRAM****Round 1: Principles (Nov 2021-Jan 2022)**

The first round of consultation will focus on the five development incentives and the four groups of principles detailed above. The first round of consultation is proposed to include two main groups, and take place over the winter 2021-2022.

1. Invitational Meetings
  - a. Past applicants from Heritage Revitalization Agreement (HRA) projects
  - b. Builders, designers, architects, and heritage professionals who have worked on HRA projects in the city
  - c. New Westminster Heritage Preservation Society Directors
  - d. Queen’s Park and Brow of the Hill Residents’ Association Directors
2. City Committees and Task Forces
  - a. Community Heritage Commission
  - b. Advisory Planning Commission
  - c. Reconciliation, Social Inclusion, and Engagement Task Force
  - d. Environment and Climate Advisory Committee

Each of the four City committees above would review their corresponding principles. Other Task Forces would be engaged for feedback should issues for discussion be identified through consultation with other groups.

**Round 2: Draft Policy (Feb-March 2022)**

Following the first round of consultation, staff would report back to Council with a draft framework for the refreshed policy. The draft framework would build on the principles above, responding to the feedback gathered and Council’s direction.



The draft would then be presented to the general community to seek feedback through:

- a. an online community survey;
- b. in-person community information session, should Provincial Health Guidelines be achievable; and
- c. virtual, telephone, or small in-person appointments with staff upon request, should an online or public event not be comfortable for the individual.

## **NEXT STEPS**

Should Council endorse the consultation program above, staff would proceed with Round 1 of community consultation immediately (November 2021 – January 2022).

## **OPTIONS**

The following options are provided for Council's consideration:

1. That Council endorse the principles and consultation program for the Heritage Revitalization Agreement Refresh Project, as described in this report; or
2. That Council provide staff with alternative direction.

Staff recommend option 1.

## **APPROVALS**

This report was prepared by:  
Britney Dack, Senior Heritage Planner

This report was reviewed by:  
Lynn Roxburgh, Acting Supervisor of Land Use Planning and Climate Action  
Jackie Teed, Senior Manager, Climate Action, Planning and Development

This report was approved by:  
Emilie K. Adin, Director, Climate Action, Planning and Development  
Lisa Spitale, Chief Administrative Officer