

Attachment 3

Policy and Regulations Summary

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Official Community Plan (OCP) Land Use Designation

The Official Community Plan (OCP) sets out the City's anticipated land use for the future, for the purposes of guiding development applications. In the OCP, this property is designated Residential Detached and Semi-Detached Housing (RD). This designation envisions a mix of low density residential units including houses, duplexes, secondary suites, and laneway or carriage houses. The proposed application is consistent with this the RD designation.

Projects with Heritage Assets

The OCP encourages the use of Heritage Revitalization Agreements when a heritage asset on the site is appropriately incorporated into a development. Through this type of agreement, the OCP land use designation indicates that the development may be used to permit the housing forms listed in Residential – Ground oriented Infill Housing (RGO) designation. RGO is intended to allow a mix of ground oriented infill housing forms which are complementary to the existing neighbourhood character, and may include single detached dwellings, single detached dwellings on a compact lot, and other forms. The proposed application is consistent with this designation.

Queen's Park Heritage Conservation Area

The site is located in the Queen's Park Heritage Conservation Area though is not a protected property: its heritage protection was removed by Council during the Special Limited Category Study in 2018.

As a non-protected property, changes to the exterior do not require a Heritage Alteration Permit (HAP) and the property is not eligible for the Heritage Conservation Area's incentives program. The proposed Heritage Designation and HRA would provide a higher level of protection, design control, and development regulations than the Heritage Conservation Area. The additional protection and sensitive infill proposed is consistent with the goals of the Heritage Conservation Area.

Special Limited Category Study

Through the Heritage Conservation Area policy development process, approximately 80 properties were identified for further study and were categorized as Special Limited. An additional 12 protected properties were added through an Expanded Study application period. Through the three phases of the Study, the properties were reclassified as either Protected or Non-Protected, based on detailed analysis of their heritage merit and development options.

In Phase One, the City hired heritage professionals to assess the heritage value of the initial properties in the Special Limited category. In June 2018 Council removed

protection from all studied properties (33) which scored less than 60% in their assessment. This property scored 56% and as such its protection was removed. The low score was due to its lack of social-cultural value: at the time, the house is not associated with a significant person, event, tradition, or practice. The remaining properties continued to Phase Two of the Study.

Heritage Assessments were then completed for the 12 Expanded Study properties in early 2019. Based on the results of this work, six properties continued to Phase Two of the study. The other six were reclassified to Non-Protected during Phase Three.

In Phase Two, the City hired an architectural firm in mid-2019 to assess the potential of each remaining house to reach the maximum floor space permitted on that site in the Zoning Bylaw.

In Phase Three, the properties were evaluated against the Evaluation Checklist, which weighs criteria for heritage value, development potential and building integrity. Based on the results of this work, Council removed Heritage Conservation Area protection from seven properties on November 25, 2019. The remaining properties became Protected.

Queen's Park Heritage Conservation Area Design Guidelines

The Queen's Park Heritage Conservation Area Design Guidelines are the basis for assessing projects within the Queen's Park neighbourhood. The evaluation is based on an examination of the existing character of the surrounding area and the building itself. The guidelines aim to respect the integrity of historic buildings, while ensuring new construction is sympathetic to the character of the neighbourhood. The proposed application is generally consistent with these design guidelines.

Zoning Bylaw

The existing zoning for the site is RS-4 Queen's Park Single Detached Dwelling District. The intent of this district is to allow single detached dwellings with secondary suites and a laneway or carriage house. In this zone, the maximum floor space ratio (FSR) for principal houses which are protected under the Heritage Conservation Area is 0.7 and 0.5 for non-protected houses. A carriage house up to 0.1 FSR would also be permitted in either case. The proposed application would require relaxations to the Zoning Bylaw (as noted in the following sections of the report). As such, a Heritage Revitalization Agreement is proposed to permit the proposal.

Heritage Revitalization Agreement

A Heritage Revitalization Agreement (HRA) is a negotiated agreement between the City and a property owner for the purposes of heritage conservation. In exchange for long-term legal protection through a Heritage Designation Bylaw and exterior restoration, certain zoning relaxations may be considered (as noted above). An HRA is not

precedent setting, as each one is unique to a specific site. The *Policy for the Use of HRAs* lays out the process for HRAs and the relaxations which may be considered.

Heritage Related Design Guidelines

Council endorsed *The Standards and Guidelines for the Conservation of Historic Places in Canada* in 2008 as a basis for assessing heritage projects within the city. These are national guidelines for best practice in heritage conservation and design. All HRA proposals are carefully evaluated using this document to ensure conservation work on the exterior of the heritage building is in compliance. Additionally, the design of the adjacent new buildings are reviewed against the principles and guidelines in this document.

Heritage Designation Bylaw

A heritage asset which is the subject of an HRA is also protected by a Heritage Designation Bylaw. This Bylaw is a regulation that places long-term legal protection on the land title of a property. Any changes to a protected heritage property must first receive approval from City Council (or its delegate, the Director of Development Services) through a Heritage Alteration Permit (HAP). Future development is no longer entitled, but could be permitted by Council with an HAP. HAP applications are also evaluated by staff against the Standards and Guidelines and the Heritage Conservation Area guidelines, where appropriate.

The proposed Heritage Designation Bylaw would provide stronger development and design controls than the Conservation Area, and would also result in the property being added to the City's Heritage Register.

City-led Consultation

City-led consultation is not conducted on HRA projects in favour of moving the Bylaws through Public Hearing. The project was listed on Be Heard New West, the City's online community engagement platform, with a description of the project, review stages and timelines, as well as project drawings and links to various staff and committee reports. Information about the applicant-led consultation was also posted on Be Heard New West. These tools are used to gather community feedback, which staff review with the applicant and take into consideration as part of the project.