

Attachment 3
Policy and Regulations
Summary

POLICIES AND REGULATIONS SUMMARY

Official Community Plan Land Use Designation: Residential Detached and Semi-Detached

The Official Community Plan (OCP) sets out the City's anticipated land use for the future, for the purposes of rezonings and other development applications. In the OCP, the subject property is designated for "Residential Detached and Semi-Detached" which allows low density residential, primarily in the form of single detached dwellings with secondary suites, duplexes, and accessory dwelling units (e.g. laneway house, carriage house). The proposed application is consistent with this policy.

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 the development may be eligible for regulatory incentives such as an increase in density, reduced parking, or smaller minimum lot size.

Zoning Bylaw: Residential Detached and Semi-Detached (RS-1)

The subject property is currently zoned Single Detached Residential District (RS-1). The intent of this district is to allow single detached dwellings with secondary suites and a laneway or carriage house. Staff are recommending that the heritage house's siting and massing elements be evaluated under the existing RS-1 zone. However, the proposed application would require relaxations to the zone to allow development that accommodates the proposed duplex units. An HRA is proposed in order to permit the project.

The overall permitted density for new construction in this zone is 0.6 FSR and three residential dwelling units (one principal and two accessory). Additional density is available in this zone for projects that meet Step 3 to Step 5 of the BC Energy Step Code. Currently, single-detached homes are required to meet Step 3. As a result, properties are permitted to achieve an overall density of 0.61, inclusive of the additional 0.01 FSR provided to Step 3 residential buildings.

Zoning Bylaw: Duplex Districts (RT-1 and RT-1A)

As this proposal includes an infill duplex, the overall site density, building siting, and massing has been evaluated in part by using the City's duplex (RT-1 and RT-1A) zoning districts. The intent of these districts is to permit the duplex form. However, as the site is zoned RS-1 (see above), an HRA is proposed in order to permit the project to be evaluated using this zone.

Development Permit Area Guidelines

The intent of the laneway/carriage house and infill townhouse/rowhouse guidelines is to encourage small scale infill projects that are complementary to an existing single detached dwelling context. The guidelines focus on appropriate building form, scale, and location. The goal is to ensure the livability of units, as well as reduce any negative impact on neighbouring sites with single detached dwellings (especially related to light, privacy, and shadowing). As per the *Duplex, Triplex and Quadraplex: Interim Development Review Policy*, the guidelines are to be used where they have established a new approach that departs from the City's duplex district zoning.

Duplex, Triplex and Quadraplex: Interim Development Review Policy

Allowing these housing forms is one way the City can help increase the amount of ground oriented infill housing other than single detached dwellings, a key objective of the Official Community Plan (OCP). The work to develop permanent regulations related to each form is currently on hold while staff focuses on other Council priority areas. In order to facilitate pilot projects in the meantime, Council endorsed an interim development review policy in February 2020, which describes anticipated densities, setbacks, and parking requirements.

Family Friendly Housing Policy

As per the City's Family-Friendly Housing Policy, developments which have ten or more residential units would be required to provide a minimum of 30% two and three bedroom units, of which at least 10% of the overall number of units would need to contain three or more bedrooms. The application is proposing four units and as a result, this policy is not applicable. However, the proposal meets the intent and vision of the policy as all of the proposed units contain two or more bedrooms.

Heritage Revitalization Agreements

A Heritage Revitalization Agreement (HRA) is a negotiated agreement between the City and a property owner for the purposes of incentivizing heritage conservation or making it economically viable. In exchange for long term legal protection through a Heritage Designation Bylaw and exterior restoration, certain zoning relaxations may be considered. An HRA is not precedent setting, as each application is unique to a specific site.

Heritage Related Design Guidelines

Council endorsed *The Standards and Guidelines for the Conservation of Historic Places in Canada* ("Standards and Guidelines") 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 the Standards and Guidelines 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. Respectful development does not necessarily mean the new building must be physically smaller than the heritage building, but its design should consider the heritage building, and allow the heritage building to be the focus of the development. The Standards and Guidelines encourage new buildings to be distinctly contemporary, so as to appropriately represent their period of construction today, and not falsify the history or historic development of a place or specific site.

Heritage Designation

A heritage property which is the subject of an HRA is also protected by a Heritage Designation Bylaw. A Heritage Designation Bylaw is a form of land use 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.

Heritage Register

A heritage asset which is protected by a Heritage Designation Bylaw is also listed on the City's Heritage Register. The Heritage Register is an official list of properties identified by the City as having heritage value or heritage character. The City created a Heritage Register in 1994 and currently has over 200 properties listed, which include single family dwellings (the majority of listings), commercial buildings, parks, roads and a tree. A property, building or feature may only be added or removed from the Register by order of Council.

The Heritage Register is used to identify heritage assets in the city, both those that have been legally protected through Designation, and those that are not legally protected but have heritage merit. It is also a planning tool through which the City can work with property owners to identify opportunities for retaining buildings with heritage merit. Beyond the advantage to the community of protecting the city's heritage, property owners may also benefit directly from retaining a heritage building. For example, properties listed on a Heritage Register are eligible for special provisions in the BC Building Code and the Homeowner Protection Act.