

Attachment 3

Policies and Regulations Summary

POLICIES AND REGULATIONS SUMMARY

Heritage Revitalization Agreements

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 are considered. 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) through a Heritage Alteration Permit (HAP). Future development is no longer entitled, but could be permitted by Council with an HAP.

An HRA does not change the zoning of the property, rather it adds a new layer which identifies the elements of the zone that are being varied or supplemented. An HRA is not legally precedent setting as each one is unique to a specific site.

When Council considers entering into an HRA with a property owner, one of the objectives is to balance the benefits to the property owner with the benefits to the public. In this proposal, the heritage benefit to the community is restoration, continued historic use and the full legal protection of the heritage building through a Heritage Designation Bylaw. In the City's *Policy for the Use of Heritage Revitalization Agreements*, lot size, density, and siting or massing elements may be considered for relaxation.

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 conservation projects within the city. These are national guidelines for best practice in heritage restoration, rehabilitation, and design. The goal of the Standards and Guidelines is to promote heritage conservation best practice while ensuring respectful and sensitive new construction. HRA applications are evaluated against these guidelines.

Heritage Designation

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) through a Heritage Alteration Permit (HAP). Future development is no longer entitled, but could be permitted by Council with an HAP.

OCP Land Use Designation: Residential Detached and Semi-Detached

The Official Community Plan (OCP) designation for this site is "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 OCP also indicates that, through a Heritage Revitalization Agreement (HRA), a property may be eligible for incentives such as a smaller minimum lot size, an increase in density, or reduced parking requirements, which would make it viable to conserve assets with heritage merit. A Heritage Revitalization Agreement may also be used to permit the housing forms listed in Residential – Ground Oriented Infill Housing designation, which include small lot and compact lots housing forms. The consideration of these benefits is generally contingent on there being heritage value in the existing building. The proposed application is consistent with the OCP designation for this site.

Zoning Bylaw: Neighbourhood Residential Districts (NR-1)

The property is zoned NR-1 (Neighbourhood Residential Dwelling District). The intent of this zoning district is to allow single detached dwellings with secondary suites and a laneway or carriage house. The zone allows a density of 0.51 FSR for houses built to Step Code level 3 standards. The proposed application would require relaxations to the Zoning Bylaw for density, smaller lot size, site coverage to the second level, floor space above the basement, windows above grade, front setback, minor relaxations to regularize the existing secondary suite in the heritage house, as well as parking spaces for both properties.

Zoning Bylaw: Single Detached Residential Districts (RS-1)

The property may be evaluated with the Single Detached Residential Districts (RS-1) zone as this zone typically regulates sites with a relatively flat topography, such as the subject site. The intent of this zoning district is to allow single detached dwellings, secondary suites, and laneway or carriage houses.

Zoning Bylaw: Neighbourhood Single Detached Residential District (Small Lots) (NR-5)

The proposed subdivision would result in lots smaller than the size permitted in the property's zone: the heritage house lot would be 28% smaller at 4,315 sq. ft. (401 sq.m.), but consistent with the size requirements for the City's Small Lot zones (such as NR-5). The intent of this district is to allow single detached dwellings and, secondary suites and laneway or carriage houses in the West End, Kelvin and Connaught neighbourhoods on small lots.

Development Review Process

As there are fewer than five units proposed for each lot, and the form of development is consistent with the Official Community Plan, the application was not forwarded to the New Westminster Design Panel or the Advisory Planning Committee for review and comment.

Under the development review process, Council may waive a project's Public Hearing based on consideration of the results of online City-led consultation. As Public Hearings cannot be waived for Heritage Designation Bylaws, City-led consultation is not conducted on HRA projects, in favour of moving the Bylaws through Public Hearing together. Regardless, 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.