

AGENDA

COUNCIL WORKSHOP

Tuesday, May 22, 2018

5:00 p.m.

Committee Room, Municipal Hall

355 West Queens Road,

North Vancouver, BC

Council Members:

Mayor Richard Walton

Councillor Roger Bassam

Councillor Mathew Bond

Councillor Jim Hanson

Councillor Robin Hicks

Councillor Doug MacKay-Dunn

Councillor Lisa Muri



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DISTRICT

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COUNCIL WORKSHOP

5:00 p.m.
Tuesday, May 22, 2018
Committee Room, Municipal Hall,
355 West Queens Road, North Vancouver

AGENDA

1. ADOPTION OF THE AGENDA

1.1. May 22, 2018 Council Workshop Agenda

Recommendation:

THAT the agenda for the May 22, 2018 Council Workshop is adopted as circulated, including the addition of any items listed in the agenda addendum.

2. ADOPTION OF MINUTES

3. REPORTS FROM COUNCIL OR STAFF

3.1. Overview of Heritage Conservation Incentives **p. 7-51** File No. 13.6800.01/000.000

Recommendation:

THAT the May 9, 2018 report from the Community Planner entitled Overview of Heritage Conservation Incentives is received for information.

3.2. Early Input Opportunity – Travelodge and **p. 53-62** **North Shore Innovation District** File No. 08.3060.20/037.18

Recommendation:

THAT the May 11, 2018 report of the General Manager, Planning, Properties and Permits entitled Early Input Opportunity – May 22, 2018 Travelodge and North Shore Innovation District is received for information.

4. PUBLIC INPUT

(maximum of ten minutes total)

5. ADJOURNMENT

Recommendation:

THAT the May 22, 2018 Council Workshop is adjourned.


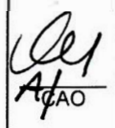
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REPORTS

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AGENDA INFORMATION	
<input type="checkbox"/> Regular Meeting	Date: _____
<input checked="" type="checkbox"/> Workshop (open to public)	Date: <u>May 22, 2018</u>

3.1

Dept. Manager	 GM/ Director	 CAO
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The District of North Vancouver REPORT TO COMMITTEE

May 9, 2018
File: 13.6800.01/000.000

AUTHOR: Angele Clarke, Community Planner

SUBJECT: Overview of Heritage Conservation Incentives

RECOMMENDATION:

THAT the May 9, 2018 report from the Community Planner entitled Overview of Heritage Conservation Incentives is received for information.

REASON FOR REPORT:

At the February 19, 2018, Council Workshop, Council requested that *staff consult with the Community Heritage Advisory Committee and report back by May on actions that Council could use to incentivize heritage preservation*. This report provides information on incentives the District could consider to encourage heritage preservation and restoration.

BACKGROUND:

At the February 19, 2018, Council Workshop staff provided an update on the Heritage Strategic Plan (HSP) process. Subsequent to that Council Workshop, staff engaged Donald Luxton and Associates Inc. to undertake an assessment of potential heritage conservation tools and techniques available to the District to incentivize conservation of heritage resources (**Attachment A**).

On March 28, 2018, the consultant met with the District's Community Heritage Advisory Committee to discuss potential incentives for heritage conservation and present the range of incentives identified in his report. The Committee and the consultant discussed the different options and the applicability of each of the options to the District of North Vancouver. This report includes a short list of potential incentives available to the District of North Vancouver.

EXISTING POLICY:

Heritage management in the District is guided primarily through policies in the Official Community Plan (OCP). Specifically, the Heritage and Archaeological Resources policies 6.5.1- 6.5.7, the Parks and Open Space Plan policy 4.3, and the Heritage Procedures Bylaw (Bylaw 7945).

Applicable provincial legislation that enables the District to offer heritage conservation incentives include the *Local Government Act*, *Community Charter*, and *Land Titles Act*. The *BC Building Code*, *Energy Efficiency Act*, and *Homeowner Protection Act* include special exemptions or equivalencies for heritage buildings.

ANALYSIS:

DNV Heritage Program

There are currently 12 protected heritage properties in the District. “Protected heritage property” means a property protected under the *Heritage Conservation Act*, or designated as protected in a bylaw or Official Community Plan, in accordance with the *Local Government Act*. These properties cannot be altered without the issuance of a heritage alteration permit or adoption of a heritage revitalization agreement.

In addition, the District has a Heritage Register with 136 heritage properties. “Heritage Property” means a property with sufficient heritage value or heritage character to justify its conservation, or is protected heritage property. Approvals for alteration or demolition of these properties can be temporarily withheld while Council considers whether some form of permanent protection is appropriate.

The question of how to define “heritage character” or “heritage value” arose during the February 19, 2018, Council Workshop. These terms are defined in the *Local Government Act* as follows:

- Heritage character means the overall effect produced by traits or features which give property or an area a distinctive quality or appearance.
- Heritage value means historical, cultural, aesthetic, scientific or educational worth or usefulness of property or an area.

Heritage character and value are typically determined by a Heritage Professional and described in a community-wide heritage inventory or site-specific Statement of Significance (SOS). Both have been used in the District, depending on the circumstances.

The overview of heritage conservation incentives provided by the consultant and workshopped with the Community Heritage Advisory Committee illustrates ten potentially-viable options available to the District for incentivizing heritage conservation. These incentives could be applied to either protected heritage property or heritage property, as defined above. Staff prepared a summary of these various incentives for Council's convenience (**Attachment B**).

The consultant, staff, and Community Heritage Advisory Committee reviewed this list of incentives. As a result of the review, staff determined to be most applicable to the District include:

- Direct grants,
- Permissive tax incentives,
- Reduced permit fees,
- Heritage Revitalization Agreements (HRA),
- Relaxations/variances,
- Heritage Register equivalencies and exemptions, and
- Administrative support (streamlining processes), and heritage support programs.

Direct grants would require a direct financial investment from the District. In 2009 the District invested \$42,000 into a Community Heritage Grants Fund, as per a Community Heritage Grants Fund Agreement with the North Shore Community Foundation. No funds have been drawn from the capital investment or from the interest to date. The amount available for awards each year is the income capitalized from the previous years.

The other incentives can be realized through reducing or waiving fees or taxes, offering additional development potential, and allocating staff resources. One option to manage costs and measure the potential benefits is to undertake an incentive pilot project for a set number of years. Quantifying the total financial investment (including in-kind support) would require further study. Subject to Council's direction, staff can undertake further financial analysis into the incentives as part of the Heritage Strategic Plan process, including estimated costs and recommended implementation approaches.

CONCLUSION:

This report and accompanying presentation include an overview of incentives for heritage preservation and restoration. With Council's direction staff will continue to explore incentives and return further details to Council as part of the Heritage Strategic Plan (HSP).

OPTIONS:

THAT the May 9, 2018 report from the Community Planner entitled Overview of Heritage Conservation Incentives is received for information.

Respectfully submitted,



Angele Clarke, Community Planner

Attachment A: District of North Vancouver: Review of Heritage Conservation Incentives consultant report

Attachment B: Incentives for Heritage Conservation Overview

REVIEWED WITH:

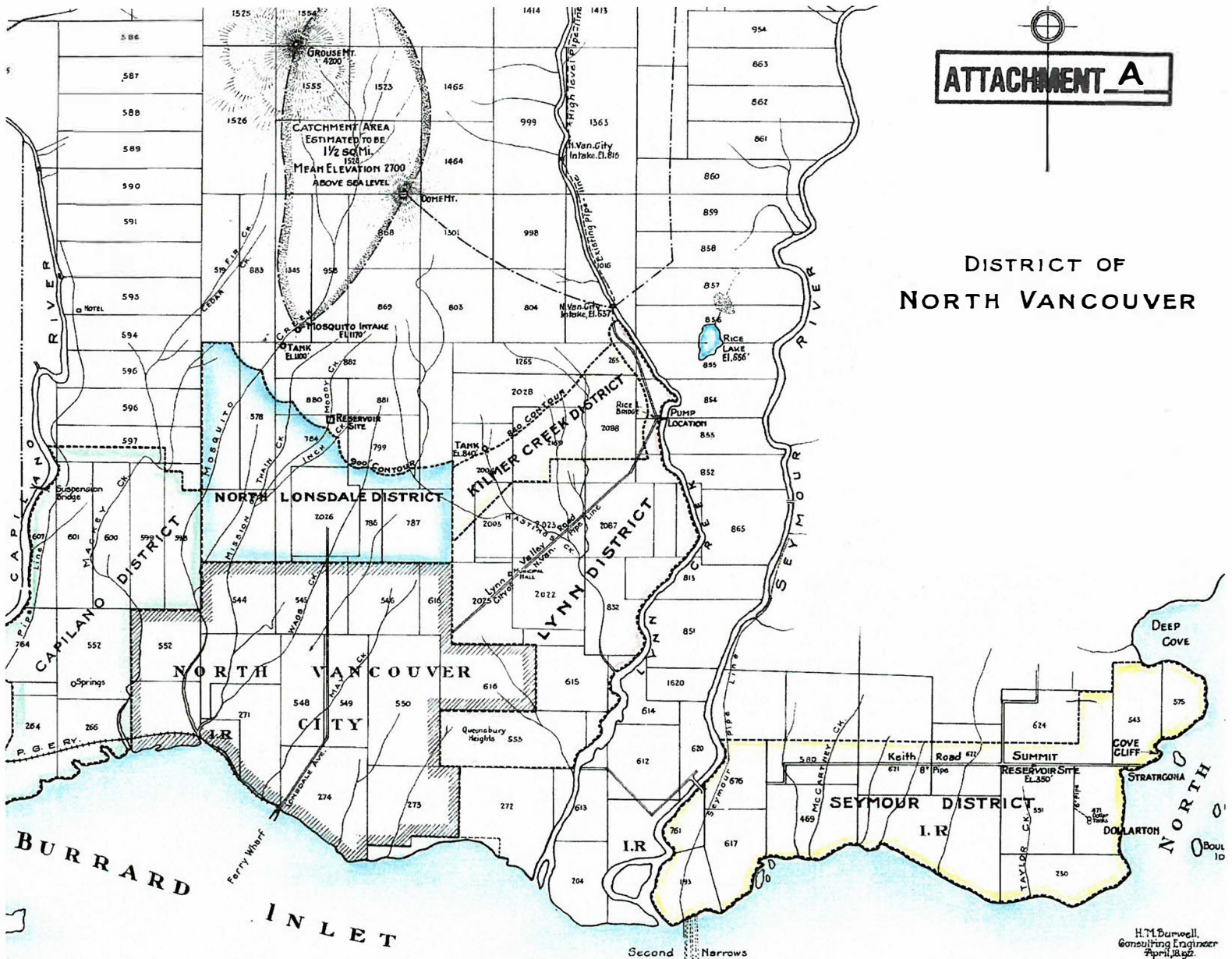
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☐ Development Services _____
☐ Utilities _____
☐ Engineering Operations _____
☐ Parks _____
☐ Environment _____
☐ Facilities _____
☐ Human Resources _____

☐ Clerk's Office _____
☐ Communications _____
☐ Finance _____
☐ Fire Services _____
☐ ITS _____
☐ Solicitor _____
☐ GIS _____
☐ Real Estate _____

External Agencies:

☐ Library Board _____
☐ NS Health _____
☐ RCMP _____
☐ NVRC _____
☐ Museum & Arch. _____
☐ Other: _____

DISTRICT OF
NORTH VANCOUVER



DISTRICT OF NORTH VANCOUVER

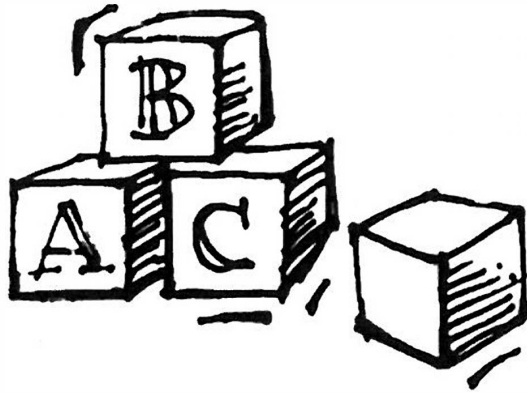
REVIEW OF HERITAGE CONSERVATION INCENTIVES

MAY 2018

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1. INTRODUCTION



This report will assist the District of North Vancouver in the utilization of realistic and effective heritage incentives, regulations and heritage procedures that will promote the conservation of historic resources throughout the community. This report outlines a broad range of incentive and regulation-based heritage tools, and forms an important step in the proactive management of the District's significant resources.

The potential range of heritage conservation incentives was prepared as part of the District of North Vancouver Heritage Strategic Plan 2018. This report assesses the full range of potential heritage conservation tools and techniques available to the District. In order to fully understand the implementation process involved with utilizing heritage incentives, an illustrated flow chart has been prepared, which shows the stages of negotiation, approval and implementation for heritage projects (See ***Appendix A: Heritage Application Process***).

Heritage can be defined as anything of a physical, cultural or social nature that is unique to, and valued by, a community, and can be passed from generation to generation. Heritage is important for a number of reasons. Each community's heritage is distinctive, and therefore can help instill a sense of community identity and resident pride. It promotes a sense of continuity for residents, an understanding of where we have been and where we are today. As such, key resources should be conserved for future generations to enjoy and benefit from. Heritage conservation is also important economically; it can increase property value and provide opportunities for business, property owners and tourism.

The value of conserving a community's heritage is not always immediately recognized, especially if there are perceived financial benefits from redevelopment. Municipal heritage programs are usually a balance of regulations and incentives based on owner cooperation; in virtually all cases, heritage protection is achieved on a voluntary basis. Where there are external pressures threatening heritage assets, it has been recognized that more effective conservation will be achieved through incentives rather than by stringent regulation.

Compensation may be required for loss of economic value when continuing protection is enacted; in lieu of compensation, an incentives package that is acceptable to the property owner can be offered. This is the primary means by which continuing protection is secured for heritage sites. Incentives also help ensure long-term conservation, by ensuring that each project is, and remains, financially viable.

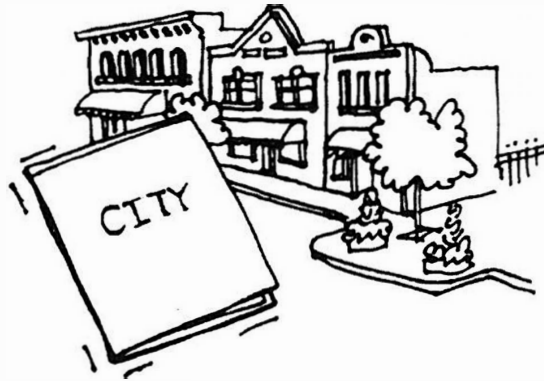
It is in the best interest of both the public and the municipality to avoid the stigma of "unfriendly designation" and the negative impacts (financial and otherwise) that accompany the use of rigid controls to conserve heritage sites. An extreme example of an unfriendly designation occurred in Victoria when the City designated the interior of the Rogers' Chocolates building in 2009 against the wishes of the owner; an arbitration ruling found the City liable for compensation and legal costs. This has reinforced the reluctance of municipalities to enact any form of protection against an owner's wishes.



Instead, incentives-based, voluntary and cooperative Heritage Programs are the norm in British Columbia. Regulations are not imposed on owners; rather, heritage projects are negotiated to ensure that there are benefits for the applicant. This approach is supported by offering incentives that result in renewed investment in heritage properties, plus satisfaction and benefits on all sides. A number of recent heritage projects indicate that the District of North Vancouver has been successful in negotiating appropriate incentives packages for these owners.

In order to conserve significant heritage sites for future generations, the District will need to work cooperatively with owners to achieve the public goal of heritage conservation. As outlined in this report, there are a number of procedures, techniques and tools available to achieve this goal.

2. COMMUNITY BENEFITS OF HERITAGE CONSERVATION



Heritage conservation has many potential cultural, social and economic benefits. Conserving and celebrating heritage allows a community to retain and convey a sense of its history, and provides aesthetic enrichment as well as educational opportunities. Heritage resources help us understand where we have come from so that we can appreciate the continuity in our community from past to present to future. Historic sites become physical landmarks and touchstones, and many other intangible heritage features - such as traditions, events and personal histories - add to the District's vibrancy and character. This broad range of heritage resources represents a legacy that weaves a rich and unique community tapestry.

Cultural and heritage-based tourism, including visits to historic sites, is now the fastest growing segment of the burgeoning tourism industry¹. Other benefits of strong heritage policies include maintaining distinctive neighbourhoods, conserving cultural heritage, strengthening community identity and promoting civic pride. Heritage conservation is also inherently sustainable, and supports initiatives such as landfill reduction and conservation of embodied energy. It reinvests in existing infrastructure and promotes avoided impacts through reduced GHG emissions. These are all important considerations in the long-term management of our built environment.

The benefits of a well-managed heritage conservation program include:

- encouraging retention of unique community heritage
- celebrations of historical events and traditions
- partnership opportunities with senior levels of government
- engagement of the broader community including the private and volunteer sectors
- conservation of a broad range of historical sites that supports other public objectives such as sustainability initiatives, tourism development and education
- flexible heritage planning that assists private owners in retaining historic resources
- investment in heritage sites through community partnerships
- generation of employment opportunities and other economic benefits

¹ Bonn, Mark A., Sacha M. Joseph-Mathews, Mo Dai, Steve Hayes, and Jenny Cave. "Heritage/Cultural Attraction Atmospherics: Creating the Right Environment for the Heritage/Cultural Visitor." *Journal of Travel Research* 45, no. 3 (February 1, 2007): 345-54. <http://journals.sagepub.com/doi/abs/10.1177/0047287506295947>.

DISTRICT OF NORTH VANCOUVER REVIEW OF HERITAGE CONSERVATION INCENTIVES

Heritage initiatives provide many tangible and intangible benefits, and have a strong positive impact on the development of a complete community and the emergence of a vibrant culture of creativity and innovation. There is, however, a widely-held perception that protecting heritage property reduces property values or inhibits development. Studies have shown that this is not so; Professor Robert Shipley of the University of Waterloo looked at almost 3,000 properties in 24 communities across Ontario between 1998 and 2000. His study concluded that heritage designation could not be shown to have a negative impact on property values.

In fact, there appears to be a distinct and generally robust market in protected heritage properties. Generally, these properties perform well, with 74% of them maintaining their value at average or better than average market value. The rate of sale among designated properties is also as good, or better than, average market trends. Moreover, the values of heritage properties tend to be resistant to downturns in the general market.

The Vancouver Heritage Foundation undertook a research project to determine whether there were positive or negative impacts to heritage designation, through a comparison of the assessed values of heritage and non-heritage properties in four Vancouver neighbourhoods (Strathcona, Kitsilano, Mount Pleasant & Hastings Sunrise). The study found that between 1999 and 2005, Heritage Register and designated heritage houses increased in value by 42%, while non-heritage houses increased in value at a slightly lower rate of 39%.²

The Victoria Heritage Foundation tracked the market values and assessments of 142 heritage houses designated prior to 1988. Between 1988 and 1999 the tax assessments for these individual designated (and well-maintained) heritage houses increased at a rate 26% higher than the average tax assessments for residences throughout for the City. This resulted in an increased tax return to the City as a result of the heritage incentives that were provided.³

The experience of these two heritage foundations, and others in the province, is that when incentives are available, the property values of heritage houses rise at a higher rate than normal building stock, therefore providing higher assessments and ultimately increased property taxes. This is a desirable outcome for the municipality, which reaps the downstream benefits of this investment in heritage conservation. The same is true for tax incentives, which can be used to stimulate investment in under-utilized properties that will ultimately pay higher property taxes. Heritage conservation initiatives provide stability in the marketplace and helps protect property values. This is especially true when conservation incentives are offered, creating a category of prestigious properties that are highly valued in the marketplace.

Other grant programs offered by the City of Victoria, including Building Incentive Program grants for commercial and institutional designated buildings through the Victoria Civic Heritage Trust, and a Tax Incentive Program for designated commercial, industrial, and institutional properties, have also been very successful in provoking investments in heritage projects.

In general, heritage incentives leverage many times their original value in owner investment, construction and job creation. In addition to being a sound community investment, they are a sound financial investment for the District.

² <http://www.vancouverheritagefoundation.org/research.html>

³ Research information provided by the Victoria Heritage Foundation

3. ENABLING LEGISLATION

Prior to 1994, there were two provincial Acts that most directly enabled municipal heritage conservation initiatives: the Heritage Conservation Act and the Municipal Act. These two Acts, and a number of others, were amended by the Heritage Conservation Statutes Amendment Act 1994, which allowed municipalities to comprehensively integrate heritage conservation activities into the mainstream of development and community planning. The Act enabled procedures for more powerful regulations (Heritage Conservation Areas, Community Heritage Commissions, heritage site maintenance standards, tree protection, etc.) and heritage incentives (negotiated agreements, tax exemptions, an expanded legal protection toolkit, consolidated approvals for heritage rehabilitation work, etc.).

Heritage tools are referenced in a number of provincial acts, such as the Community Charter (permissive tax exemptions) and the Land Titles Act (which enables covenants to be registered on land titles), but the majority of the tools the District is liable to use in the conservation of heritage resources are now enabled under the revised Local Government Act. Other provincial acts and policies can have adverse impacts on heritage sites unless specific exemptions or equivalencies apply; the B.C. Building Code, the Energy Efficiency Act and the Homeowner Protection Act now specifically reference heritage buildings.

3.1 Local Government Act

Under the Local Government Act (LGA), a legal framework is provided for the establishment and continuation of local governments to represent the interests and respond to the needs of their communities. Local governments are enabled with the powers, duties and functions necessary for fulfilling their purposes, including stewardship of public assets, and the flexibility to respond to the different needs and changing circumstances of their communities. The District of North Vancouver is empowered to regulate land development through zoning, subdivision control, building bylaws, maintenance and occupancy bylaws, and a number of other regulatory mechanisms, based on an Official Community Plan. Most of the tools that the District will use to provide incentives and regulations for the heritage program are enabled under Part 15 of the LGA.



One of the tools commonly used as the basis of a municipal heritage program is a Community Heritage Register, an official listing of properties having heritage value, passed by resolution of local government. The District of North Vancouver has already established an official Heritage Register. In addition to the tracking and regulatory powers implied by a Heritage Register listing, there are also important incentives that can be offered to assist owners with conservation. Properties on a Register are eligible for special provisions, including equivalencies under the B.C. Building Code and exemptions and alternative compliance under the *Energy Efficiency Act* and the *Homeowner Protection Act*.

DISTRICT OF NORTH VANCOUVER REVIEW OF HERITAGE CONSERVATION INCENTIVES

The District can legally protect heritage sites through heritage designation or through a Heritage Revitalization Agreement, a voluntary negotiated agreement that may vary bylaw and permit conditions (the District has already undertaken several HRAs). The District has already established a Community Heritage Advisory Committee to advise Council on heritage matters. Further information on provincial enabling legislation is available in a publication, *"Heritage Conservation: A Community Guide"* that is available online.

3.2 Heritage Conservation Act

The purpose of this Act is to encourage and facilitate the protection and conservation of heritage property in British Columbia. This Act is most relevant when dealing with archaeological issues, the management of which remains a provincial jurisdiction. The province may enter into a formal agreement with a First Nation, with respect to the conservation and protection of heritage sites and heritage objects that represent the cultural heritage of the aboriginal people who are represented by that First Nation. Owners of identified archaeological sites are required to conform to provincial requirements.

3.3 Community Charter

The Community Charter came into effect in 2004, and provides municipalities with a framework for local activities and services. This legislation applies to all municipalities whose core powers were previously found in the Local Government Act, and replaces the tradition of prescriptive legislation with enabling legislation that allows municipalities to be innovative in meeting the needs of their communities. The Charter gives municipalities broad powers, including permissive tax exemptions, to regulate activities. The Permissive Tax Exemption provisions in the Community Charter that can be used for facade improvement and heritage conservation projects are listed below:

- *Section 225:* Permissive tax exemptions can be offered to "eligible property", as defined by heritage protection. A rebate on municipal and provincial taxes can be provided. There is no specified time limit to the exemption that can be negotiated. These provisions require a 2/3 supporting vote of Council for enactment.
- *Section 226:* Permissive tax exemptions can be offered to revitalization projects. A rebate can only be provided on municipal taxes, and can be offered to any property. There is a 10-year time limit to this exemption, however it requires only a simple majority vote of Council for enactment.

3.4 B.C. Building Code

Building Code upgrading is the most important aspect of heritage building rehabilitation, as it ensures life safety as well as long-term protection for the resource. It is essential to consider heritage buildings on a case-by-case basis, as the blanket application of Code requirements does not recognize the individual requirements and inherent strengths of each building. Over the past few years, a number of Code equivalencies have been added to the British Columbia Building Code, which facilitate heritage building upgrades. For example, the use of sprinklers in a heritage structure helps to satisfy fire separation and exiting requirements.

Given that Code upgrading is a significant factor in the conservation of heritage buildings, it is important to provide viable alternative methods of compliance that protect heritage value and are economically feasible. The District should explore the full range of potential heritage building code equivalencies in order to provide consistent review and knowledgeable advice to building owners. On individual projects, the District can also accept the report of a Building Code Engineer as to acceptable levels of code performance.

Please note that under the current Code, equivalencies are offered for interior rehabilitation. The one exception is for windows; the wording of the code requires "two sheets of glass" rather than double-glazing (as it is usually interpreted) and therefore Code requirements can be met through the use of interior or exterior storm windows, or exempted under the heritage definitions of the Energy Efficiency Act.



3.5 Energy Efficiency Act

Both heritage conservation and sustainability aim to conserve. In the case of heritage buildings, this includes considering the inherent performance and durability of their character-defining assemblies, systems and materials, and the minimal interventions required to achieve the most effective sustainability improvements. The *Energy Efficiency Act (Energy Efficiency Standards Regulation)* was amended in 2009 to include the following definition:

"designated heritage building" means a building that is
(b) protected through heritage designation or included in a community heritage register by a local government under the *Local Government Act*,

Under this new definition, Energy Efficiency standards do not apply to windows, glazing products, door slabs or other products installed in heritage buildings. This means that the District, as an incentive to listing a site on a Heritage Register or as part of a negotiated agreement, can allow exemptions to energy upgrading measures that would otherwise destroy heritage character-defining elements such as original windows and doors.

These provisions do not preclude that heritage buildings must be made more energy efficient, but they do allow a more sensitive approach to alternative compliance and a higher degree of retained integrity. Increased energy performance can be provided through non-intrusive methods such as attic insulation, improved mechanical systems, and storm windows. Please refer to *Standards & Guidelines for the Conservation of Historic Places in Canada* for further information.

3.6 Homeowner Protection Act

Amendments to the *Homeowner Protection Act Regulation (HPA)* were made in 2010 to allow for exemptions for heritage sites from the need to fully conform to the B.C. Building Code under certain conditions, thus removing some of the barriers to compliance that previously conflicted with heritage conservation standards and guidelines. The changes involved:

1. An amendment to the Homeowner Protection Act Regulation, B.C. Reg. 29/99 that allows a warranty provider, in the case of a commercial to residential conversion, to exclude components of the building that have heritage value from the requirement for a warranty; and
2. Clarification of the definition of 'substantial reconstruction.' This explains that 75% of a home must be reconstructed for it to be considered a 'new home' under the HPA, thus enabling single-family to multi-family conversions (and strata conversions) without triggering the Act.

The definition of a heritage building under the HPA is consistent with that under the B.C. Building Code and the *Energy Efficiency Act*.

4. HERITAGE REGULATIONS

Under the provincial enabling legislation, there are a number of regulatory tools that the District can use in the management of heritage sites. Some of these tools, although regulatory, offer the possibility of providing a negotiated incentive, especially through the use of a Heritage Revitalization Agreement. The primary regulatory tools that the District will use in heritage management are mostly enabled under Part 15 of the *Local Government Act (LGA)*:

PLANNING TOOLS

- *Official Community Plan (LGA)*: Sets out the District's intent for development. States overall goals for heritage conservation and can also include heritage area designations.
- *Development Permit Controls (LGA)*: Provides specific requirements for areas designated as Development Permit Areas.
- *Zoning and Development Bylaws (LGA)*: Outlines the general requirements for site development. An appropriate zoning schedule can be tailored to conserve the character of a heritage site or area.
- *Heritage Conservation Areas (LGA)*: The District can define special areas in the Official Community Plan to provide long-term protection to distinct heritage areas.
- *Community Heritage Register (LGA)*: The District can establish an official listing of properties defined as having heritage character or heritage value; this can act as the basis for offering incentives.



ASSESSMENT TOOLS

- *Heritage Inspection (LGA)*: The District can order heritage inspections to assess heritage value and conservation needs.
- *Heritage Impact Assessment (LGA)*: The District can order an assessment to be prepared at either the expense of the owner or the municipality in order to predict the impact of a proposed development on adjacent heritage resources.



PROTECTION TOOLS

There is one temporary way and four permanent ways in which legal protection can be provided:

- *Temporary Heritage Protection (LGA)*: A heritage resource can be temporarily protected through the withholding of permits and approvals, or the adoption of protection orders and bylaws. The resource must be listed on a Heritage Register. Specific time periods apply, and this protection cannot be indefinitely extended.
- *Heritage Designation (LGA)*: This tool provides continuing protection and demolition control. Designation is generally negotiated in exchange for development incentives. This is considered a form of continuing protection.
- *Heritage Conservation Covenants (Land Titles Act)*: Allows for the negotiation of a contractual agreement with the owner, which is then registered on the Land Title. This may not vary siting, use or density. This is considered a form of continuing protection.
- *Heritage Revitalization Agreements (LGA)*: This is potentially the most useful conservation tool, and has been widely used by other local governments. It allows for a voluntary negotiated agreement, which may vary bylaw and permit conditions. If use and density are not varied, a Public Hearing is not required. This is considered a form of continuing protection.
- *Heritage Conservation Area (LGA)*: Scheduled properties in a Heritage Conservation Area are considered protected, but their development potential under existing zoning cannot be superseded through the use of this tool.

HERITAGE MANAGEMENT TOOLS

- *Heritage Procedures Bylaw (LGA)*: The District has enacted a bylaw that establishes civic procedures and guidelines for heritage conservation.
- *Heritage Alteration Permits (LGA)*: HAPs are used to allow changes to legally protected heritage property. If a Heritage Conservation Area is established, HAPs may be used for subdivision, additions, new construction or alteration to an existing building.
- *Heritage Site Maintenance Standards (LGA)*: The District can enact a 'Heritage Site Maintenance Standards Bylaw,' that establishes minimum requirements for the care and maintenance of legally protected heritage properties.



4.1 HERITAGE CONSERVATION AREA

The District can define special areas in the Official Community Plan under LGA Section 614 to provide long-term protection for a distinctive heritage area. A Heritage Conservation Area (HCA) is intended to provide long-term protection to a distinctive area that contains resources with special heritage value and/or heritage character, and can provide protection to all or some of the properties in the area. Properties that are to be protected must be specifically identified in the bylaw. In the HCA, a property owner may not do any of the following without a Heritage Alteration Permit:

- subdivision of a property;
- addition of a structure;
- addition to an existing structure;
- construction of a new building; or
- alterations to a building, structure, land, or feature.

Implementation of the HCA involves:

- A process of planning and research, through which a community identifies a distinctive area that it determines should be managed by long-term heritage protection.
- In consultation with the area property owners, the District agrees that an HCA is the best tool to provide long-term protection.
- Consultation with area property owners regarding the control mechanisms (including design controls) that may be included in the bylaw.
- Preparation of a bylaw to amend the Official Community Plan to identify the HCA. The bylaw must include:
 - a description of the special features or characteristics which justify the establishment of the HCA;
 - the objectives of the HCA; and
 - guidelines for how the objectives will be achieved.
- The bylaw may also:
 - identify circumstances for which a permit is not required; and
 - include a schedule listing the protected properties in the area, and identify features or characteristics that contribute to the heritage value or heritage character of the area.
- At least ten days before a public hearing is held to discuss the amendment, The District must notify all owners of property listed on the HCA schedule.
- The District adopts the HCA bylaw.
- The District notifies the Land Title Office and the minister responsible for the Heritage Conservation Act of the adoption of the HCA bylaw, as well as any additions or deletions that may be made to the HCA schedule.

IMPLICATIONS:

- The HCA provides overall control, including design control, which is similar in intent to development permit controls but with the specific intent of conserving heritage character.
- HCAs are generally less successful if used for very small areas, as has been undertaken by the Corporation of Delta (where as little as three properties have been listed as an HCA).
- HCA guidelines need to be specifically tailored to the individual circumstance of the area covered. Applications for scheduled properties can be assessed based on the *Standards and Guidelines*. In the experience of other municipalities (e.g. Township of Langley, City of North Vancouver) HCA guidelines for non-scheduled residential properties are difficult to interpret and enforce.
- Scheduled properties in an HCA are considered to be legally protected, but their development potential under existing zoning cannot be superseded through the use of this tool. In order to be successful, HCA heritage and design guidelines must recognize and be aligned with the existing zoning, or the zoning must be revised to recognize heritage character retention objectives.

4.2 HERITAGE REVITALIZATION AGREEMENT

A Heritage Revitalization Agreement (HRA) is a formal voluntary written agreement negotiated by a local government and an owner of heritage property. An HRA outlines the duties, obligations, and benefits negotiated by both parties to the agreement. An HRA may:

- detail the timing of the agreement terms;
- vary or supplement the provisions of a bylaw that concerns land use designation, development cost recovery, subdivision and development requirements;
- vary or supplement a permit under Part 14 of the *Local Government Act* (Planning and Land Use Management);
- vary or supplement a bylaw or Heritage Alteration Permit under Part 15 of the *Local Government Act* (Heritage Conservation); and/or
- include other terms agreed to by the District and the property owner.



HRAs are intended to provide a powerful and flexible tool that enables agreements to be specifically written to suit unique properties and situations. They may be used to set out the conditions that apply to a particular property. This tool is suited to unique conservation situations that demand creative solutions. The terms of the HRA supersede local government zoning regulations, and may vary use, density, and siting regulations. This can also be used to provide incentives that the owner can accept in lieu of compensation for continuing protection (please refer to **Section 5.2.1** and **5.2.3**).

An HRA application requires the following process:

1. The District identifies the need for the use of an HRA. The need may arise from the unusual siting of a building, a unique lot configuration or other unique circumstances.
2. The District and the property owner negotiate the terms of the HRA, including the obligations, duties, and benefits of the agreement.
3. The District seeks legal advice and drafts the HRA bylaw.
4. If the use or density of the property are proposed to be changed, a public hearing must be held.
5. Council adopts the HRA bylaw.
6. Within 30 days of adoption of the bylaw, The District files a notice in the Land Title Office to register the HRA on the property title. The District must also notify the minister responsible for the *Heritage Conservation Act*.
7. The HRA may only be altered with the consent of the property owner and the District. The District must adopt a bylaw to amend the HRA. Amendments to legally protected property are enabled through a Heritage Alteration Permit.

Other ways in which HRAs can be used to conserve heritage resources and their heritage value is to:

- enable relocation of a threatened resource;
- create or transfer density; and/or
- permit uses not allowed by existing zoning

The requirements of the HRA can be changed through consultation with the District, and if approved the changes can be authorized by the issuance of a Heritage Alteration Permit (HAP). An HAP provides the

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flexibility to respond to the requests and needs of owners over time. The requirements for HAPs must be established in the HRA bylaw, which can provide exemptions for minor repairs and maintenance, repainting in the same colours, etc. A HAP cannot vary use or density provisions, which would require a revised HRA bylaw.

IMPLICATIONS:

- The HRA supersedes local government zoning regulations and provides continuing protection. Therefore the issue of zoning is moot as each HRA is site specific.
- The application needs to conform generally to the intent of District policies, zoning and bylaws, while making certain exceptions for the conservation of heritage property.
- HRAs are NOT precedent setting. They are always site specific. Any concerns about setting precedents are based on how policy is applied.
- HRAs are generally used to regularize non-conforming situations and provide conservation incentives. They should not be used as a tool for relocation except as a last resort.
- As an HRA specifies development potential, including on any newly-subdivided lots, rezoning is not required.
- If the heritage resource is damaged or destroyed, the owner is obligated to obtain a Heritage Alteration Permit and restore and repair to the same condition and appearance as before the damage. If the resource is considered completely destroyed, the building is required to be constructed in a heritage style acceptable to the District and substantially similar in design.
- An HRA can include minimum site maintenance requirements.
- An HRA can outline the owner's obligations to protect, conserve, maintain and rebuild the resource. This may include penalties for lack of protection until completion of the HRA, including compensating the District in the event the heritage improvements or features on the site are moved or destroyed other than through natural causes, or allow additional penalties if the resource has to be replicated.⁴

The primary reason for the use of a Heritage Revitalization Agreement should be to ensure conservation of an identified heritage resource. The proposed conservation interventions should protect the heritage value of the resource, and should conform to the requirements outlined in the *Standards & Guidelines for the Conservation of Historic Places in Canada*.

4.2.1 NEW WESTMINSTER HERITAGE REVITALIZATION AGREEMENT POLICY

In 2011, the City of New Westminster defined a process for the use of HRAs, as follows:

Guiding Principle and Objectives for the Use of Heritage Revitalization Agreements

Principle: Preserve and encourage the rehabilitation of valued heritage resources using a clear Heritage Revitalization Agreement policy.

Objectives:

- 1) Ensure that the HRA policy is integrated with other important City policies. This includes the *Official Community Plan*, the *Affordable Housing Strategy* and the *Livable City Strategy*.
- 2) Ensure that HRAs are used appropriately, and that they balance both public and private benefits.
- 3) Create an application process that is clear.
- 4) Establish a follow-up procedure to ensure that heritage conservation work is completed as promised.

⁴ City of Surrey Bylaw No.16993: George Lawrence House, 6945 185 Street.

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This HRA process defines a seven-step HRA Application Process:

- Step #1 – Preliminary Inquiry
- Step #2 – Application
- Step #3 – Departmental Review
- Step #4 – Community Consultation
- Step #5 – Heritage Revitalization Agreement and Bylaw Readings
- Step #6 – Project Phase
- Step #7 – Project Completion Phase

The HRA Heritage Policy states: “Finally, for heritage conservation to be successful, it must meet a community standard of reasonableness. A heritage building owner should be given the opportunity to upgrade or add to the building, especially when the zoning allows it, and provided the proposed changes do not impair the identified character-defining elements of the building.”

Overall, the City of New Westminster’s HRA policy framework is generally applicable to other municipalities, and forms a reasonable basis for the assessment of similar applications in the District of North Vancouver.



4.3 ZONING AND DEVELOPMENT GUIDELINES

Zoning and Development outline the general requirements for site development are enabled under the Local Government Act; they are enacted by bylaws that specify the use, density, siting and subdivision of land, buildings or structures permitted in a community. In order to protect heritage character, a zoning schedule can be tailored to appropriately conserve the character of a heritage area or neighbourhood, in conjunction with appropriate development guidelines.

Examples of zoning that have been tailored to facilitate the retention of existing buildings and neighbourhood character may be found in the City of Vancouver:

Kitsilano: RT-7 and RT-8 District Schedules have been adopted for the Kitsilano neighbourhood. The intent of the District Schedules is:

“to encourage the retention and renovation of existing buildings which maintain an architectural style and building form consistent with the historical character of the area. Redevelopment will be encouraged on sites where existing buildings are smaller, or do not contribute to this character. For renovations and additions, emphasis is placed on maintaining existing external architectural character; for new development, on compatibility in external character. In all cases, neighbourly building scale and placement is emphasized.”

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Supplementary RT-7 and RT-8 Guidelines have also been adopted. The intent of the guidelines is to:

- (a) encourage retention and renovation of existing buildings, ensuring they maintain an architectural style and form consistent with their original character;
- (b) ensure that new development is compatible with the traditional character of surrounding street and area;
- (c) ensure neighbourliness;
- (d) maintain high quality design; and
- (e) maintain a range of choice of housing.

The guidelines are used to:

- (a) assist owners and applicants in designing developments; and
- (b) provide a basis on which City staff evaluate projects for approval of conditional uses and discretionary variations in regulations.

Discretionary increases in permitted floor space ratio are considered, based on meeting the expectation of the Guidelines regarding architectural design and exterior finishes. Additional density may also be allowed for heritage projects.

Mount Pleasant: RT-4, RT-4A, RT-4N and RT-4AN District Schedules have been adopted for the Mount Pleasant neighbourhood, to encourage the retention of existing residential structures. Similar to RT-7 and RT-8, supplementary Guidelines direct the expectations for architectural expression.

5. HERITAGE INCENTIVES

The most effective way to encourage heritage resource owners or potential owners to conserve and invest in the rehabilitation of their properties is by offering incentives. Incentives refer to programs or measures administered by the District or other community-based agencies to encourage the protection and retention of historic resources. Unlike regulatory measures, these tools usually offer something to the owner or developer in return for undertaking rehabilitation work or legal protection. Often they work hand-in-hand with the regulatory policies referred to above, in order to offer tangible advantages to heritage property owners. Examples of incentives include grant programs, tax incentives, technical assistance, or negotiated agreements that waive or vary standard requirements.

All properties on the District of North Vancouver Heritage Register, or eligible for the Register, should be considered for financial incentives. A program of effective incentives appropriate to North Vancouver, should be created that will strategically encourage authentic conservation and rehabilitation, by encouraging owners to invest in their properties.

After a community decides to adopt an incentives program to encourage the retention, rehabilitation and protection of its heritage resources, there are a number of steps that should be taken in the program development.

A community recognizes the benefits of support to owners of heritage properties when:

- The needs of heritage property owners are identified;
- Support mechanisms are explored and the most appropriate methods are selected.
- The support program is designed, including eligibility criteria, program management, staff coordination and budgeting. The incentive program may include a variety of components that provide both financial and non-financial support.
- The terms and conditions of receiving incentives are determined (level of protection) based on the owner applying accepted conservation standards or principles and guidelines.
- The incentive program is implemented, monitored, and modified periodically to respect the changing needs of property owners and the community.

The District of North Vancouver has the authority, based on existing enabling provincial legislation, to provide a broad range of conservation incentives to heritage property owners, including financial and non-financial (developmental and administrative) incentives. These incentives can be provided as an incentives package (including more than one type of incentive) that can be offered in exchange for conservation of the resource and legal protection. The incentives package is generally negotiated as part of the terms of a Heritage Revitalization Agreement. There may also be other sources of incentives for which the property owner may also be eligible.



5.1 FINANCIAL INCENTIVES

Heritage conservation incentives can be provided through financial support. Each project needs to be individually assessed to determine which incentives may apply, as different levels of assistance may be required to ensure financial viability.

5.1.1 District Financial Incentives

There are a number of financial incentives that the District can offer to encourage heritage conservation. Generally these can be considered to be of five types, including: (1) direct grants ("out-of-pocket"), from either the District or a Heritage Foundation; (2) tax incentives ("tax holiday"); (3) permissive tax exemptions; (4) interest-free / low-interest loans; and/or (5) reduced permit fees.

5.1.1.1 Direct Grants

One of the most motivating incentives, especially for homeowners, can be direct financial assistance. Modest financial grants are sometimes extremely effective in promoting conservation, especially in the residential context. These are often only seed money or a show of support, rather than reflecting a large share of restoration costs. Grants sometimes "top up" a project so that the specific heritage character-defining elements (e.g., porches) can be restored. Sometimes relatively small projects can have a dramatic impact on the appearance of a heritage building exterior (e.g., opening of an enclosed verandah, heritage paint colours, or re-installation of wood windows and doors). The District of North Vancouver could consider allocating a budget amount for heritage restoration grants that could be directed towards the conservation of properties, similar to what occurs in the City of Surrey and the Township of Langley. The City of Kelowna offers a grant program that is administered by an outside agency (the Central Okanagan Heritage Society).

There are a number of municipalities throughout the province that offer programs through municipally-funded foundations that provide direct financial assistance to the owners of residential heritage properties. These include Vancouver, New Westminster, Oak Bay and Saanich; Victoria has separate heritage foundations for residential and commercial properties. The District may wish to consider the feasibility of establishing a similar heritage foundation, which in addition to administering grant programs, could also serve an education and awareness function. A heritage foundation would also be able to actively fundraise to fulfill its mandate and establish an identity distinct from the municipal government. Matching funding could be sought for potential grant programs through corporate sponsorship, private foundations and other sources. Potential steps in the establishment of a District of North Vancouver Heritage Foundation could include:

- **Step One:** Confirm feasibility of a North Vancouver Heritage Foundation that would provide financial incentives for the restoration of heritage buildings.
- **Step Two:** Formally establish the Foundation through a resolution of Council.
- **Step Three:** Through Council, appoint a Board of Directors and identify an annual budget.
- **Step Four:** Initiate a Fund Development Program that could include building an endowment, planned giving, patronage (Honourary and Active), "Friends of the Heritage Foundation," and Corporate Sponsors.



5.1.1.2 Property Tax Incentives

Currently, if a property owner undertakes a rehabilitation of a heritage building, they usually encounter an increased property tax assessment due to an increase in market value. This, combined with the high cost of meeting building code requirements, can make the upgrade of heritage properties a marginal economic proposition. The assessment and taxation process is governed by provincial legislation and is very inflexible.

Municipalities may choose to forgive all or part of the municipal portion of the property tax on a heritage property as long as the property is legally protected. In these cases, the tax relaxation may be calculated based on the extent and cost of the rehabilitation.

Experience in the United States has demonstrated that incentives tied to income tax are amongst the most effective mechanisms for the preservation of heritage buildings. In Canada, federal income tax incentives for conservation do not currently exist, but municipal tax-based heritage grants have been proven to be successful in many cities including Vancouver and Victoria, notably for commercial projects. Tax-based heritage incentives tend to be less successful for residential (homeowner) projects, and generally do not work for institutional, ecclesiastical and strata-titled projects. As the majority of the heritage building stock in the District of North Vancouver is residential, tax incentives may only be effective in a limited number of situations.

5.1.1.3 Permissive Tax Incentives (City of Port Moody as example)

Permissive tax exemptions are enabled under Section 226 of the *Community Charter*. The City of Port Moody has enacted a Heritage Revitalization Tax Exemption Bylaw, 2011, No.2913 under these provisions. This is expected to encourage revitalization by lowering costs for property owners in the initial years after a major capital investment.

The purposes of Port Moody's tax exemption program are to:

- support conservation of heritage properties;
- foster revitalization through heritage and cultural awareness;
- increase the economic viability of the Heritage Conservation Area and Heritage Character Areas of Moody Centre; and,
- enhance quality of life in the city.

The program is intended to accomplish these objectives by:

- lowering costs for heritage property owners to invest in the restoration, rehabilitation and repair of heritage properties;
- establishing a financial incentive for redevelopment that meets heritage and sustainability guidelines;
- cultivating a heritage precinct for business attraction and cultural tourism; and,
- promoting a heritage aesthetic that improves the sense of place and promotes vitality in the identified historic area of the city.

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Eligible properties must be listed on the City's Heritage Register or located within the Moody Centre Heritage Conservation and Character Areas. To qualify, a project must be either 1) heritage conservation projects of \$15,000 or above in eligible costs, or 2) projects that retain the existing principal building with a construction value of \$100,000 or greater, as follows:

- i. Wherein the land use is consistent with the Official Community Plan land use designation, as amended from time to time; and
- ii. That involves preservation of the heritage significance of a building on the City's Heritage Register and results in qualifying project costs of \$15,000 or greater (Type I); or
- iii. Improvements on a Lot which result in a construction value of \$100,000 or greater as determined by the building permit(s) issued where (Type II):
 - (a) the existing principal building is retained; and
 - (b) the Project is exemplary of the Moody Centre Heritage Conservation Area Guidelines as determined by the Director of Development Services; and
 - (c) green building elements are included such as reused materials, and/or conservation of water and energy as demonstrated through the completion of the City's Checklist for Community Sustainability; or
 - (d) a heritage Statement of Significance is prepared to direct the Project and, upon completion of the heritage conservation works as per the *Standards and Guidelines for the Conservation of Historic Places in Canada*, the Lot is added to the Heritage Register.
- iv. In the case of a Type I project as described in this bylaw, qualifying project costs shall include any of the following:
 - (e) conservation and repair of significant original architectural elements, including doors, windows, roofing, or other significant features as identified in the Statement of Significance documented in the Heritage Register;
 - (f) reconstruction of significant historical features, using materials that replicate the original;
 - (g) work to restore a building to structural soundness as per the *Standards and Guidelines for the Conservation of Historic Places in Canada*, with reference to the B.C. Building Code;
 - (h) the conservation of interior elements will be eligible if it is necessary for a building's structural integrity;
 - (i) interior services including plumbing, electrical and heating are eligible if necessary to ensure the continued use of the building and the replacement technology is consistent with a recognized Canadian green building standard;
 - (j) professional design and engineering reports, drawings, cost estimates, and specifications as required by the City for the project.

Notably, the tax provisions are tied to recognized heritage conservation *Standards and Guidelines*. Notably, there has been very little uptake of this program, as it is cumbersome to apply to residential projects.

5.1.1.4 Interest-Free / Low-Interest Loans

Although not yet used in British Columbia, interest-free or low-interest loans have been used in other jurisdictions to promote conservation. An example is the Town of Markham, Ontario, which established a Heritage Loan Fund in 1981. The intent of this fund is to offer low-interest loans (5 points below prime, minimum of 5%), but in this current environment of low interest rates, even 5% may not be attractive. American jurisdictions have also explored the idea of similar revolving funds that can be repaid over time.

5.1.1.5 Reduced Permit Fees

The District should review its current permit application procedures to ensure that there are no financial disincentives to heritage conservation. In addition, permit fees could be reduced or waived for heritage projects; this would not be a large incentive but would send a message of administrative support. Heritage Revitalization Agreements can also be a cost-effective alternative to rezonings.

5.1.2 Provincial Financial Incentives

Under its Heritage Conservation Program, The Heritage Legacy Fund provides financial contributions of up to \$25,000 for projects involving the preservation, rehabilitation and/or restoration of a built community heritage resource. Eligible applicants include the District, registered non-profit societies and registered federal charities.

5.1.3 Federal Financial Incentives

The Residential Rehabilitation Assistance Program (RRAP), offered through the Canada Mortgage and Housing Corporation, helps low-income Canadians, people with disabilities and First Nations people live in decent, affordable homes. These programs also support renovations to rooming houses and rental units to increase the availability of housing for those in need. Depending on the individual situation for each resource, one of the following programs may apply:

- **Homeowner RRAP:** Financial assistance to repair substandard housing to a minimum level of health and safety
- **Rental RRAP:** Assistance for landlords of affordable housing to pay for mandatory repairs to self-contained units occupied by low-income tenants
- **Secondary/Garden Suite RRAP:** Financial assistance for the creation of a Secondary or Garden Suite for a low-income senior or adult with a disability, making it possible for them to live independently in their community, close to family and friends.
- **RRAP for Persons with Disabilities:** Assistance for homeowners and landlords to improve accessibility for persons with disabilities
- **RRAP for Conversions:** Assistance for converting non-residential buildings into affordable housing

It is recommended that there be further exploration of other available funding sources, especially for non-profit organizations. Additional funding assistance may be available from a wide variety of other government and private programs. Private foundations may also be willing to support local heritage conservation efforts.

5.2 NON-FINANCIAL INCENTIVES

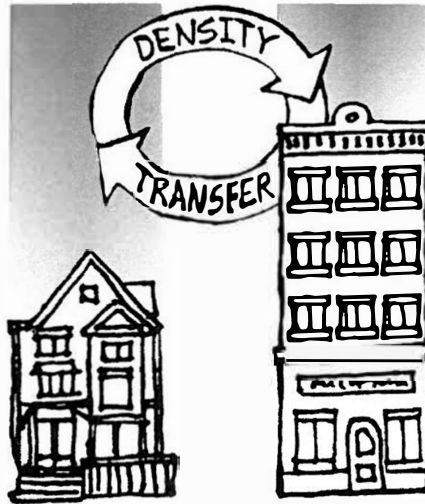
Heritage conservation incentives may also be provided through non-monetary support. In addition to the measures listed below, the District should examine the entire permit application and approval process, to ensure the removal of any disincentives to heritage conservation.

5.2.1 Heritage Revitalization Agreements

As discussed in Section 5.2, Heritage Revitalization Agreements provide a powerful and flexible tool that enable agreements to be specifically written to suit unique properties and situations. This formal written agreement can be negotiated by the District and an owner to protect a heritage property, and may be used to set out the conditions that apply to a particular property. A Heritage Revitalization Agreement (HRA) is a contractual agreement between a property owner and the District. The terms of the agreement supersede local government zoning regulations, and may vary use, density, and siting regulations. Through an HRA, heritage projects can be designed with special conditions that promote financial viability for projects that could not otherwise proceed.

5.2.2 Relaxations/Variations

When approving Development Permit applications, the District has discretionary powers and may relax some requirements, especially when other amenities are being offered. In return for the conservation and rehabilitation of a heritage building, the District may be able to relax requirements related to parking, setbacks and access. Similarly, some requirements could be relaxed in order to prevent conservation principles and guidelines from being compromised. One example would be a lot with an existing heritage home that is zoned for duplex use. In this case, an infill house could be built on the property instead, and perhaps a slight increase in allowable density could also be allowed. Each situation will be unique and will require special consideration.



5.2.3 Density Bonus and Transfer Procedures

One of the most effective heritage incentives that can be offered is the redistribution of density or an increase in allowable density. Density refers to the ratio of floor area to the lot size. Sometimes there is an option to increase the allowable onsite density without compromising the context of the heritage building. In other cases, a heritage building may be located on a property that has much higher development potential than currently occupied by the building, meaning that there is residual density that is not being utilized. In this situation, the residual density can be transferred or sold to another property, negating the need to achieve the allowable density onsite. In other cases, a conservation incentive – usually used to offset the costs of rehabilitation – may be offered through the creation of an additional bonus density that can be sold to a receiver site, with the resulting financial benefits being considered part of the incentives (compensation) package. Each of these situations require careful study of the potential impact on the heritage site, and an understanding of appropriate receiver sites for transferred density. The transfer of density can be accomplished either through the use of a Heritage Revitalization Agreement (for individual sites) or the creation of a municipal density bank process.

5.2.4 Heritage Register Equivalencies and Exemptions

As discussed in Sections 3.4, 3.5 and 3.6, equivalencies and exemptions are offered to Heritage Register or Protected Heritage Sites under the B.C. Building Code, the *Energy Efficiency Act (Energy Efficiency Standards Regulation)* and the *Homeowner Protection Act Regulation*. The definition of a heritage building is consistent under all three pieces of legislation. These equivalencies and exemptions are offered on a case-by-case basis, and must be individually applied in each circumstance.

5.2.5 Administrative Support

Streamlining the development and building permit application processes for heritage properties is a very desirable objective (also known as a “Green Door” policy). Heritage property owners will object to a complicated procedure if they are already concerned about costs. Heritage projects are sometimes more complex and can require additional review. Time equals money, therefore it is recommended that the permit review procedure be simplified as much as possible, and that every consideration be given to expediting processing procedures.

5.2.6 Heritage Support Programs

The municipality can also provide support through:

- the provision of technical advice;
- complementary public works projects in defined heritage character areas (e.g., street improvements such as pedestrian lighting, paving, street furniture and way-finding signage); and/or
- referral to other agencies or organizations for further assistance.

6. CONCLUSION AND IMPLEMENTATION STRATEGIES

A considerable amount of building activity has occurred across the District of North Vancouver over the past few years, and without a strong program of heritage conservation incentives, it could be difficult to achieve good conservation practices. This will increase the risk of continued erosion of the remaining authentic aspects of the District, which include buildings, structures, natural features and sites, cultural landscapes and street fabric. The most effective way to encourage heritage resource owners or potential owners to conserve and invest in the rehabilitation of their properties is by offering incentives.

Implementation of the procedures recommended in this document should be undertaken in stages. Depending on time, resources, and the levels of community support and political will, these steps may be followed sequentially or adapted and integrated into municipal processes as prioritized by staff and District Council.

6.1 HERITAGE REGULATIONS

The District has the ability to enact regulations as required. Regulations in themselves will not ensure conservation, but can provide the framework for the appropriate assessment and evaluation of heritage applications. The District should consider the following:

NEXT STEPS

- ☐ Adopt the *Standards and Guidelines for the Conservation of Historic Places in Canada* as the basis for the review of heritage permit applications, the determination of maintenance standards and the granting of heritage incentives.
- ☐ Build support throughout the civic administration for the provision of heritage regulations.
- ☐ Develop and implement a Heritage Site Maintenance Standards (LGA).
- ☐ In order to provide area-wide control, undertake review of the implications of Heritage Conservation Area bylaw or Heritage Zoning on historic areas.

6.2 HERITAGE INCENTIVES

A program of effective incentives appropriate to the local situation should be created that will strategically encourage authentic conservation, and encourage heritage property owners to invest in their properties. The District of North Vancouver has the authority, based on enabling provincial legislation, to provide a broad range of conservation incentives, including financial and non-financial (developmental and administrative) incentives. These incentives can be provided as an incentives package (including more than one type of incentive) that can be offered in exchange for conservation and legal protection. There may also be other sources of incentives for which the property owner may also be eligible.

The District can take a number of steps that will help in the development of more effective conservation incentives:

- Identify the needs of heritage property owners.
- Explore support mechanisms and select the most appropriate methods.
- Design the incentive program, including eligibility criteria, program management, staff coordination and budgeting. The program may include a variety of components that provide both financial and non-financial support.
- Determine the terms and conditions of receiving incentives (level of required protection) based on the application of conservation *Standards and Guidelines*.

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- Implement, monitor and modify the incentive program periodically, based on the changing needs of property owners and the community.

Property owners likely to benefit directly from heritage conservation incentives may be individuals, businesses, corporations or organizations, including the following broad categories of ownership:

- Commercial (revenue-generating)
- Residential (revenue-generating)
- Residential (owner-occupied)
- Religious, Governmental, Institutional

Each of these categories has different requirements for incentives, and the program should recognize different that different types and levels of incentives will need to be offered. For example, religious buildings will not benefit from tax incentives. Similarly, developers of strata-titled residential property will not benefit from tax holidays, as the intent is to sell the property upon completion. The incentives program will need to consider the broad range of property owner requirements.

The application of an incentive should be subject to the following conditions:

- All properties on the District of North Vancouver Heritage Register, or eligible for the Register, should be considered for financial incentives.
- The amount of incentives should be directly related to the level of conservation.
- The proposed work on the site would be compatible with, and sympathetic to, the character and context of the heritage site, according to the *Standards and Guidelines for the Conservation of Historic Places in Canada*.
- The heritage character-defining elements of the site should be maintained at a minimum defined level.
- For larger incentives or those seeking development incentives, proof of financial necessity may be required through a *pro forma* economic analysis.
- Legal protection should be a pre-requisite for any municipal heritage incentive. This can include the use of overlapping protection, such as HRA and designation procedures, and will be registered on Land Title.

When negotiating incentives, it is also necessary to understand the outcome of the process. It may be difficult to achieve an appropriate balance. Although it may be an incentive to increase the number of allowable dwelling units, this can “crowd” the site and harm the historic context. Aggressive application of building envelope upgrading can require the removal of the exterior building envelope and the installation of rain-screen claddings and double-glazed windows. It is important that the District’s expectations for the level of conservation be determined at the stage of negotiation and agreement, including exemption from *Energy Efficiency Act* and *Homeowner Protection Act* requirements.

Therefore, in order to achieve meaningful conservation, the incentives that are being offered should not result in radical alterations or loss of context. Consideration should be given to the following process:

- A Statement of Significance should be prepared for each site being considered for incentives, in order to determine the heritage value and the heritage character-defining elements that need to be protected.
- All work being considered for heritage sites should be reviewed using the *Standards and Guidelines for the Conservation of Historic Places in Canada*.
- Except in minor cases, consideration should be given to requiring the involvement of a heritage professional (defined as a member of the Canadian Association of Heritage Professionals) that can

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properly assess the project, provide a Conservation Plan, and monitor and provide final sign-off on the implementation of the work.

- The Conservation Plan should include a maintenance schedule, and any negotiated agreement should include minimum maintenance standards.

This process will help protect the District's investment in heritage incentives, by ensuring the highest possible levels of heritage conservation. The costs of this heritage consultation should generally be paid by the applicant, but should be included as part of the total project costs when a *pro forma* analysis is undertaken.



NEXT STEPS

- ☐ Establish a revised process for reviewing heritage applications (see "**Appendix A: Heritage Application Process**").
- ☐ Build support throughout the civic administration for the provision of heritage conservation incentives. Ensure that staff has an understanding of the application and negotiation process, and has a good technical understanding of the requirements of heritage conservation (e.g., *Standards & Guidelines*).
- ☐ Establish the order of magnitude of the District's heritage conservation incentives. An initial step would be a preliminary study that would review the:
 - number and location of sites targeted for incentives
 - lot size, existing zoning and potential for redevelopment
 - current property tax assessments

This will help identify the most appropriate incentives and support mechanisms, and will also provide estimates for what level of municipal resourcing may be necessary. Some of these may be relatively simple to implement or already underway, such as negotiated agreements, building code equivalencies and the streamlining of application procedures. Others may take more time to research, administer, and adopt (e.g., grant programs, tax incentives).

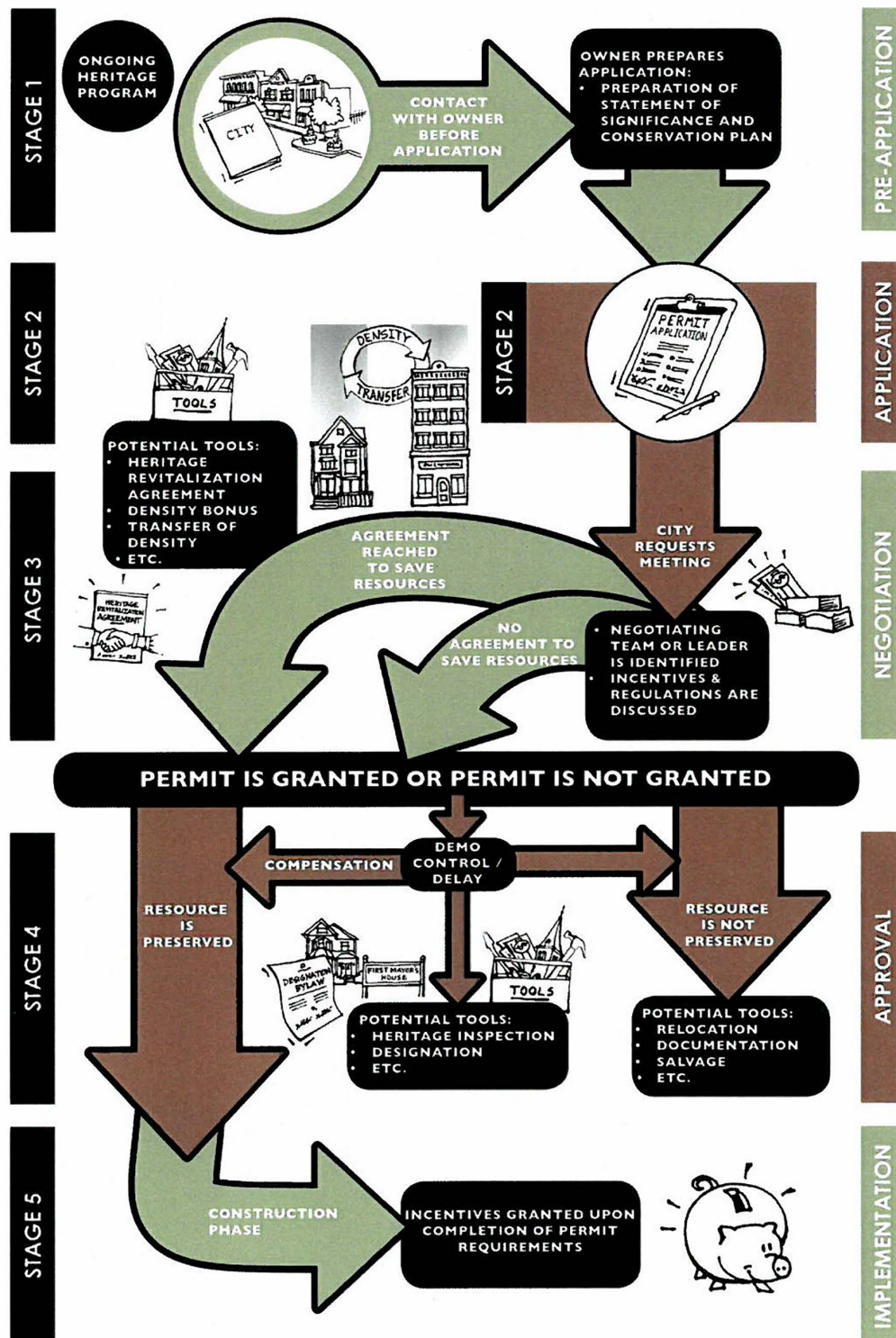
- ☐ Confirm the appropriate delivery model for financial heritage incentives.

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- ❑ Promote and market the range of incentives available to owners of heritage properties. This may be done by holding meetings with heritage property owners, distributing brochures, and posting information on the District's website.
- ❑ Once updated policies, procedures and regulations are established, monitor the Heritage Program to ensure its ongoing effectiveness. A cyclical re-examination should be initiated, to review results, effectiveness and direction on a regular basis, and ensure that the Heritage Program remains relevant and useful.



APPENDIX A: HERITAGE APPLICATION PROCESS



APPENDIX B: HERITAGE CONSERVATION TOOLKIT

The Heritage Conservation Toolkit lists the legislative tools available before, during and after a permit application is made. For further information please refer directly to the relevant legislation (Revised Statutes and Consolidated Regulations of British Columbia: Web Site: <http://www.bclaws.ca/>).



TOOLS THAT NEED TO BE IN PLACE BEFORE NEGOTIATION:

- ☐ **Official Community Plan (Local Government Act)**
Sets out the District's intent for development. States overall goals for heritage conservation and can also include heritage area designations.
- ☐ **Zoning and Development Bylaws (Local Government Act)**
Outlines the existing general requirements for site development.
- ☐ **Development Permit Controls (Local Government Act)**
Provides specific requirements for areas designated as Development Permit Areas.
- ☐ **Heritage Conservation Areas (Local Government Act)**
The District can define special areas in the Official Community Plan to provide long-term protection to distinct heritage areas.
- ☐ **Community Heritage Register (Local Government Act)**
The District can establish an official listing of properties defined as having heritage character or heritage value; this can act as the basis for offering incentives.
- ☐ **Heritage Zoning (Local Government Act)**
An appropriate zoning schedule can be tailored to conserve the character of a heritage site or area.
- ☐ **Community Heritage Commission (Local Government Act)**
Enables the establishment of a Community Heritage Commission, which may have a municipality-wide mandate or be limited to a specific area or purpose.
- ☐ **Heritage Procedures Bylaw (Local Government Act)**
The District can enact a bylaw that establishes civic procedures and guidelines for heritage conservation. This bylaw may also delegate authority to an officer or authority for the negotiation of heritage issues.
- ☐ **Heritage Site Maintenance Standards (Local Government Act)**
The District can enact a 'Heritage Site Maintenance Standards Bylaw,' that establishes minimum requirements for the care and maintenance of legally protected heritage properties.
- ☐ **Reservation and Dedication of Municipal Property (Local Government Act)**
The District can commit to the long-term protection of public property. Although previously enabled, there is new scope added to this tool.

DISTRICT OF NORTH VANCOUVER REVIEW OF HERITAGE CONSERVATION INCENTIVES

☐ **Administrative Procedures**

- *Priority Routing*
The District can institute a policy of expediting applications involving identified heritage resources.
- *Heritage Awareness Programs*
The District can continue to make the public aware of the importance of heritage resources through education programs.
- *Commemoration and Interpretation*
The District can provide for commemoration and/or interpretation of historic sites or buildings. This is not the equivalent of designation.
- *Complementary Public Works*
The District may commit to public works that complement the character of heritage sites or areas.

TOOLS AVAILABLE DURING NEGOTIATION:

☐ **Financial Incentives**

- *Financial Assistance* (Local Government Act)
Direct monetary grants can be offered in exchange for heritage conservation.
- *Tax Incentives/Exemption* (Local Government Act)
Full or partial tax exemptions for up to ten years can be offered.
- *Permissive Tax Exemption* (Community Charter)
Full or partial tax exemptions can be offered for eligible property and revitalization projects.

☐ **Development/Zoning Incentives**

- *Heritage Revitalization Agreements* (Local Government Act)
This is potentially the most useful conservation tool, and has been widely used by other local governments. It allows for a voluntary negotiated agreement, which may vary bylaw and permit conditions. If use and density are not varied, a Public Hearing is not required. This is considered a form of continuing protection.
- *Heritage Conservation Covenants* (Land Titles Act)
Allows for the negotiation of a contractual agreement with the owner, which is registered on the Land Title. This may not vary siting, use or density, and is considered a form of continuing protection.
- *Equivalencies and Exemptions*
Buildings identified on a Heritage Register or legally protected are eligible for building code equivalencies under the *British Columbia Building Code*, the *Energy Efficiency Act* and the *Homeowners Protection Act*.
- *Heritage Density Bonuses* (Local Government Act)
Increases in density, although previously available, may now be achieved more easily through a Heritage Revitalization Agreement.

DISTRICT OF NORTH VANCOUVER REVIEW OF HERITAGE CONSERVATION INCENTIVES

- *Transfer of Density* (Local Government Act)
Although previously enabled, transfers may now be expedited through negotiated agreements.
- *Development Variance Permits* (Local Government Act)
Allow for development requirements to be varied or waived.

☐ **Heritage Designation (Local Government Act)**

This tool is now enabled under the Local Government Act, and provides long-term protection and demolition control. Designation is generally negotiated in exchange for development incentives. This is considered a form of continuing protection.

☐ **Heritage Alteration Permits (Local Government Act)**

Once a Heritage Conservation Area is established, HAPs may be required for subdivision, additions, new construction or alteration of an existing building. HAPs may also be used to allow changes to legally protected heritage property.

☐ **Tree Protection (Local Government Act)**

Although previously enabled, there are now procedures that streamline the ways in which the District can protect and maintain significant identified trees.

TOOLS AVAILABLE IF NEGOTIATION BREAKS DOWN:

☐ **Temporary Heritage Protection (Local Government Act)**

A heritage resource can be temporarily protected through the withholding of permits and approvals, or adopting protection orders and bylaws. The resource must be listed on a Heritage Register, and a Heritage Procedures Bylaw should be in place. Specific time periods apply, and this protection cannot be indefinitely extended.

☐ **Heritage Designation (Local Government Act)**

See above for details; if the resource is of sufficient community value, the District may enact an involuntary designation. However, doing so will make the District liable for financial compensation.

☐ **Heritage Inspection (Local Government Act)**

The District can order heritage inspections to assess heritage value and conservation needs.

☐ **Heritage Impact Assessment (Local Government Act)**

The District can order an assessment to be prepared at either the expense of the owner or the municipality in order to predict the impact of a proposed development on adjacent heritage resources.

☐ **Relocation**

When it is not possible to save a structure on its original site, it may be desirable to move it to another location to ensure its conservation. Costs may be borne either by the developer or the District.

☐ **Documentation**

When it is not possible to save a structure, it may be desirable to document it before demolition. Costs may be borne either by the developer or the District.

☐ **Salvage**

When it is not possible to save a structure, it may be desirable to salvage artifacts or portions of the structure before demolition.

APPENDIX C: CONSERVATION CASE STUDIES

The following are examples of successful heritage projects in the City of Vancouver that have been enabled through the use of heritage incentives:

1504 Graveley Street

Infill Project

Architect: Edward LeFlufy

Status: 'B' on Vancouver Heritage Register

Style: Craftsman

Tools: Green Door, Priority Permit Process

Zone: Multiple Residential RM-4



Completed in 1912, the existing house is a good example of the popular Craftsman style that flourished in the Vancouver area from approximately 1910-1925. The design exhibits simplicity of form and detailing; its floor plan is rectangular with an emphasis on functional use of space. Characteristic Craftsman elements include a steep roof, saddle-bag dormers and cedar shingle exterior cladding. The "heart" of the house is the living room that features a large brick fireplace. Located adjacent to a number of buildings of similar style and scale, the house forms part of a streetscape of Craftsman-style homes. The house is registered as a 'B' category building on the Vancouver Heritage Register. The goal was to intensify the land use in a lower density area by allowing a sympathetic infill dwelling.

2990 West 5th Avenue

Developer: Joseph Khalifa

Kevington Development Corp.

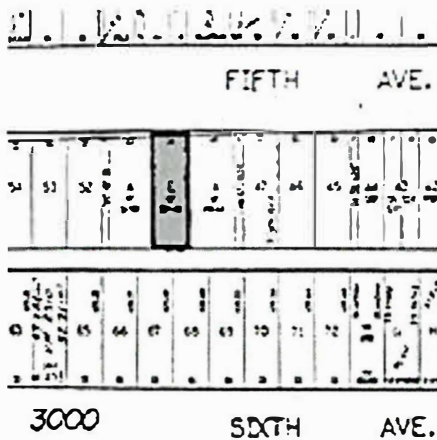
Status: 'B' Vancouver Heritage Register

Style: Craftsman California Bungalow

Tools: Heritage Designation

Variance: Floor space set back and building depth relaxations

Zone: RT-7



Built in the 1920s, the existing house is a good example of Craftsman or "California" Bungalow style architecture, and is listed in the 'B' category on the Vancouver Heritage Register. It is also part of a significant heritage streetscape of similar homes. The site is located in the RT-7 two-family residential zoning district of Kitsilano, which encourages the retention and renovation of existing character buildings. This project involved converting a single-family residence to a back-to-back duplex, based on a conditional approval use in the RT-7 district. The conversion of the building from a one to a two-unit dwelling was accomplished through adaptive re-use. In order to increase livability on the ground floor, the house was raised by one foot in order to maintain the existing streetscape roofline, and a twelve-foot addition was added to the rear of the house. Relaxations to floor space, setback and building depth regulations were given in return for restoration work and designation of the heritage building.

APPENDIX D: DEFINITIONS

Character-Defining Elements: the materials, forms, location, spatial configurations, uses and cultural associations or meanings that contribute to the *heritage value* of a *historic place*, which must be retained in order to preserve its *heritage value*.

Conservation: all actions or processes that are aimed at safeguarding the *character-defining elements* of a cultural resource so as to retain its *heritage value* and extend its physical life. This may involve "Preservation," "Rehabilitation," "Restoration," or a combination of these actions or processes. Reconstruction or reconstitution of a disappeared cultural resource is not considered conservation and is therefore not addressed in this document.

Guidelines: statements that provide practical guidance in applying the *Standards for the Conservation of Historic Places*. They are presented herein as recommended and non-recommended actions.

Heritage Value: the aesthetic, historic, scientific, cultural, social or spiritual importance or significance for past, present or future generations. The *heritage value* of a *historic place* is embodied in its character-defining materials, forms, location, spatial configurations, uses and cultural associations or meanings.

Historic Place: a structure, building, group of buildings, district, landscape, archaeological site or other place in Canada that has been formally recognized for its *heritage value*.

Intervention: any action, other than demolition or destruction, that results in a physical change to an element of a *historic place*.

Maintenance: routine, cyclical, non-destructive actions necessary to slow the deterioration of a *historic place*. It entails periodic inspection; routine, cyclical, non-destructive cleaning; minor repair and refinishing operations; replacement of damaged or deteriorated materials that are impractical to save.

Minimal Intervention: the approach that allows functional goals to be met with the least physical intervention.

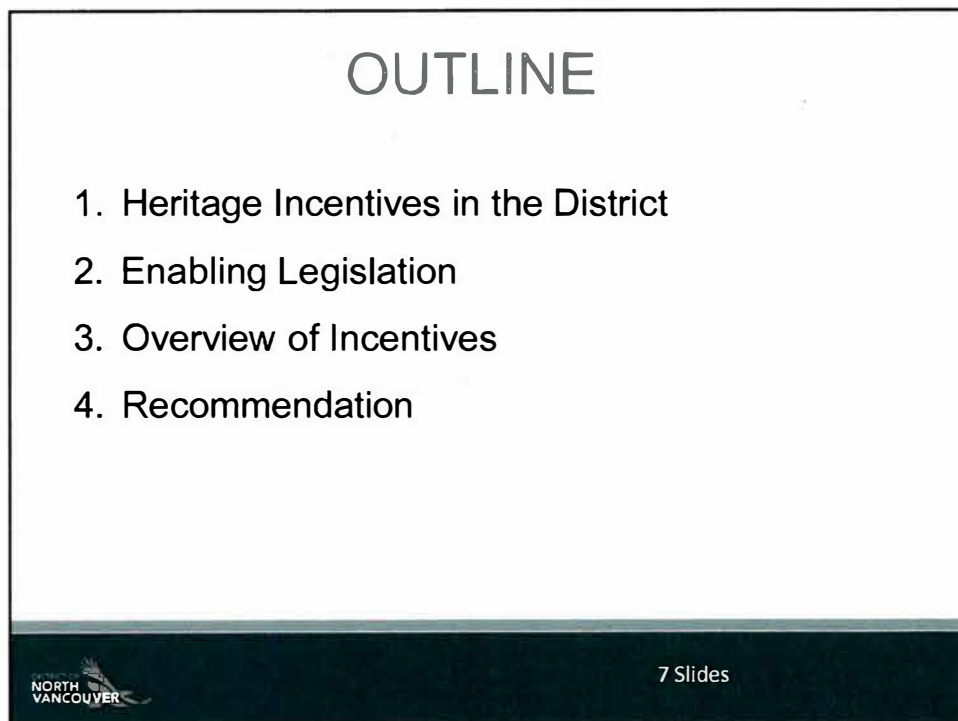
Standards: Norms for the respectful conservation of historic places.

ATTACHMENT B: Incentives for Heritage Conservation Overview

Heritage Incentive	Description	Primary Goal	Applicability	Financial Impact
Direct grants	An allocated budget for heritage restoration grants. This can be administered by the District, an outside agency, or heritage foundation.	To provide direct financial assistance to conservation projects.	Most applicable for residential projects. This incentive has been successful in other BC municipalities. There are 237 residential heritage properties in the District.	Depends on amount of municipal investment. Eleven residents applied to the Heritage Grant Program in 2017. This indicates there is community interest in a grant program.
Property tax incentives	Forgiven property tax (all or part of the municipal portion) on a heritage property. This applies to legally protected (designated) properties with a covenant. Relates to section 225 of the <i>Community Charter</i> .	To offset the increase in property tax assessment after rehabilitation of a heritage building.	In Canada, this incentive has been most successfully used for commercial properties. In the District there are currently 12 designated properties, and 0 designated commercial properties.	A selection of heritage buildings that have undergone significant restoration work were reviewed for a change in municipal property tax. Property assessment based on improvements increased after restoration, but the change in improvement tax is relatively small.
Permissive tax incentives	Permissive tax exemptions for up to 10 years, through a Heritage Revitalization Tax Exemption Bylaw. Relates to section 226 of the <i>Community Charter</i> .	To lower costs for property owners in initial years after a major capital investment.	In municipalities that have adopted this incentive, there has been little uptake, and has been cumbersome for residential projects.	Depends on the criteria for revitalization project applicability, amount of exemption and number of years (up to 10) exempt. Property assessment based on improvements increased after restoration, but the change in improvement tax is relatively small.

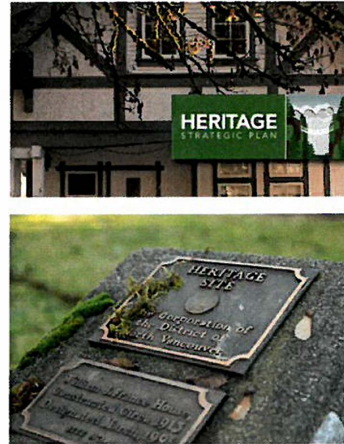
Interest free/Low interest loans	An interest free or low interest loan for heritage homeowners undertaking restoration or preservation work.	To offer low-interest loans (5 points below prime, minimum of 5%) for heritage conservation projects.	The interest rates offered by banks are currently quite low, which would make this incentive less attractive.	Depends on the selected interest rate, and types of heritage properties eligible. This could range from the 12 designated buildings to all 261 buildings.
Reduced permit fees	Reduced or waived permit fees for work that contributes to the preservation of a heritage property.	To reduce the initial costs associated with heritage preservation work.	This could apply to a type of heritage building, or all 261 heritage buildings in the District.	Depends on how many permit applications are received, and the types of heritage properties eligible. Building permits can range from \$75.50 (for up to \$1,000 or work) to over \$3,000 for a major renovation and addition.
Heritage Revitalization Agreements (HRA)	A formal, written agreement negotiated between the District and a property owner that sets out conditions (e.g. varied use, density, and/or siting regulations) that apply to a particular property.	To offer special conditions that promote financial viability for projects that could not otherwise proceed.	The District has entered a HRA with owners of 4 properties over the past 18 years.	As there are different incentives that may be accessed through the HRA process, and the heritage value of properties ranges (which affects the negotiation), the financial impact varies on a case to case basis.
Relaxations/ Variances	Relaxed development permit application requirements, such as parking, setbacks and access requirements.	To incentivize conservation and rehabilitation, and prevent conservation principles and guidelines from being compromised.	This could apply to a type of heritage building, or all 261 heritage buildings.	Depends on how many permit applications are received, and the types of heritage properties eligible.

Density bonus and transfer procedures	Redistribution of density or an increase in allowable density. Transfer of density can be accomplished through HRA (single site) or a municipal density bank process.	To provide a direct financial incentive to heritage property owners for heritage conservation, in exchange for forgone development potential.	Further analysis is required to understand number of heritage buildings located on land that is designated in the OCP for a higher use.	This requires further analysis, and would require a detailed case-by-case review.
Heritage Register equivalencies and exemptions	Equivalencies and exemptions under the B.C. Building Code, Energy Efficiency Act, and Homeowner Protection Act.	To enable heritage property owners to better preserve significant heritage characteristics, which may also result in reduced restoration costs.	May be offered on a case-by-case basis to heritage register properties, or all 261 heritage buildings.	Depends on how many permit applications are received, and the types of heritage properties eligible.
Administrative support (streamlining processes) and Heritage Support Programs	Streamlining the development of building permit application processes for heritage properties.	To ensure the process of applying for permits, or development applications is not complicated or confusing.	A streamlined process may be offered to heritage register properties, or all 261 heritage properties.	Depends on how many permit and development applications are received, and the types of heritage properties eligible.



Heritage Incentives

- Heritage Strategic Plan
- Incentives > Regulations
- Protected Heritage Properties
- Heritage Register



Enabling Legislation

- *Local Government Act*
- *Community Charter*
- *Land Titles Act*
- *BC Building Code*
- *Energy Efficiency Act*
- *Homeowner Protection Act*



Overview of Incentives

Heritage Incentive	Description	Higher Applicability /Need Further Study
Direct grants	An allocated budget for heritage restoration grants	Already using YES
Property tax incentives	Forgiven property tax on a heritage property	
Permissive tax incentives	Permissive tax exemptions for up to 10 years	YES
Interest free/Low interest loans	An interest free or low interest loan for heritage homeowners undertaking restoration or preservation work	
Reduced permit fees	Reduced or waived permit fees for work	YES



Overview of Incentives (Continued)

Heritage Incentive	Description	Higher Applicability /Need Further Study
Heritage Revitalization Agreements (HRA)	A formal, written agreement negotiated between the District and a property owner that sets out conditions that apply to a particular property	Already using YES
Relaxations/ Variances	Relaxed development permit application requirements	YES
Density bonus and transfer procedures	Redistribution of density or an increase in allowable density	
Heritage Register equivalencies and exemptions	Equivalencies and exemptions under the B.C. Building Code, <i>Energy Efficiency Act</i> , and <i>Homeowner Protection Act</i>	YES
Administrative support (streamlining processes) & heritage support programs	Streamlining the development of building permit application processes for heritage properties	YES

Recommendation

THAT the May 9, 2018 report from the Community Planner entitled Overview of Heritage Conservation Incentives is received for information.



355 West Queens Road
North Vancouver, BC
V7N 4N5

604-990-2311



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Memo

May 11, 2018
File: 3060-20-37.18

TO: Mayor and Council

FROM: Dan Milburn, General Manager, Planning, Properties and Permits

SUBJECT: Early Input Opportunity - May 22, 2018
Travelodge and North Shore Innovation District

At the May 22nd Council workshop staff will present two significant applications for early Council information and input. Attached are brief slides for each project.

1. Travelodge Rezoning Proposal (Lionsgate)

2050-2070 Marine Drive
1.6 acres (10,521 m²)

The proposed rezoning includes a 29 storey residential building, two residential low rise buildings (4-6 storeys) and family oriented townhouses (2-3 storeys). One of the low rise apartment buildings is a purpose built affordable rental building with approximately 34 affordable units (approximately 10% of the project's gross floor area).

2. North Shore Innovation District (Maplewood)

2420 Dollarton Highway
45.36 acres (18.36 ha)

A detailed application for the project is expected to be submitted on May 15, 2018. The proposal includes a range of light industrial, commercial, and residential uses, a student housing building and childcare facility, and a range of supportive uses in 18 buildings ranging in height from two to eight storeys.

Dan Milburn
General Manager
Planning, Properties and Permits

Attachments:

- a) Travelodge Proposal
- b) The Innovation District

May 22, 2018 Early Input:

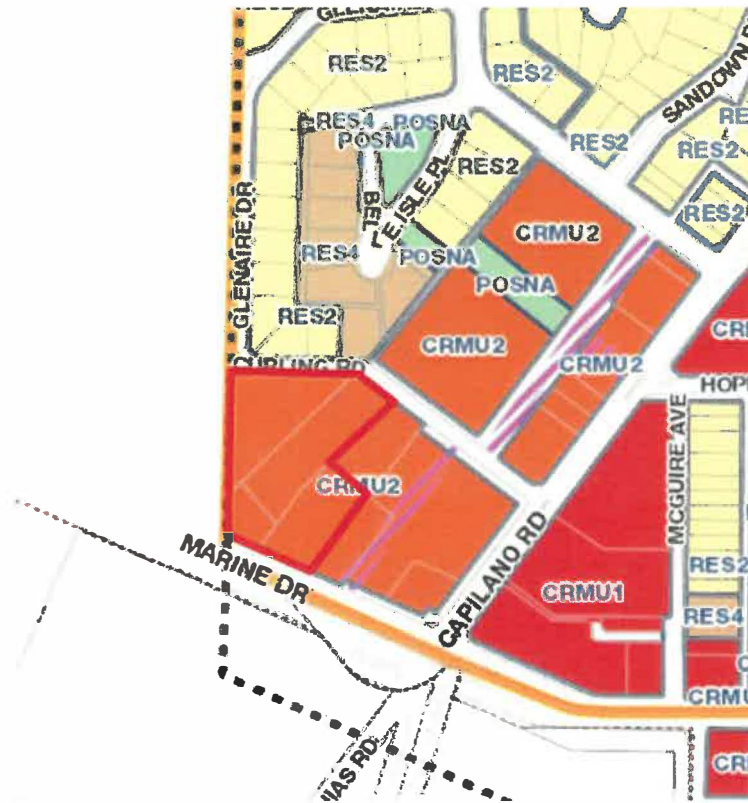
Travelodge



Innovation District



Travel Lodge Official Community Plan



- Designated Commercial Residential Mixed Use (CRMU) Level Two
- 2.5 FSR
- **The Lower Capilano Marine Village Centre Implementation Plan** residential including a tower, low rise, townhouse buildings and provision of a new public park.

Site Plan



Dedications:

- Park
- Road widening New Roads
- New Trails and pathways
- Total: approx. 40% of the site

Site Plan



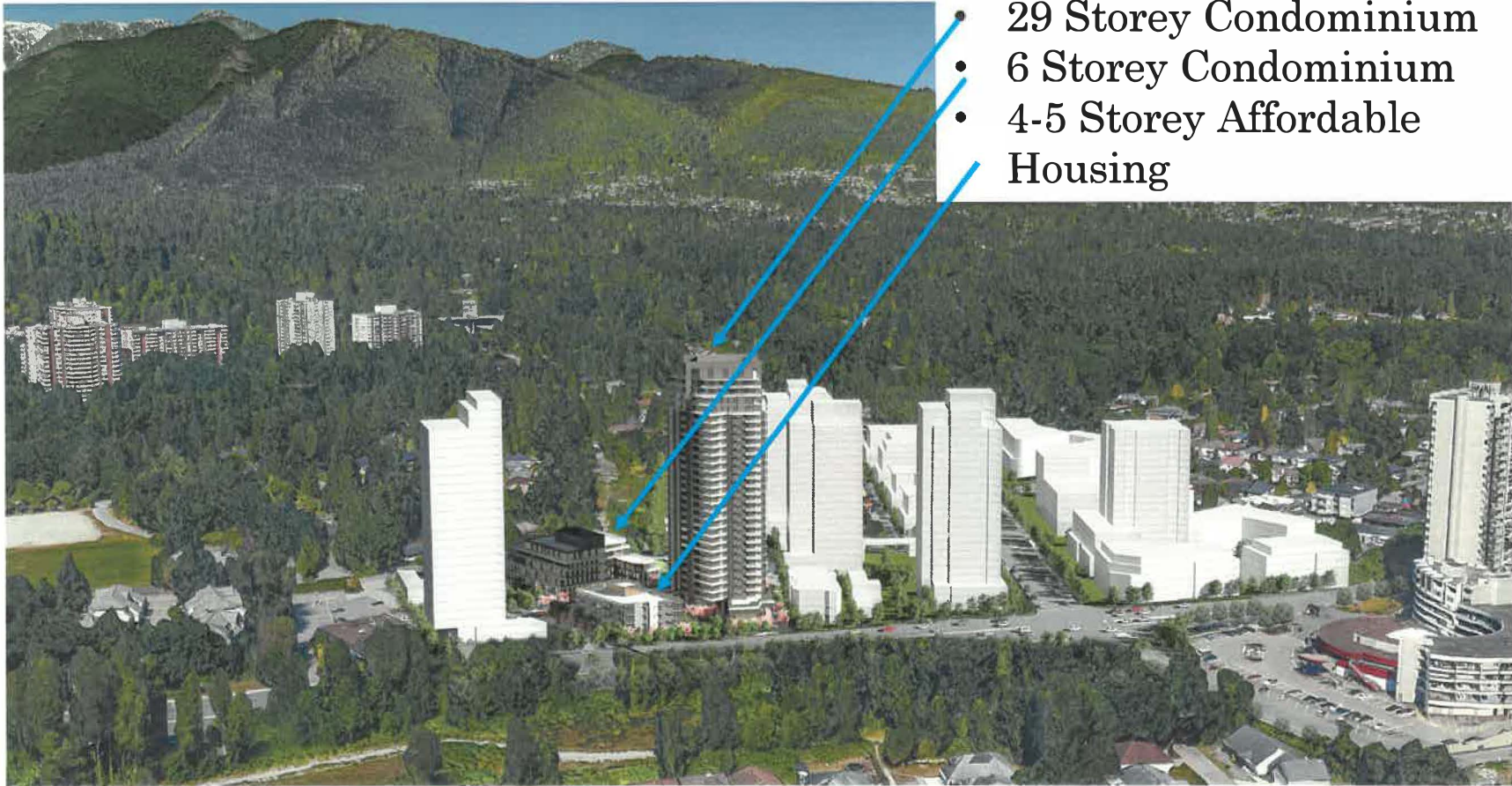
Proposal:

264 market units (2.5 FSR)

35 affordable rental units (density bonus for non market units 0.25 FSR)

Total 2.75 FSR

Rendering



Innovation District: OCP



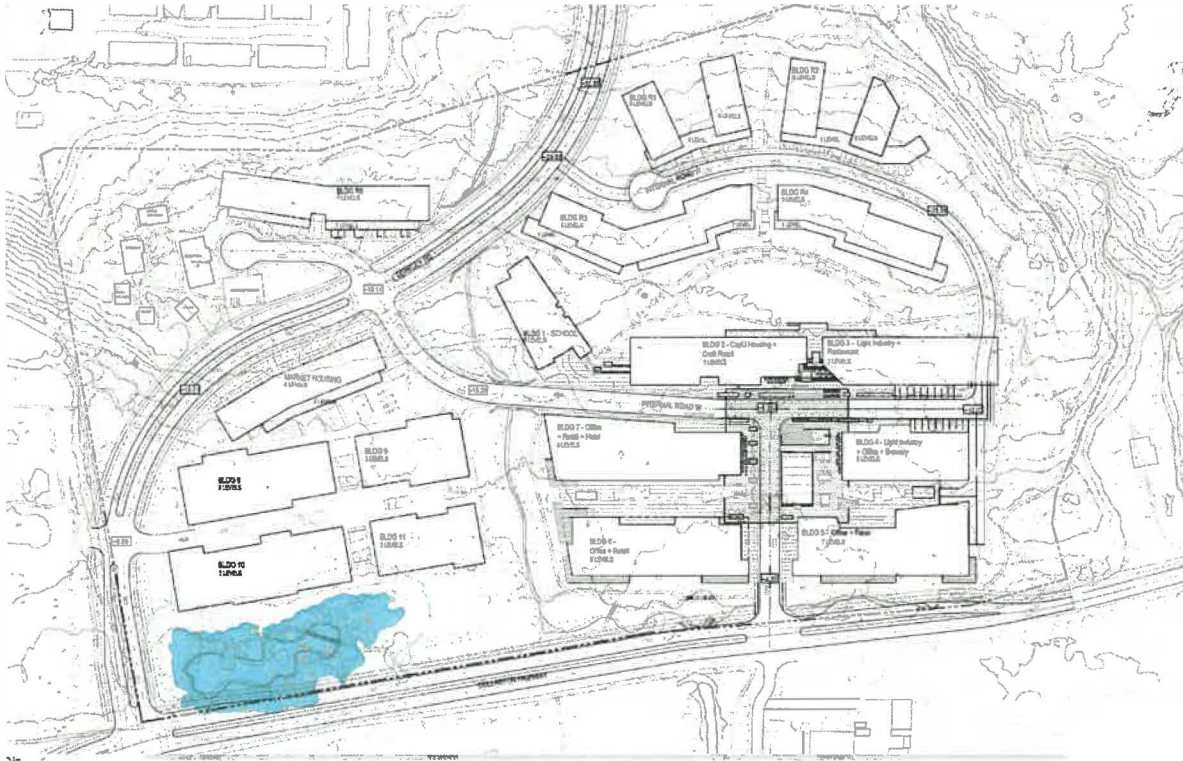
- Light Industrial
Commercial Mixed
Use: Innovation District
- Light Industrial
Residential Mixed
Use: Innovation District
- Park, Open Space and
Natural Areas
- 1.1 FSR

Site Layout / Proposal



- Innovative mix of employment, educational, recreational uses
- Business supportive residential, hotel and community uses
- Campus-style
- Approximately 2.3 million sq ft
 - 990,000 sq.ft. innovation office
 - 170,000 sq.ft. innovation industrial
 - Approx. 950 units of employment and educational housing

Significant Features



- Berkley Road extension
- Natural areas and wetland enhancement
- New path and trail networks
- Public art
- Estimated 4,600 jobs

Early Renderings

