

5.3 DEVELOPMENT IN HERITAGE CONTEXTS

Heritage buildings illustrate the evolution of local architecture in terms of their form, setting, assemblies, systems and materials. Buildings can express cultural, regional, local or individual uses or construction practices and embody meanings that have evolved over time. They can represent identifiable expressions of the region's diverse population, or the practical durability required by business or industry. The heritage value of a building or group of buildings illustrates a phase or various phases in the development of a building type, style or aesthetic.

Heritage buildings play an important role in defining the character and identity of communities in the Regional Centre. They provide a human scale built form and unique architectural detail that should be preserved, and exude a quality of materials and craftsmanship that benefits our streetscapes.

Site plan approval requirements related to heritage conservation design will ensure that built the heritage in the Regional Centre continues to be a vital part of existing streetscapes, and that new construction will be sensitive to the design context set by existing heritage buildings.

Each heritage building is unique in terms of its history and architecture, therefore consultation with municipal Heritage Staff at an early stage of a development proposal is necessary to ensure any alterations or new development on a registered heritage property or abutting a registered heritage property are appropriate, and to ensure the development proposal complies with the Heritage Property Act and Heritage Conservation Design Requirements established under the Land Use By-law. New Development in a Heritage Context refers to the construction of any additions to a heritage building, any new construction of a building on a registered heritage property, as well as any new development on a property abutting a registered heritage property.

Key components of Heritage Conservation Design Requirements include:

- » Character Defining Elements which consist of a heritage building's form, massing, materials, fenestration, articulation, location and details that contribute to the building's heritage value and must be maintained in order to preserve that value; and
- » Conserving Character Defining Elements which refers to preserving those elements that define the character of the heritage building through the repair of those elements or the replacement of those elements with like appearance and materials where appropriate. In some cases, conservation means allowing alterations to improve the function and viability of a heritage building while preserving the character defining elements.

Policy 5.8

Where a site plan is required, the Land Use By-law shall establish Heritage Conservation Design Requirements for all development:

- a) **on municipally registered heritage properties;**
- b) **on provincially registered heritage properties that are not owned by Her Majesty;**
- c) **on properties abutting municipally and provincially registered heritage properties; and**
- d) **on properties located within a Heritage Conservation District.**

The Land Use By-law may exempt properties where the property is located within a Heritage Conservation District that has its own Heritage Conservation Design Requirements.

Rather than site plan approval, Council may consider a development agreement option to provide greater development opportunities as an incentive to preserve the integrity and support the viability of registered heritage properties. This option also ensures that the resulting development is sensitive to the registered heritage buildings and surrounding context.

Policy 5.9

Outside of a Heritage Conservation District, on any property containing a registered heritage building, Council may consider a development agreement for any development or change in use not otherwise permitted by the Land Use-By-law, including a development that exceeds the maximum heights or maximums floor area ratios on Maps 2 and 3 of this Plan, to support the integrity, conservation and adaptive re-use of registered heritage buildings. For a development agreement in accordance with this Policy, Council shall consider that:

- a) any development shall maintain the integrity of any registered heritage property, or streetscape of which it is part;**
- b) the impact on adjacent uses, particularly residential uses, is minimized in terms of intensity of use, scale, traffic generation, noise, hours of operation, and such other land use impacts as may be required as part of a development;**
- c) the development is reasonably consistent with the policies of this Plan, in particular the objectives and policies as they relate to heritage resources;**
- d) any new construction, additions, or renovations on the property meet the heritage conservation design requirements in the Land Use By-law, and the Standards and Guidelines for the Conservation of Historic Places in Canada, 2nd edition;**
- e) any new construction, additions, or renovations fronting on a street substantially maintains the predominant streetwall height, setbacks, scale and rhythm of the surrounding properties;**
- f) the transition for any new construction, addition or renovation with respect to the scale, form and intensity of abutting uses;**
- g) the development complies with Pedestrian Wind Impact and Shadow Impact Assessment Performance Standards of the Land Use By-law;**

- h) the quality and extent of the restoration or preservation of the registered heritage property when evaluating proposals for integrated development and adaptive re-use;**
- i) that any structures on the site which are not registered heritage buildings be assessed for their heritage value through a Heritage Impact Statement, and if found to have heritage value, must be retained and restored or otherwise integrated into the development so as to preserve their heritage value; and**
- j) any new construction or addition considers and is reasonably consistent with the Urban Design Manual .**

Policy 5.10

Any development agreement considered in accordance with Policy 5.9, shall require incentive or bonus zoning for the property and the requirements of the Land Use By-law respecting incentive or bonus zoning shall apply, including that a development permit shall not be issued unless a waiver under Section 18 of the Heritage Property Act has been registered on the property. Any development that proposes to demolish registered heritage building or buildings shall not be eligible for a heritage development agreement. Council may only consider a development agreement in accordance with this policy or policy 5.9 if:

- a) site plan approval has not been granted for the development; and**
- b) any proposed addition is not located within the existing front yard of the registered heritage building.**

Policy 5.11

An application for a development agreement in accordance with Policy 5.9 that includes new construction or addition shall include a site and context analysis, and a design rationale that demonstrates how each of the design criterion contained in Urban Design Manual has been considered and addressed in the proposed development.