



Citizen-led Heritage Conservation Areas Policy

Adopted by City Council on January 31, 2019

Policy Intent

Heritage Conservation Areas are a conservation tool available to the City under section 614 of the Local Government Act. The Citizen-led Heritage Conservation Areas Policy is intended to establish a standardized procedure for identifying, evaluating and approving new Heritage Conservation Areas in the City of Victoria. Under the new policy, the City will primarily rely on citizens to identify and nominate potential new Heritage Conservation Areas. The policy establishes more transparent criteria for assessing whether an area merits consideration as a Heritage Conservation Area. It outlines a robust consultation process with affected property owners that exceeds Local Government Act requirements.

Context

The City has multiple designated Heritage Conservation Areas in the downtown and in its residential neighbourhoods, but currently has no standard process for how they are initiated, identified or evaluated. Victoria residents involved in neighbourhood planning requested that they have a leadership role in the identification and evaluation of future Heritage Conservation Areas. City Council then directed staff to prepare a policy that responded to this request. City Staff prepared this policy to meet this direction and introduce greater transparency to the Heritage Conservation Area review and approval process.

1. Policy

The City of Victoria is committed to the preservation and enhancement of neighbourhoods that have heritage value or heritage character and encourages its residents to nominate appropriate groups of related properties that have collective heritage value and heritage character for designation as Heritage Conservation Areas.

2. Heritage Conservation Area Assessment Criteria & Methodology

- a. A proposed Heritage Conservation Area should consist of multiple contiguous properties, preferably including properties on both sides of a public street.
- b. A majority of properties in a proposed Heritage Conservation Area should have a shared heritage value or set of heritage values.
- c. A majority of properties within a proposed Heritage Conservation Area should have cohesive heritage character, embodied in a set of shared traits or features that give the area a distinctive quality or appearance. The heritage character of a proposed Heritage Conservation Area should be obvious to the untrained eye.



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- d. By gathering physical, pictorial and documentary evidence, City Staff and the Nominator will assess the extent of intact, original historic traits or features that justify the Heritage Conservation Area and inform the objectives of the designation.
- e. Boundaries of the area should be based on shared cultural heritage values, heritage character and natural geography and not include unrelated areas.
- f. After the area's history is researched, staff will determine the chronological time frame or time frames in which the character defining elements appeared, which will be defined as the period or periods of significance.
- g. All properties within the proposed Heritage Conservation Area will be assessed using an evaluation template provided by the City, and will be deemed to be either "contributing" or "non-contributing" properties. Buildings or features that appeared outside of the period or periods of significance will be automatically deemed "non-contributing", whereas buildings or features that appeared within the period or periods of significance will be deemed "contributing" unless determined otherwise through the individual property assessment.
- h. If staff resources are insufficient, staff will request that City Council authorize a qualified heritage consultant to assist or lead the research, confirm the suitability of the Heritage Conservation Area and create a statement of significance and draft bylaw for the area.

3. Heritage Conservation Area Procedure

3.1. Nomination Phase

- a. To nominate a new Heritage Conservation Area for study, individual citizens or groups of citizens (the "Nominator") will complete a nomination form provided by the City. The Nominator will propose the draft boundaries of the potential Heritage Conservation Area with the input of staff, having first considered the area's potential heritage value and heritage character as defined under the Local Government Act, and its connection to at least one of the five themes of the Victoria Heritage Thematic Framework.
- b. Staff will evaluate the proposed Heritage Conservation Area boundaries and draft heritage rationale, consult the local CALUC, and recommend revisions to the boundaries, if appropriate.
- c. Once the nomination is finalized, staff will assist the Nominator to convene and lead a community consultation meeting at an accessible venue in close proximity to the proposed Heritage Conservation Area.
- d. Following the community consultation meeting, staff will administer a survey by mail or in person to property owners within the potential Heritage Conservation Area to assess the level of community support.



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- e. After receiving survey results from residents, staff will prepare a report to City Council requesting authorization to study the area. Staff will provide the heritage nomination and survey results to City Council for consideration in making a decision.

3.2. Study Phase

- a. If City Council authorizes the study to proceed, staff will complete a more detailed assessment of the proposed Heritage Conservation Area with the involvement of the nominator, including the assessment of individual properties using a City template.
- b. Staff will develop a “Statement of Significance” with the input of the Nominator, in accordance with the Canadian Register of Historic Places Guide and the Provincial Guidelines for Writing Effective Statements of Significance.
- c. Staff will prepare a draft bylaw to amend the Official Community Plan including a clear and concise description of the special features or characteristics justifying the designation, the objectives of the designation, the guidelines for how the objectives will be achieved, and any exemptions from permit requirements.
- d. Following completion of the draft Statement of Significance and bylaw, Staff will post the documents on the City’s website for review and comment, and hold a second consultation meeting with area property owners regarding the Statement of Significance and draft bylaw contents. The draft Statement of Significance and bylaw shall be available for comment on the City’s website for at least 14 days after the consultation meeting.
- e. Staff will present the Statement of Significance and draft bylaw to the Heritage Advisory Panel so that they can make a recommendation to the Committee of the Whole regarding the proposed designation.
- f. Staff will prepare a report and recommendation for City Council on the finalized Heritage Conservation Area bylaw and provide notification of the statutory public hearing for the Heritage Conservation Area bylaw to the public in accordance with the Local Government Act.

4. Determining Community Support

- a. During the nomination phase, the City will assess the level of support for a new Heritage Conservation Area through a survey administered to all property owners within the proposed Heritage Conservation Area.
- b. Survey results will be provided to City Council as relevant information for their consideration when deciding whether to authorize a potential Heritage Conservation Area for study.



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5. Guidelines to be included in New Heritage Conservation Area Bylaws

- a. Guidelines for land subdivision.
- b. Guidelines for the construction of new buildings proposed within the Heritage Conservation Area.
- c. Guidelines for the construction of additions to existing buildings.
- d. Guidelines for alterations to buildings, structures or land within the area.

6. Exemptions

- a. Owners of contributing properties in Heritage Conservation Areas shall be permitted to undertake the following alterations without applying for a heritage alteration permit:
 - i. interior renovations.
 - ii. Exterior painting of single detached homes, unless specifically identified as a character-defining element.
 - iii. Roof replacement using similar materials.
 - iv. Rear deck construction.
 - v. On lots with a single street frontage in traditional residential areas, additions to the rear elevation of a building, which are under 100 square metres (1077 square feet) in size, less than the width of the rear elevation, and equal to or less than the height of the lowest portion of the roof.
 - vi. On lots with a single street frontage in traditional residential areas, garden suites or tiny homes located in the rear yard.
 - vii. Landscaping alterations to features not identified as character-defining elements.
 - viii. Replacement of eaves troughs, downspouts and exterior lighting.
 - ix. Building envelope remediation, so long as there are no changes to appearance or design when the remediation is completed, and the only change to materials is in-kind replacements.
 - x. In kind replacements of missing, worn or damaged exterior materials, so long as there are no changes to appearance or design when the replacements are completed.
 - xi. Sustainability upgrades that do not affect the appearance of buildings from the street.
 - xii. Interior insulation.
 - xiii. Envelope air sealing (e.g., weather-stripping).
 - xiv. Mechanical system upgrades (including those with exterior equipment such as heat pumps and air conditioning units).



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- b. Owners of non-contributing properties in Heritage Conservation Areas shall be permitted to undertake any interior or exterior alteration without requiring a heritage alteration permit with the following exceptions:
 - i. Demolition
 - ii. Construction of a new building
 - iii. Construction of an addition visible from the street
- c. Exemption from Heritage Advisory Panel review:
 - i. Delegated Heritage Alteration Permits in HCA 1: Traditional Residential areas that are not associated with a building permit application are exempt from review by the Heritage Advisory Panel.

7. Identification of Heritage Conservation Areas by the City

- a. Nothing in this policy prevents the City from proactively identifying potential Heritage Conservation Areas for study in the absence of a citizen nomination, however the City should still be required to follow the process outlined above.