Report to Council

City of
Kelowna

Date: February 8, 2021

To: Council

From: City Manager

Subject: Interim Heritage Planning and Management Options

Department: Policy & Planning

Recommendation:
THAT Council receives, for information, the report from the Policy and Planning Department, dated February 8, 2021, with respect to heritage management options;

AND THAT Council directs staff to bring forward a report and additional workshop to advance the actions identified in option two, as described in the report from the Policy and Planning Department dated February 8, 2021.

Purpose:
To review available heritage planning tools and to identify an interim approach for heritage management and planning to support the 2040 OCP.

Background:
In 2020, several development applications were considered by council that involved heritage protection and management. These applications reinforced the considerable complexity associated with identification and protection of heritage assets on private property during the development application process. Accordingly, staff worked with heritage professional Elana Zysblat to prepare a report on February 1, 2021 that reviewed best practices in heritage management and provided a refresher on the role and function of various heritage planning tools in British Columbia.

Kelowna's current approach to heritage management is articulated in the *Kelowna Heritage Strategy*. The *Kelowna Heritage Strategy* identifies the City's plan for the management of community heritage conservation policies and defines a community vision for heritage conservation. The 10-year strategy was developed in 2007 and it has been flagged by staff as requiring renewal. An update to the strategy is a significant undertaking, requiring both considerable staff resources and community engagement. Accordingly, it has been identified as a long-term project and is not prioritized within the next four years.

This report will briefly review heritage planning tools used by the City of Kelowna and describe different interim approaches for heritage planning to be considered in advance of a complete Heritage Strategy update. Staff will discuss three options for how the City of Kelowna could approach heritage management on private property, reflecting a continuum from a targeted level of heritage management to a strengthened approach to heritage management.

Although local governments in British Columbia are not required to protect or manage heritage assets, the Local Government Act is the legislative framework that determines what tools are available to manage heritage. These tools can be used in different ways by municipalities to take a more active or passive role in heritage management on private property through the development application process. The graphic below highlights the function of various heritage planning tools. For example, a Heritage Register is used for identification of heritage assets, while other tools allow for conservation or even protection of a heritage asset in perpetuity. Also, the diagram illustrates how several tools can be applied in different ways, based on the heritage management objectives of the local government.
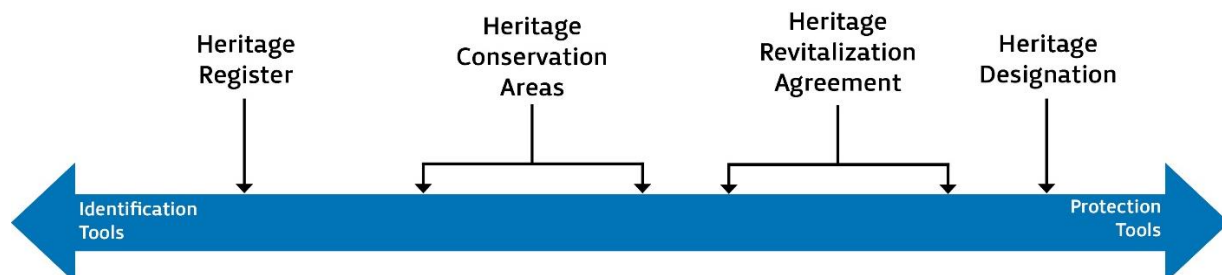
Heritage Register
- Identifies properties that have heritage value related to their architectural, historical or cultural characteristics that warrant recognition. A register is purely an identification tool that provides no formal protection for buildings. However, the City of Kelowna provides grant opportunities for buildings that are listed on the Heritage Register. Also, the Heritage Register can be referred to as a resource to inform negotiations for rezoning and OCP amendments.

Heritage Conservation Area (HCA)
- Allows a local government to identify districts with special heritage value and character, while also providing an opportunity for local governments to establish guidelines and regulations for how changes can be made to buildings in these heritage conservation areas. The primary tool used to manage change in the HCA is the Heritage Alteration Permit (HAP).

Heritage Revitalization Agreement
- This powerful heritage planning tool allows for heritage properties to receive site-specific development permissions in exchange for long-term protection and restoration or rehabilitation of a heritage asset.

Heritage Designation
- By designating properties, they are protected through a municipal heritage designation bylaw and cannot be altered or demolished without approval of the City. Traditionally, the City of

Kelowna has relied on property owners voluntarily applying for designation, but there are ways for local governments to require designation.

Discussion:

Staff have identified several approaches for how the City could tailor its use of these heritage management tools in recognition of recent Council concerns. By adapting how key heritage management tools are used, the City of Kelowna could shift its approach from how it manages heritage today to a more targeted approach or, conversely, to take a greater leadership role in heritage planning and adopt a more inclusive approach to heritage management. Also, staff have identified a middle option that would update the City's current approach to heritage management to align with the *National Standards and Guidelines for Historic Conservation* Standards. Each of the three options are described below with examples of actions to show how the City could adapt its heritage management approach in advance of a renewed heritage strategy.

Option 1- Targeted Heritage Planning and Management

Under this approach, the City of Kelowna could shift the way its heritage management and planning tools are structured. This would reduce the City's overall involvement with heritage management on private property, and would instead target efforts on a small number of key heritage buildings on private property.

Key Examples of Actions for Option 1: Targeted Heritage Management
• Maintain the Heritage Register in its current form
• Remove the Heritage Conservation Area (HCA) and supporting guidelines
• Incentivize protection of high value heritage assets identified on the Heritage Register
• Refocus role of Heritage Advisory Committee (HAC) to policy issues
• Use heritage professionals for technical review of development applications

Option 2 – Maintain Approach to Heritage Management with updates for 2040 OCP

Under this approach staff would maintain much of the current framework for heritage conservation and management, while updating specific heritage planning tools to align with the *National Standards and Guidelines for Historic Conservation*. All of the actions identified in the table below will require further discussion with staff, community and Council.

Key Examples of Actions for Option 2: Maintain Current Approach with Updates
• Integrate the *National Standards & Guidelines for Historic Conservation* into 2040 OCP polices
• Redefine HCA with a new statement of significance
• Update HCA Guidelines, focus on heritage values and *National Standards & Guidelines*
• Prioritize properties on the Heritage Register to guide development application negotiations
• Maintain the HAC, but refocus its role to policy issues
• Use heritage professionals for technical review of development applications
• Support the HAC with training on the *National Standards & Guidelines*

Option 3- Enhanced Leadership in Heritage Management

For option three, the City would take greater leadership in heritage conservation and management. The City would advance actions to align heritage planning tools with the *National Standards & Guidelines*, but also adopt a more inclusive approach to heritage management. This option would also require the acceleration of the Kelowna Heritage Strategy update project. The update of the heritage strategy would allow for a review of the City's heritage vision and values with a focus on including and representing diverse perspectives.

Key Examples of Actions for Option 3: Enhanced Leadership in Heritage Management
All of the actions identified in Option 2, supplemented by the following actions that would be undertaken as part of an update to the Kelowna Heritage Strategy: • Expand and renew the Heritage Register with help of indigenous partners and other groups to represent a diversity of perspectives • Expand the role of the HAC to include development applications and policy input, supplemented by heritage professionals for technical knowledge • Encourage a more diverse HAC membership through outreach, partnerships and training

Conclusion:

Staff continue to see an important role for the City in the management and conservation of heritage assets. Staff are recommending option two, recognizing the importance of updating our current heritage planning and management tools to better align with the *National Standards & Guidelines for Historic Conservation.* Staff recognize the benefits of the values-based approach identified in option three and anticipate that many of these actions will be integrated into the City's approach to heritage management in the long-term. However, a full update of the *Kelowna Heritage Strategy* would require significant time and resources and it is not currently identified as a short-term priority for planning.

If Council approves the recommended option, staff would prepare an additional report outlining in greater detail the next steps to implement the selected approach to heritage management. As part of a subsequent report, staff would provide a high-level estimate around consultation, timeline and resourcing for the preferred approach.

Internal Circulation:
Development Planning
Policy & Planning
Cultural Services

Legal/Statutory Authority:
Local Government Act
Part 15 – Heritage Conservation

Existing Policy:
Official Community Plan Heritage Policies

Objective 9.2 Identify and conserve heritage resources.

Policy .1 Heritage Register. Ensure that the Heritage Register is updated on an on-going basis to reflect the value of built, natural and human landscapes.

Policy .2 Heritage Resource Management. Require heritage resource management to be integrated in the development and review of
pertinent plans.

Policy .3 Financial Support. Continue to support the conservation, rehabilitation, interpretation, operation and maintenance of heritage assets through grants, incentives and other means.

Policy .4 Conservation Areas. Development in the Abbott Street and Marshall Street Heritage Conservation Area outlined on Map 9.1 will be assessed using the Abbott Street and Marshall Street Heritage Conservation Area Guidelines in Chapter 16

Abbot Street & Marshall Street Heritage Conservation Area Development Guidelines

Attachments: Heritage Management Options Review Presentation

Submitted by:

R. Soward. Planner Specialist, Policy & Planning

Approved for inclusion: J. Moore. Manager, Long Range Policy Planning