



MINUTES
OAK BAY HERITAGE COMMISSION
TUESDAY, APRIL 11, 2017 AT 5:00 PM
COUNCIL CHAMBERS, MUNICIPAL HALL, 2167 OAK BAY AVENUE

MEMBERS PRESENT

Heather Cochran
Marion Cumming
Cairine Green
Jane M. Hall
Joan Heagle
Margaret Palmer

Susan Ross
Cora Smith
Bronwyn Taylor
Robert Taylor
Councillor Kevin Murdoch

MEMBERS ABSENT

Monica Walter

STAFF PRESENT

Deborah Jensen, Manager of Planning
Roy Thomassen, Director of Building and Planning

Krista Mitchell, Building / Planning Clerk

OTHERS PRESENT

Members of the Public: 3

1. Call to Order

The meeting was called to order at 5:06 pm.

2. Approval of Agenda and Late Items

The agenda was approved as presented.

3. Adoption of Minutes

It was moved and seconded that the minutes from March 14, 2017 be adopted as presented.
The motion was carried.
None opposed.

It was noted that for 9(b) Education, the venue for the heritage lecture featuring Stuart Stark and Michael Prince on April 22, 2017 has been changed to the Monterey Centre.

4. Correspondence

None.

5. Information Items

R. Taylor advised the Hallmark Society's Heritage Awards Night will be held May 2, 2017, and there are two proposals for homes in Oak Bay. Anyone interested in attending should contact him.

6. New Business

- a. BP009894 – 2264 Windsor Road
To consider a demolition permit for the existing home.

D. Jensen advised a demolition permit application has been submitted for the heritage registered home at 2264 Windsor Road, and Council has put a 60 day protection order in place for consideration of its heritage value and referral to the Heritage Commission.

R. Collins, applicant, gave a brief summary of the site. Some of the comments were:

- House is sited on 3 separate lots at corner of Windsor Road and Monterey Avenue.
- The existing home and yard are in poor condition.
- A recent appraisal of the home showed a substantial difference in revenue if the home was removed and the three lots are sold at market value.

Commission Comments

Commission members inquired if there was any precedent for this with other homes in Oak Bay, and noted the *Local Government Act* would entitle the owner to compensation from the municipality for loss of value if forced into a heritage designation.

R. Thomassen noted that Council forced a designation on a heritage registered property on York Place that had applied for demolition, and advised that the value of the lots may be part of Council's consideration.

Commission members asked for more information on the condition of the home and whether the house could be relocated on the lot, noting the house is on the Canadian Register of historic places while not designated by Oak Bay.

R. Collins, applicant, commented the house is considerably deteriorated both inside and out, that the layout of the home is challenging, and that the home is too large to be sited on one of the lots.

K. Murdoch advised that Council would like the Commission to consider the heritage value of the home, and whether forcing a designation is warranted or the protection order should be removed.

Commission members suggested that, if the home is demolished, a commemorative plaque be requested from the owners and placed near the property to recognize the historic significance of the site; and suggested that, while the statement of significance does not mention any interior features, any salvageable materials be kept intact. A Commission member further clarified that the Canadian Register of historic places is outside the municipality's jurisdiction and offers no federal protection.

Commission members noted this was possibly the worst case scenario for heritage as the house is in very poor condition, cannot be moved, and is sitting on three lots; and suggested their options were to recognize the hopelessness and recommend removal of the 60 day protection order, or recommend designation although the municipality will not be willing to designate and bear the costs.

Regrettably, it was moved and seconded to recommend to Council to lift the 60 day protection order.

The motion was carried.

M. Palmer, J. Hall, C. Smith, and J. Heagle opposed.

b. Heritage Commission – Annual Workplan Session

The Commission began reviewing their workplan session, giving consideration to the questions of what are the near term, mid term and long term priorities of the Commission; what do we need to get there in the way of support and resources; and how do we effectively manage expectations? Some of the others comments were:

- 2013 strategic plan was meant to be integrated with the Official Community Plan.
- “Parking lot” issues that will be raised where there is not yet an answer and requires further consideration include:
 - Heritage register bylaw
 - Streetscapes and neighbourhoods
 - Identify future HCAs
 - Information flow to Commission
 - Tod House
 - Clarify policy and bylaw application for heritage
 - Current climate
 - Off site meeting legal considerations
 - Coordination of 3 member registration / designation subcommittee with staff

A Commission member requested clarification on the heritage referral process.

D. Jensen advised that, where there is an application for an alteration to the exterior, a structural change to, or proposed demolition of a building or structure, the Heritage Register bylaw directs staff to advise Council of the application; and Council can then make a formal referral to the Heritage Commission. She also noted that heritage designated properties are not affected by this bylaw, rather they would go through a formal heritage alteration permit application process. She also advised staff may refer homes considered to be of heritage value to the Heritage Commission.

P. Wilson, former Commission member, commented that the objectives of the Oak Bay heritage plan from 2013 are;

1. Conserve established streetscapes and neighbourhoods.
2. Conserve historic buildings and structures.
3. Conserve cultural landscape features.
4. Conserve natural landscape features and ecological heritage.
5. Celebrate Oak Bay’s unique history.

A Commission member commented that the role of the Heritage Commission is to give unbiased advice based on the bylaws, and noted that Council can also use the Heritage Foundation as a tool for advertising and promotion.

K. Murdoch commented that its mandate is to promote heritage awareness.

Commission members commented on the trend for house demolition and how that may impact historical significance or change a streetscape, and also noted that if the majority of Commission members are meeting outside of a regular meeting, it is considered a formal meeting.

D. Jensen clarified Commission members should not enter a property uninvited, and should not discuss the application with the owners as that member is now receiving information the rest of the Commission has not received.

J. Heagle left the meeting at 6:07 pm.

K. Murdoch suggested site visits to view a property could be arranged by staff, or a subcommittee that is not considered quorum could do the tour and report back to the Commission.

R. Thomassen commented that the subcommittee should be formalized with three members of the registration/designation subcommittee, and coordinated by District staff.

Commission members commented the Heritage Commission bylaw has become somewhat restrictive, and discussed establishing a subcommittee to review the bylaw.

R. Thomassen commented that if changes to the bylaw are proposed, that should be reviewed by both the Commission and staff. He also provided an update on Tod House, noting repair work needs to be done as laid out in the building assessment report, including the chimney and foundation.

7. Next Meeting

The next regular meeting of the Heritage Commission is scheduled for Tuesday, May 9, 2017 in the Council Chambers of Municipal Hall.

8. Adjournment

The meeting adjourned at 6:30 pm.

