

DISTRICT OF  
**OAK  BAY**

**REPORT TO:** Committee of the Whole  
**FROM:** Warren Jones, Director of Corporate Services  
**DATE:** July 12, 2017  
**RE:** Proposed Heritage Conservation Area

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## **EXECUTIVE SUMMARY**

In its 2017 – 2018 Strategic Priorities Council identified the following as a priority action:

*Retain consultant to work with community and staff to determine regulations and policies in response to community-led application to establish a Heritage Conservation Area bordered by Oak Bay Avenue, Beach Drive, Prospect Place, San Carlos Place and York Place.*

The purpose of this report is provide a high level outline on how to begin responding to this Council priority. The report recommends the establishment of an “Oak Bay Heritage Conservation Area Working Group” to provide advice and recommendations to Council on the potential establishment of a Heritage Conservation Area (“HCA”).

## **BACKGROUND**

In May 2017 Council confirmed its 2017 – 2018 Strategic Priorities. One of Council’s priorities is to:

*Retain consultant to work with community and staff to determine regulations and policies in response to community-led application to establish a Heritage Conservation Area bordered by Oak Bay Avenue, Beach Drive, Prospect Place, San Carlos Place and York Place.*

Over the past year Council has heard from residents in the above-noted area who have expressed interest in establishing a HCA. Through its strategic planning and budget processes Council has agreed to make this project a strategic priority.

This is the first time Oak Bay has considered formally establishing a Heritage Conservation Area. While there are HCA examples in other communities that can be learned from it is important to recognize that each HCA may be unique depending on its history, heritage values and community priorities. So while there are HCA examples it is essential the potential Oak Bay HCA reflect the values and aspirations of people in the neighbourhood and the community as a whole. Informing and engaging the community will be critical throughout this process.

## **ANALYSIS**

As public engagement and participation are key to the HCA project staff are recommending the first step be the establishment of a "Working Group" that will work with Council, District staff and consultants and the community to explore the possibility of establishing a HCA (see Attachment "A" - Working Group Terms of Reference). The Working Group will play a key role in advising and providing recommendations to Council throughout the project. For clarity the Working Group is an advisory body – decisions on establishing a HCA and any policies and regulations related thereto will be decisions of Council.

The first priority of the Working Group will be to establish the project work plan. From staff's perspective an important and early priority will be an education and information-sharing phase where the community can come together to learn about HCA's - what they are, how they work, what the impacts might be and working examples. It is anticipated that this work could begin in the Fall and that staff would begin coordinating some of this work while the Working Group appointments were being coordinated during the summer and early fall.

From staff's perspective there are three important concepts that require clarity at the beginning of the project. Unless otherwise directed by Council staff would intend to move forward based on:

1. Inclusion in a potential HCA being voluntary. Private property owners will not be required or "forced" into participating in a HCA.
2. Public property including roads, trails, trees and landscaping being included in a proposed HCA, but while respecting the objectives of the HCA, requirements to construct, maintain and replace public infrastructure taking precedent over heritage conservation.
3. While designing the process for potentially establishing a HCA the Working Group and staff should be mindful that a desire of Council would be to establish a "process template" that might be used for future HCA conversations in the community.

Once established, it would be staff's intent to work with the Working Group to prepare a comprehensive project work plan/programme that would be brought forward for Council input and approval.

## **STRATEGIC IMPACT**

The recommendations contained in this report support the Council Strategic Priority to "recognize and support our unique character and heritage".

## **OPTIONS**

1. That it be recommended to Council that:
  - the draft Terms of Reference for the Oak Bay Heritage Conservation Area Working Group be approved;
  - staff be directed to request Working Group appointments from the APC, ADP, Heritage Commission, Parks, Recreation & Culture Commission, "affected" neighbourhood and advertise for community-at-large representatives that will be selected by Council; and
  - Council appoint a Council liaison/Chair to the Working Group.
2. An alternate recommendation as determined by Council.

## FINANCIAL IMPACT

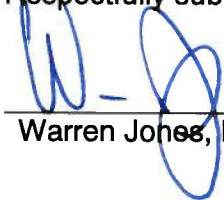
Council has set aside \$45,000 in the 2017 budget to assist in the HCA project.

## RECOMMENDATION

That it be recommended to Council that:

- the draft Terms of Reference for the Oak Bay Heritage Conservation Area Working Group be approved;
- staff be directed to request Working Group appointments from the APC, ADP, Heritage Commission, Parks, Recreation & Culture Commission, "affected" neighbourhood and advertise for community-at-large representatives that will be selected by Council; and
- Council appoint a Council liaison/Chair to the Working Group.

Respectfully submitted,



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Warren Jones, Director of Corporate Services

With respect to the Financial Impact described in this report, I concur with the recommendation of the Director of Corporate Services.



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Debbie Carter, Director of Financial Services

I concur with the recommendation of the Director of Corporate Services.



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Helen Koning, Chief Administrative Officer

## ATTACHMENT

Oak Bay Heritage Conservation Area Working Group Draft Terms of Reference

## **Oak Bay Heritage Conservation Area Working Group Terms of Reference**

### **Purpose**

The Oak Bay Heritage Conservation Area Working Group will work with Council, District staff, consultants and the community to explore the possibility and make recommendations to Council on potentially establishing a Heritage Conservation Area and related policies and regulations for a proposed area defined to date as being bordered by Oak Bay Avenue, Beach Drive, Prospect Place, San Carlos Place and York Place.

### **The Working Group will**

1. Work with staff and the District's consultants to:
  - Establish the Working Group's work plan including desired outcomes, milestones and timelines
  - Develop public education, information and consultation processes and activities
  - Identify options for defining the scope and content of the proposed Conservation Area
  - Develop Conservation Area policies, regulations and guidelines
  
2. Review and provide feedback to staff and the District's consultants on:
  - Consultation materials and outputs
  - Communication materials
  - Proposed design guidelines
  - Other proposed Heritage Conservation Area implementation policies or regulations
  
3. Participate further by:
  - Attending and participating as hosts in public consultation events
  - Disseminating information about the process and events
  - Reporting regularly to Council, the APC, ADP, Heritage Commission and Community

### **Working Group Membership**

The Working Group include:

- Council Liaison (appointed member of Council – also Working Group Chair)
- Three Members from the proposed HCA Neighbourhood
- Two Community Members "at large" (from outside the proposed HCA Neighbourhood)
- One Heritage Commission members
- One Advisory Planning Commission member
- One Advisory Design Panel Member
- One Parks, Recreation & Culture Commission member

The working group will be supported by District staff led by the Director of Corporate Services and Manager of Planning

**Meeting Frequency**

The Working Group will meet monthly or bi-monthly depending on the work plan. All meetings will be open to the public. Public information and engagement meetings will be held at times best serving the community including evenings and weekends.

**Term**

Working Group members will be nominated by their respective Commissions/Committees or selected through an application process. Council will formally appoint all Working Group members. Initial appointments will expire in December 2018.

**Procedure**

As a District-convened body, the Working Group is governed by the District's policies, procedures and governance protocols.