

DISTRICT OF
OAK  **BAY**

REPORT TO: Committee of the Whole

FROM: Roy Thomassen, Director of Building and Planning

DATE: November 28, 2016

RE: Establishing a Heritage Conservation Area

EXECUTIVE SUMMARY

At the October 11, 2016 meeting Council received a presentation by community residents requesting establishment of a heritage conservation area. Council subsequently requested additional information regarding the process and cost for establishing a Heritage Conservation Area and resolved “that the proponents requesting consideration of a Heritage Conservation Area be invited to attend a future Committee of the Whole and provide a more detailed presentation.” This report is intended to provide additional information respecting that presentation.

BACKGROUND

A group of neighbourhood residents from the Oak Bay Avenue, Beach Drive, Prospect Place, San Carlos Place and York Place area have requested that Council consider establishing their area as a heritage conservation area (HCA). Some area residents have started preliminary engagement with the neighbourhood, and have indicated approximately 80% of the residents support the implementation of a Heritage Conservation Area.

If supported, this proposed heritage conservation area would be the first HCA for Oak Bay.

ANALYSIS

A heritage conservation area (HCA) is intended to provide long term protection for a specified area that is considered to have special heritage value and / or heritage character, and which is identified within an official community plan specifically for heritage conservation purposes. It can provide protection to **all or some** of the properties within the HCA by specifically identifying those properties to be protected. For Oak Bay, both the Official Community Plan and the Heritage Plan support the establishment of heritage conservation areas as a tool to conserve the character of significant clusters of heritage buildings and streetscapes of neighbourhoods.

A HCA would generally describe the special features of the area, set out the objectives of the HCA, and include guidelines to help meet those objectives. It can also specify the buildings, structures, land or features within the area to be protected. Establishing these parameters helps to determine where proposed works would be required to obtain a heritage alteration permit, for example,

- subdivision of a property,
- addition of a structure or addition to an existing structure,
- construction of a new building, or
- alteration to a building, structure, land, or feature

but can also specify where proposed works are exempt from undergoing a heritage alteration permit process.

Establishing a Heritage Conservation Area

A local government can choose to establish a heritage conservation area when it has identified a distinct area to be managed for long term heritage protection.

Establishing a HCA involves an Official Community Plan (OCP) amendment to include the HCA within the OCP, a very similar process to that of establishing a development permit area. The process to review and amend the OCP would include a series of steps, including:

1. Background review and research, including community consultation, to identify a select area with identifiable heritage value for long term heritage protection.
2. Continued community consultation with property owners impacted by the HCA to identify select properties and set out acceptable conditions and guidelines for inclusion in the HCA.
3. Staff prepare a bylaw to include the HCA within the OCP.
4. Public hearing and associated notification to consider the applicable bylaw.
5. Adoption of the bylaw.

As a significant heritage item, the District would be required to notify the Province of the addition of the heritage conservation area.

Moving through the process to establish a heritage conservation area will involve staff time and retention of a heritage consultant. The heritage consultant would help to identify the special features or characteristics that justify the heritage conservation area, and the design guidelines to achieve the objectives of the HCA.

STRATEGIC IMPACT

Implementation of a heritage conservation area would support the Council objective of proactively supporting reasoned community growth, however, implementation of a heritage conservation area is not currently identified as a task on the Council Strategic Plan 2015 – 2018.

OPTIONS

1. That it be recommended to Council that the proposed heritage conservation area be referred to the Council strategic priorities sessions for consideration.
2. That Council receive this report for information.

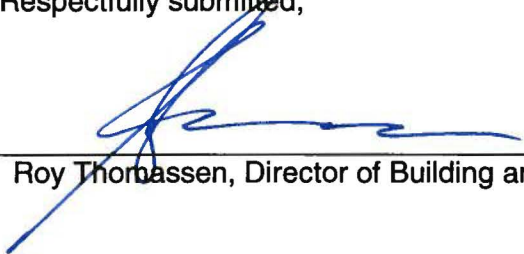
FINANCIAL IMPACT

The financial cost for undertaking a process to establish a heritage conservation area is estimated within the range of \$50,000 - \$75,000 and will need to be considered at the 2017 budget sessions. This would be a new item to be added to the financial plan.

RECOMMENDATION

That it be recommended to Council that the proposed heritage conservation area be referred to the Council strategic priorities sessions for consideration.

Respectfully submitted,



Roy Thorasssen, Director of Building and Planning

With respect to the Financial Impact described in this report, I concur with the recommendation of the Director of Building and Planning.



Debbie Carter, Director of Financial Services

I concur with the recommendation of the Director of Building and Planning.

for 

Helen Koning, Chief Administrative Officer