

**CITY OF VICTORIA
HERITAGE ADVISORY PANEL
MEETING MINUTES
August 11, 2015**

Present:	Richard Linzey, Chair Mark Byram John Dam	Ken Johnson Ursula Pfahler Stuart Stark
Absent:	Kelly Black Rick Goodacre Keith Thomas	
Staff:	Murray Miller, Senior Heritage Planner Lauren Martin, Heritage Secretary	

The Chair called the meeting to order at noon.

1. Approval of the Agenda

Moved

Seconded

Carried

2. Declaration of Conflict or Bias - nil

3. Announcements

- The Victoria Heritage Foundation's Annual Report for 2014 was distributed.
- The Hallmark Heritage Society will present *When a City Falls*, a documentary about the Christchurch earthquakes, on Friday, September 4th at 7:00 pm at the Craigflower Schoolhouse. Tickets are required.
- In July Canada 150 infrastructure funding was awarded to some local organizations (e.g. Craigflower Manor, Highland Games). More announcements are not expected until after the federal election.

4. Adoption of the Minutes of the July 14, 2015 Meeting

- General discussion about Section 219 covenants between property owners and the City. Senior Heritage Planner: A property owner can request removal of a covenant at will; however, parties that are signatories have to agree to end or change the covenant.
- Amend the wording of the third bullet under "Declaration of Conflict or Bias" on page 1.
- Move and add all of the bullets under "Panel" on page 4 to the list of bullets under the motion.

Moved

Seconded

That the minutes be adopted as amended

Carried (unanimous)

5. Business Arising from the Minutes

- The Senior Heritage Planner asked whether the Panel was amenable to the recording of meetings to assist in the preparation of the minutes. The Panel agreed that this was acceptable as long as the recording was deleted after use.

**6. 1728 Denman Street
Heritage Designation Application No. 000152**

Senior Heritage Planner

- The owner's request is for the Heritage Designation of the exterior and interior features (including the original parlour, living room, dining room and fireplace) of the 1909 house.
- The owner has not been reachable; thus the interior features have not been photographed by the Senior Heritage Planner.
- Based on the strength of the character-defining elements, staff recommend that the Panel recommend that Council consider the request for Heritage Designation of the property.

Panel

- It would be beneficial to have the author's name on all Statements of Significance.
- Concern was expressed regarding the designation of interior features. These cannot be monitored by the City. Senior Heritage Planner: The City has the legislative authority to monitor protected properties through the *Local Government Act*. The designation of interiors is consistent with City policy.
- Any changes to the interior would require a Building Permit and would be flagged by the City. Other regulatory measures include the Clean Hands Policy.
- It is the intent of the current owner and hopefully, future owners, to have the interior features designated.
- Can the City explain to the applicant that the property will be inspected regularly? Can a warning caveat be provided to the applicant? Senior Heritage Planner: The applicant is made aware of owner obligations; however, the matter of regular inspections is tied to limited resources.
- The City's heritage policy should include random audits of heritage-designated properties.

Moved

Seconded

That Council consider Heritage Designation Application No. 000152 for the designation of the exterior and interior features of the property located at 1728 Denman Street pursuant to Section 967 of the *Local Government Act* as a Municipal Heritage Site.

Carried (unanimous)

Moved

Seconded

The Heritage Advisory Panel encourages the City to adopt a policy of random audits of designated properties (exterior and interior) to police such designations in the future.

Carried (unanimous)

**7. 727-729 Johnson Street
Heritage Designation Application No. 000153**

Senior Heritage Planner

- The owner's request is for Heritage Designation of the exterior of the 1910 building.
- The property may be the subject of future rezoning/development permit applications, including the construction of two additional storeys on top of the existing structure to offset the cost of seismic strengthening and rehabilitation of the façade.
- The exterior of the building has been extensively altered. The condition of any historic fabric that is concealed or altered by previous changes is unknown at this stage. The impact on the historic fabric by the removal of previous alterations and non-heritage finishes is also unknown at this stage.
- The property as it stands does not make it eligible for designation because in addition to heritage values, integrity must be considered as part of any application for designation.
- The applicant has been advised by staff to consider rehabilitating the property and reinstating its heritage character first and then apply for Heritage Designation. However, the applicant has requested Heritage Designation now to enable access to the Tax Incentive Program.
- Since the building has been extensively altered, it would be very challenging for staff to say that integrity of the building does not have a major impact on the heritage values of the place. Staff acknowledge that the building can be rehabilitated; however, designation is the formal protection of existing heritage values rather than the protection of some future desired state.
- Staff therefore recommend that the Panel recommend that Council decline the request for Heritage Designation of the property given its current condition.

Panel

- The third bullet on page 3 of the report requires amendment to clarify that tiles are not on the sidewalls of the building.
- Surprise was expressed regarding the submission of an application for Heritage Designation without proposed plans going forward or details of façade restoration.
- Other buildings on the street have been rehabilitated or their façades rebuilt. The rehabilitation of this building would add to the streetscape.
- The original plans of the building are available; we know what could be there.
- The Statement of Significance only provides historical background to the building; there is no inference that the building is going to go beyond that. With the absence of details about the heritage value, the heritage consultant has not influenced a future project.
- In order to designate, a Panel member would like to see more willingness and movement by the applicant regarding the rehabilitation of the building. Senior Heritage Planner: There are plans for rehabilitation work and the applicant would like to apply for rezoning and a Heritage Alteration Permit now. However, staff cannot consider a Heritage Alteration Permit since the building has no heritage status (it is not Heritage Designated or on the Heritage Register within a Heritage Conservation Area) at present.
- It would be best to recommend designation now, then the applicant could not rehabilitate the building until a Heritage Alteration Permit is obtained. At that time, the proposed project would be reviewed by the Panel.

- Concern was expressed about the possibility of two additional storeys on the building. However, it was acknowledged that such an alteration would be the subject of a future heritage alteration permit where it would proceed to Council for consideration.
- The staff report identifies the building's façade as reinforced concrete; however, the façade looks like a reinforced concrete structure (beams, columns, floor slabs) with brick infill originally around the windows which is probably still underneath.
- It was acknowledged that the building could be restored and the only way this may happen is through support from the City.
- With designation, the applicant would be eligible for the Tax Incentive Program (for seismic upgrading) and façade rehabilitation funding.
- What if the property is designated and funded through the Tax Incentive Program, but the work is not done? Senior Heritage Planner: The benefits of the Tax Incentive Program require that the rehabilitation work be substantially complete before it takes effect.
- Is it appropriate to designate a building that is so altered? What are we designating - what we see now or what we would like to see in the future? Since there is no risk, both considerations are valid.
- The consideration is whether the Panel should recommend designation of a building with compromised heritage value; however, at the same time there is nothing to lose in the rehabilitation of downtown by designating the property and it opens up the opportunity for incentives and a greater degree of development control over what happens there.

Moved

Seconded

That Council consider Heritage Designation Application No. 000153 for the property located at 727-729 Johnson Street pursuant to Section 967 of the Local Government Act as a Municipal Heritage Site and consider the following comments:

- That Council urge the applicant to restore the property consistent with the *Standards and Guidelines for the Conservation of Historic Places in Canada* and the original design, and
- That said restoration would strengthen the existing historical architecture of the south side of this block on Johnson Street, carrying on the rhythm of the three existing character buildings.

Carried (unanimous)

8. **New Business** - nil

9. **Adjournment** - 1:20 pm