



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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## Legislation Details (With Text)

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## REQUEST FOR DECISION

**DATE:** August 17, 2016

Report No. DEV-16-056

**TO:** Laurie Hurst, Chief Administrative Officer

**FROM:** Bill Brown, Director of Development Services

**SUBJECT:**

Removal of the English Inn property, but not the Heritage Designated Building (the actual English Inn excluding the north wing), from the Heritage Registry.

**RECOMMENDATION:**

That Council remove the English Inn property, but not the Heritage Designated Building, from the Heritage Registry.

**RELEVANT POLICY:**

Esquimalt Heritage Policy

**STRATEGIC RELEVANCE:**

Removal of the English Inn property from the Heritage Registry except for the Heritage Designated portion of the English Inn itself, will support Council's Strategic Priority to "encourage a resilient and diverse economic environment", particularly to, "Ensure processes for business and development are

clear and consistent”.

## **BACKGROUND:**

The English Inn site was put on the Heritage Registry on May 28, 2012 (Schedule “A”). On November 4, 2013 Council adopted bylaw No. 2807 (Schedule “B”) that designated the exterior of the English Inn excepting the northern wing as Heritage Designated Building.

Council has approved zoning for the property that will allow it to be redeveloped. In order to prepare the site for redevelopment several existing buildings need to be demolished. These include Ann Hathaway’s cottage, the north wing of the English Inn, and two or three additional buildings that in the past have been used for staff accommodation. The portion of the English Inn that is designated as a heritage building pursuant to Bylaw No. 2807 will not be demolished and therefore not removed from the Heritage Registry. The removal of the balance of the property from the Heritage Registry is necessary in order to facilitate the efficient redevelopment of the site.

Section 49 of the Development Applications Procedures and Fees Bylaw No. 2791, 2012 states that:

49. A building official must withhold the issuance of a building or demolition permit where the official considers the permit would authorize an alteration inconsistent with the heritage protection of the property in the following cases:
- (a) an alteration to property that is included in a community heritage register;
  - (b) an alteration to property that is included in a schedule of protected heritage property within a heritage conservation area designated in the Official Community Plan;
  - (c) an alteration to property that is the subject of a heritage designation bylaw under Section 967 of the Local Government Act or any predecessor legislation authorizing such designation;
  - (d) an alteration to property in respect of which a heritage control period has been declared under section 964 of the Local Government Act.

In addition, Section 52 of the Bylaw states:

52. A building official must withhold any demolition permit for a building on property that is included in a community heritage register until a building permit and all other necessary approvals have been issued with respect to the redevelopment of the property.

The requirement to withhold a demolition permit until the building permit is issued is unnecessarily onerous given that Council has approved an amendment to the Zoning Bylaw that allows for the redevelopment of the site. It is important that the buildings be removed now so that proper site preparation can take place in order to facilitate the redevelopment of the site. The removal of the property from the Heritage Registry does not affect the designated portion of the English Inn itself since it is protected by bylaw as a designate heritage building.

## **ISSUES:**

### **1. Rationale for Selected Option**

[The current inclusion of the English Inn property on the Heritage Registry means that a demolition permit cannot be issued until the building permit is issued. This creates an unnecessary burden on the developer that would result in major delays in realizing the redevelopment of the site consistent with the rezoning adopted by Council.]

2. Organizational Implications

[There are no major organizational implications.]

3. Financial Implications

[Any delays in the project will result in delays in the Township realizing increased property tax revenues from the lift in assessed value of the property attributed to the redevelopment of the property.]

4. Sustainability & Environmental Implications

[The existing buildings are inefficient and would be replaced by a series of buildings that incorporate numerous sustainable and environmental features such as increased density and updated insulation.]

5. Communication & Engagement

[Removal of the property from the Heritage Registry does not require public consultation. The rezoning of the property was the subject to a community open house and a public hearing. The removal of the property from the Heritage Registry helps facilitate the efficient redevelopment of the property pursuant to the approved zoning.]

**ALTERNATIVES:**

- 1) That Council remove the English Inn property, but not the designated building, from the Heritage Registry.
- 2) That Council not remove the English Inn property from the Heritage Registry.