



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall
1229 Esquimalt Road
Esquimalt, B.C. V9A 3P1

Legislation Text

File #: 21-099, Version: 1

REQUEST FOR DECISION

DATE: February 10, 2021

Report No. DEV-21-010

TO: Laurie Hurst, Chief Administrative Officer

FROM: Bill Brown, Director of Development Services

SUBJECT:

Demolition of Registered Heritage Property - 820 Dunsmuir Road

RECOMMENDATION:

That Council remove 820 Dunsmuir Road from the Esquimalt Community Heritage Register as outlined in Staff Report No. DEV-21-010.

RELEVANT POLICY:

Development Application Procedures and Fees Bylaw, 2012, No. 2791
Official Community Plan Bylaw, 2018, No. 2922
Local Government Act

STRATEGIC RELEVANCE:

Healthy, Livable and Diverse Community: Support the arts, culture, and heritage community.

BACKGROUND:

Chronology:

June 17, 2020 - Demolition Permit Application Received.

July 13, 2020 - Council directs staff to continue to withhold the issuance of a demolition permit until a building permit and any other necessary approvals have been issued with respect to the alteration or redevelopment of the site. Moreover, Council orders a heritage assessment of the site.

December 21, 2020 - Council directs staff to initiate an appraisal of the subject property and to work with the applicant on a development that would retain the registered heritage building.

April 12, 2021 - Council deferred the matter to a future meeting for inclusion of the appraisal.

Discussion:

Council can adopt a heritage designation bylaw to preserve the property at 820 Dunsmuir Road. In the case where a heritage designation bylaw is adopted, the Township is responsible for compensating the owner for the reduction in the market value of a heritage designated property pursuant to Section 613 of the *Local Government Act*.

In the case the Township elects not to protect the subject property via a heritage designation bylaw, the Township still retains the capacity to continue to withhold the demolition permit until the necessary approvals have been issued with respect to the alteration or redevelopment of the site pursuant to Section 605 (1)(b) of the *Local Government Act*. As the property is in the Esquimalt Community Heritage Register, Development Application Procedures and Fees Bylaw, 2012, No. 2791 (52) states that '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'.

If it is Council's desire to allow demolition at this time, then the subject property of 820 Dunsmuir Road should be removed from the Esquimalt Community Heritage Register.

ISSUES:

1. Rationale for Selected Option

The owner has indicated a desire to redevelop the property. If Council wishes to protect the property through heritage designation, it will need to pay compensation for the reduced market value to the owner.

2. Organizational Implications

This Request for Decision has no organizational implications.

3. Financial Implications

Pursuant to Section 613 of the Local Government Act, the Township must compensate an owner for the reduction in the market value of a heritage designated property.

4. Sustainability & Environmental Implications

This Request for Decision can result in a demolition of a single-family dwelling once the necessary approvals with respect to the alteration or redevelopment of the site have been issued.

5. Communication & Engagement

As this is a demolition permit application, the Local Government Act does not require that notification be provided.

ALTERNATIVES:

1. That Council remove 820 Dunsmuir Road from the Esquimalt Community Heritage Register as outlined in Staff Report No. DEV-21-010.

2. That Council direct staff to prepare a Heritage Designation Bylaw for the property at 820 Dunsmuir Road.

3. That Council continues to withhold the demolition permit until the necessary approvals have been issued with respect to the alteration or redevelopment.