

Amelia St. Unrecommended designate HAC 12 Nov 85  
- see HAC minutes



City Hall  
Centennial Square  
Victoria, B.C.  
V8W 1P6  
(604) 385-5711

City of **VICTORIA** British Columbia

November 12, 1985

TO: Chairman and Members  
Heritage Advisory Committee  
City of Victoria

FROM: Planning Department

RE: 1517, 1519 & 1521 AMELIA STREET - Council Committee of  
the Whole, November 7, 1985 Referral. For Recommendation  
either to Designate or to Remove from the Heritage Registry

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At its meeting of November 7, 1985 Committee of the Whole considered a letter from Jessie Knight dated October 17, 1985 (attached) and passed the following motion:

"Recommend that it be referred to a special meeting of the Heritage Advisory Committee for a report back to City Council on November 14, 1985."

The houses on Amelia Street, including those owned by Mrs. Jessie Knight (at 1517, 1519 and 1521), are listed on the City's Heritage Registry.

On April 15, 1985 the Heritage Committee, in its re-evaluation of the Heritage Registry, deemed that 1519 and 1521 Amelia were worthy of heritage designation. The usual letter was not sent to the owner informing her of the Committee's determination due to her apparent antipathy to any heritage status for her properties. A decision on 1517 Amelia was tabled pending an examination of its condition.

On July 4, 1985 a memo from Mayor Pollen to the Municipal Manager regarding the heritage status of the Amelia Street houses was reviewed by Council's Committee of the Whole. The question was tabled to permit the Aldermen an opportunity to examine the building. A motion to delete the Amelia Street houses from the Heritage Registry was defeated at Council's Committee of the Whole meeting on August 11, 1985.

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The properties at 1519 and 1521 Amelia Street are zoned CA-3 (Central Area General Commercial) which permits a variety of commercial and mixed residential uses at a maximum floorspace ratio of 3 to 1. The property at 1517 Amelia Street is zoned CA-1 Pandora Avenue Special Commercial which, again, permits a variety of commercial and mixed residential uses, but at a maximum floorspace ratio of 2 to 1 and with greater parking requirements.

The assessed values of the properties are as follows:

	<u>Building</u>	<u>Land</u>	<u>Total</u>
1517 Amelia	\$ 100	\$19,450	\$19,550
1519 Amelia)	\$29,500	\$41,350	\$70,850
1521 Amelia)			

If the properties were to be designated heritage, the City would be required to accept liability for compensation under Section 11(4) of the Heritage Conservation Act.

BMS:11

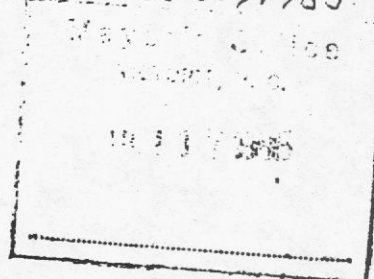
05728 1985

Box 77,

Victoria, B.C., V8N2P9,

17th October, 1985.

Mayor Peter Poole,  
City Hall,  
Victoria, B.C.



Dear Mr. Poole,-

I was speaking with Mr. Simmons yesterday. At which time I told him there had been no response from the Heritage Advisory Committee on my request for the houses on Audelia Street to be removed from the "A" list & I had reached the point of wondering whether this Committee was 'dragging its heels' & I thought of bringing the matter to your attention once again. He agreed that I should write to you & suggested that I should tell you that he had done so.

When I spoke with you several months ago, I told you that the Assessment Board had reduced the building value of

the burned house, on lot 4a of Sub-Lot 5,  
(1517 Amelia St.) to \$100<sup>00</sup>.

Since that time I have received another  
assessment notice & that \$100<sup>00</sup> has been  
exempted. Surely in view of the buildings  
having no value, it is somewhat absurd  
that this Committee has not yet dealt  
with the matter.

The civic election being so close at  
hand could you please, once again, take  
action toward removing the houses on  
Amelia Street from the Heritage "A" list?

Sincerely yours,

Jessie A. Knight.

c. to Dir. of Planning

Amelia St.



HAC 7  
17 May 83

City Hall  
Centennial Square  
Victoria, B.C.  
V8W 1P6  
(604) 385-5711

City of **VICTORIA** British Columbia

April 25, 1983

His Worship Mayor G. Peter A. Pollen  
City of Victoria

Dear Peter:

At the Committee of the Whole meeting of March 3, 1983 the request to delete 3 houses on Amelia Street owned by Mrs. Jessie Knight was referred to you and me for a recommendation to Council. I believe the maintenance of the "A" and "B" Registry lists to flag buildings of historical and architectural significance is advantageous to the City. To remove property from these lists simply because the owner wishes it may undermine their purpose.

The alternatives of heritage designation, on the one hand, and removal from the Residential Heritage Registry on the other, for the houses on Amelia Street have been discussed at great length by the Heritage Advisory Committee. The feeling of the Committee is that neither of these alternatives need to be pursued until such time as a development proposal for these properties is submitted to the City.

The Committee has indicated to me its strong concerns that if the houses were to be removed from the Registry before a development proposal is received the purpose of the Registry would be negated. The Committee sees the Registry as a means for implementing an appropriate review procedure for buildings that have heritage qualities but which are not designated (and may not warrant or need the protection provided by designation). The procedure is one where building permit applications for these buildings are referred to the Heritage Advisory Committee for a "comment to the applicant" before a permit is issued. The Committee's comments are of an advisory nature only. An applicant can take or leave their advice and the Committee understands that the City has no legal right to withhold a building permit for a Registry building.

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In short, the Committee does not view the Registry as a kind of limbo where buildings are placed until such time as a decision is made on whether or not they should be designated. Instead, the Committee views the Registry as the facilitator of a proper review of proposals for buildings having heritage qualities but which are not designated. The Committee feels this review does not preclude developing, buying or selling of these properties though it can affect these activities as can review procedures required for rezoning or the granting of a development permit.

Yours truly,

Janet M. Baird

*request for removal from registry* Amelia St HAE  
refused 21 Feb 83

WILLEM VAN CUYLENBORG  
DOUGLAS H. GRAY  
R. DEAN WILSON  
MORLEY R. BIRMINGHAM  
DAVID B. ADAMS  
KENNETH D. JACOUES  
BARRY G. BROWNING  
TIMOTHY F. LOTT

VAN CUYLENBORG & GRAY  
BARRISTERS & SOLICITORS  
NOTARIES PUBLIC  
850 COURTNEY STREET  
VICTORIA, BRITISH COLUMBIA  
V8W 1C4

TELEPHONE (604) 386-1481  
CABLES LEGAL

OUR REF. 24150

January 21, 1983.

City of Victoria  
City Hall  
#1 Centennial Square  
Victoria, British Columbia  
V8W 1P6.

Attention: Mr. Peter Pollen, Mayor.

Dear Sirs:

Re: City of Victoria "Heritage Registry" - 1517, 1519 and 1521  
Amelia Street, Victoria, British Columbia.

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Please be advised that we act as solicitors for Jessie Knight, the registered owner of the above-noted properties. We are writing with respect to the listing of those properties upon the "Heritage Registry" maintained by the City of Victoria.

We understand that the City maintains the Heritage Registry in order to provide for review of the heritage value of any property listed upon the Registry prior to issuance of a building permit or a demolition permit, in order to block further development if the City feels that the present structure upon the property is of heritage value.

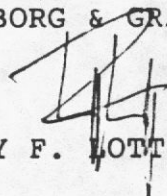
Our client feels quite strongly that the structures situate upon her properties are of little heritage value and that a heritage designation in such a commercially zoned location is an unreasonable and unwarranted restriction upon her rights as a property owner. She does not wish her properties to remain on the register with the resultant possibility of delays, financial losses and restrictions upon future development.

Accordingly, we are writing in application for the removal of those properties as listed above from the Heritage Registry maintained by the City of Victoria. We would appreciate your advice as to what channels we should pursue in furtherance of this application.

Yours very truly,

VAN CUYLENBORG & GRAY

Per:

  
TIMOTHY F. WOTT.

TFL:11  
Encls.

c.c. Ms. Jessie A. Knight.



Amelia St.

Bruce

HAC  
HAC-28 July 1982



City Hall  
Centennial Square  
Victoria, B.C.  
V8W 1P6  
(604) 385-5711

City of **VICTORIA** British Columbia

July 7, 1982

RECEIVED

JUL 8 1982

COMMUNITY DEVELOPMENT  
DEPT.

Mrs. Jessie Knight  
P.O. Box 771  
Victoria, B.C.  
V8W 2P9

Dear Mrs. Knight:

Thank you for your letter dated June 20th regarding the City's Heritage Conservation Program. You make some very good points and I share many of your concerns.

I have taken the liberty of turning your letter over to the City Manager and the Heritage Advisory Committee Chairman for consideration and response.

I hope to be in touch with you again on this matter in the near future.

Yours very truly,

Alderman Ron McKenzie

c.c. Municipal Manager  
Heritage Advisory Committee ✓

P. O. Box 771,  
Victoria, B. C., V8W 2P9,  
20th June, 1982.

Mr. J. R. McKenzie,  
Alderman, City of Victoria,  
No. 1, Centennial Square,  
Victoria, B. C., V8W 1P5.

Dear Mr. McKenzie,

In April I received two communications from Robert J. Hudson at the University of Victoria's School of Public Administration. He seems to be undertaking a study of the City's residential heritage conservation programme for the Heritage Advisory Committee. The second of the two communications was in the form of a questionnaire for 1517 Amelia Street and another for 1519 Amelia Street.

The question which arises in my mind is: does the heritage committee really know what it is doing.

#1517 is on the south-east corner of Amelia and Mason Streets and has had a stucco exterior since the early 50's and so surely cannot qualify as heritage; besides which the entire block has been zoned from C-2 to A-1.

#1519 (and 1521) are located on the north-east corner of Amelia and Mason Streets. This was zoned last year from C-2 to A-3.

Previously, during the period Michael Young was mayor, there was an attempt to down-zone the five houses in this block only. The three owners protested before Council, Miss Forfert and I were represented by Chris Randall of Randall, Meyer & Pollard and Claude Morris protested on behalf of his sister and himself.

In view of the foregoing it seems to me that the Heritage Committee's action in supplying Mr. Hudson with these addresses for his study borders upon harassment.

I returned the questionnaires to Mr. Hudson and informed him that since our zoning is commercial we did not belong in a residential survey. I provided him also with my views in general regarding 'heritage'.

My feeling about the heritage situation here is that it has been grossly overdone and I believe also that most Victorians of mature years (and by Victorians I mean those of us who have either been born here or who, as very young children, came with parents to live here and attended Victoria schools) have the same views as I have expressed.

It is very wrong in my opinion to declare any building as heritage over the protest of its owner; it is not democratic. If the idea behind the programme is to beautify the city for tourists then that is unfair because owners are being taxed for a purpose for which they receive little or no benefit. Retirees do not receive any benefit from the tourist industry nor do many other areas of remunerative endeavour. What was done to the owners of the Battery Street properties was unjust, unkind and insensitive, especially to an 87-year old woman such as Mrs. Brazil.

There is no other investment I know of that is the victim of every level of government as is land owning. Amelia Street is not in a residential area and any attempt to hold it back from the commercial development its location indicates is unrealistic.

It would be most interesting to know about these heritage pressure groups; who are its members, how long have they resided and paid taxes in Victoria (not Saanich, Oak Bay or Esquimalt) or do they not own any land and are free to move away at a moment's notice. It would be interesting to know the same details about those who are members of the present Heritage Advisory Committee.

I am opposed also to the grant to applicants for heritage designation so they may receive the equivalent of three Years' tax rebate for beautifying the exterior of their houses. It means that other taxpayers must pay extra because of their greed.

When the review of residential heritage comes before Council, I trust you will bring the views expressed herein forward.

-3-

I think you may be assured that the owners in the block designated (A-3) will be united against a part of it being declared heritage as they were in January of last year when their firm stand persuaded Mr. Wright that it was not a popular idea with them to down-zone the block lower than (A-3).

Sincerely yours,

J. Knight

(Jessie A. Knight)