Minute No. 286
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – April 1, 2019

Item No. 10 Armstrong's Point Heritage Conservation District Plan Review and Recommendation

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and adopted the following:

1. That the Armstrong's Point neighbourhood be designated as a Heritage Conservation District with no amendments to the Armstrong's Point Heritage Conservation District Plan, included as Attachment A to this report.

2. That amendments to the Heritage Conservation District By-law No. 87/2018 be enacted to attach the Armstrong's Point Heritage Conservation District Plan as Schedule A (draft amending by-law is included as Attachment E to this report).

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – April 1, 2019

DECISION MAKING HISTORY;

Moved by Councillor Mayes,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 16, 2019, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the matter to Council

STANDING COMMITTEE RECOMMENDATION:

On April 1, 2019, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Winnipeg Public and submitted the matter to the Executive Policy Committee and Council.

COMMITTEE RECOMMENDATION:

On February 20, 2019, the Historical Buildings and Resources Committee recommended to Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That Armstrong's Point be designated as a Heritage Conservation District (HCD) with clerical amendments to the HCD plan as necessary, but with no substantive changes to the following plan elements:

    A. The statement of significance (including the boundaries, description, heritage values, and character-defining elements);

    B. The objectives of the HCD;

    C. A list of the work for which a heritage permit is not required; and

    D. Policy guidelines.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

ADMINISTRATIVE REPORT

Title: Armstrong's Point Heritage Conservation District Plan and Designation

Critical Path: Standing Policy Committee on Property and Development, Heritage and Downtown Development – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Smith	J. Kiernan	M. Ruta	D. McNeil

EXECUTIVE SUMMARY

In 2013, the Public Service began exploring the creation of Heritage Conservation Districts (HCDs) in Winnipeg, using Armstrong's Point as a case study based on residents' longstanding advocacy. This work resulted in the creation of the Heritage Conservation District By-law 87/2018 (HCD By-law). The process for designating Armstrong's point as an HCD is now underway.

As a final step in the designation process, an HCD plan has been prepared in consultation with Armstrong's Point community members and the Winnipeg Public Service. The Historical Buildings and Resources Committee considered the HCD plan at its February 20, 2019 meeting.

While implementing the official designation process, the Public Service noted procedural and logistical issues associated with the HCD By-law, as well as a few errors and omissions.

The Public Service and the Historical Buildings and Resources Committee recommend that Armstrong's Point be officially designated as an HCD, and that the proposed HCD plan (Attachment A) be added as a schedule to the HCD By-law with no amendments. A separate report will follow at a future date with suggested by-law amendments to ensure future processes are more streamlined, logistically possible, and can respond to community needs.

RECOMMENDATIONS

1. That Council designate the Armstrong's Point neighbourhood as a Heritage Conservation District with no amendments to the Armstrong's Point Heritage Conservation District Plan, included as Attachment A to this report.

2. That Council enact amendments to the Heritage Conservation District By-law No. 87/2018 to attach the Armstrong's Point Heritage Conservation District Plan as Schedule A (draft amending by-law is included as Attachment E to this report).

3. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

Under the HCD By-law, Council decision regarding official designation, accompanied by a review of an HCD plan, are the final actions needed to officially designate an HCD.

As per subsection 23(3) of the HCD By-law, the Director must provide a report with recommendations in respect of the draft HCD plan and, in accordance with section 3 of the HCD By-law, the HCD plan must be added as a schedule to the HCD By-law.

IMPLICATIONS OF THE RECOMMENDATIONS

If Armstrong's Point is designated as an HCD:

- the proposed HCD plan will be added as a schedule to the HCD By-law;
- a caveat will be placed on all properties in the district, at the City's expense, to notify future homebuyers about the area's designation; and
- owners will be required to obtain a heritage permit for work in accordance with the HCD plan. The HCD plan would also list types of work that does not require a heritage permit.
- Armstrong's Point will become Winnipeg's first Heritage Conservation District, in which growth and change is guided by an HCD plan.

HISTORY/DISCUSSION

HCDs are a way to recognize, preserve and celebrate the past. Official designation ensures that neighbourhood development is consistent with the local heritage values and policy directions jointly created by the community and City's Public Service. A Heritage Conservation District does not take the place of a Historical Resources listing for protecting individual buildings of outstanding historic and architectural merit, but rather seeks to preserve the overall character of a neighbourhood. More information about HCDs can be found in Attachment B.

In 2013, the Public Service began exploring the creation of HCDs in Winnipeg, using the Armstrong's Point neighbourhood as a case study based partly on residents' long-standing advocacy.

Between 2013 and 2017, five community workshops and two public open house events were hosted by the City of Winnipeg and consulting firm HTFC. Throughout the process, residents were notified by direct home mail delivery (129 residences), a stakeholder email list (61 email addresses), Armstrong's Point Association members' social media, and posters at Cornish Library and BIZ public notice boards. A summary of events and notification opportunities can be found in the proposed HCD plan (Attachment A).

Consultation results strongly recommended HCDs be created in Winnipeg, and that Armstrong's Point be nominated as the first. However, before Armstrong's Point could be officially considered, Winnipeg needed a formal process by which HCDs could be established. On September 20, 2018, Council passed HCD By-law 87/2018, which formalizes the process for establishing HCDs in Winnipeg.

On October 3, 2018, the Director of the City of Winnipeg's Planning, Property and Development Department nominated Armstrong's Point to become Winnipeg's first HCD. As per the process outlined in the By-law, residents were notified through a mailed letter dated October 22, 2018, as well as through an advertisement in the *Winnipeg Free Press*.

On February 4, 2019, the HCD study was brought to the Standing Policy Committee for Property and Development, Heritage, and Downtown Development. As per the process outlined in the By-law, all property owners within the proposed HCD were notified about this meeting through a mailed letter dated November 29, 2018.

The HCD plan was reviewed by the City's Historical Buildings and Resources Committee on February 20, 2019. This committee recommended that Armstrong's Point be designated as an HCD with clerical amendments to the HCD plan as necessary, but with no substantive changes to regulatory elements of the plan.

In a letter dated February 25, 2019, all property owners within the proposed HCD were notified that the HCD plan would be reviewed at the April 1, 2019 SPC-PDHDD meeting.

HCD Plan

In addition to historic information and summaries from neighbourhood consultations, the draft HCD plan includes the following regulatory components:

- A Statement of Significance, which includes proposed boundaries, neighbourhood description, heritage values, and character-defining elements of the district;
- The objectives of the HCD;
- A list of the work for which a heritage permit would not be required; and

- Policies to guide changes to the public realm, as well as policies related to private properties that will ensure repairs, additions, and new infill developments are accommodated in a way that is in character with the existing neighbourhood.

The HCD plan functions primarily as a design tool for a neighbourhood exhibiting specific heritage characteristics. Although the residential nature of the neighbourhood is a character-defining element, the plan itself is not intended to regulate land use – any applications for land use changes would go through the standard zoning approval process.

If designated, policies in the HCD plan would require that any demolitions, new builds, other works visible from the street, and proposed subdivisions go through the heritage review process. Although demolitions would not be prohibited, the plan would seek to prevent demolitions if possible and ensure new buildings are visually and physically compatible with the neighbourhood.

Designation Process

Throughout the process, out of 124 properties within the proposed district boundary of Armstrong's Point, a total of 13 letters of support were received that represent 11 different properties; six (6) letters of opposition were received that represent six (6) properties.

- Reasons for support included the desire to preserve and acknowledge living, cultural, and architectural history and the positive impacts of historic homes and areas in Winnipeg; to prevent demolitions of architecturally significant and historic buildings; to follow examples of other jurisdictions; and a general desire to preserve and improve the neighbourhood as a whole. The extent of community consultations from 2013 onward was also noted in the letters of support.
- Reasons for opposition included concerns about potential restrictions on the ability to renovate, modernize, or sell personal property; that district designation would require as much work and investment as heritage designation on individual buildings; and that information (and clarity) about the process and HCDs in general was lacking.

Every letter written received a personal response, and additional information was provided to those respondents who cited concerns. All homeowner letters (with personal information redacted) can be found in Attachment C, and a summary of issues and responses can be found in Attachment D.

In addition to letters from homeowners, input from five community workshops with Armstrong's Point homeowners and two public open house events held between 2013 and 2016 was considered. Results strongly supported the formation of Armstrong's Point as an HCD. A summary of all events and notification opportunities can be found in the HCD study.

While implementing the official designation process, the Public Service noted procedural and logistical issues within the HCD By-law and is requesting direction to prepare amendments that correct errors and omissions, as well as ensure future processes are more streamlined, logistically possible, and can respond to community needs. The Public Service is seeking to:

- Revise requirements for HCD plan contents. Revisions would remove redundant and descriptive information (already required in the HCD study) and retain the plan's regulatory components with the intent of creating a more streamlined and interpretable document.

- Provide more specific information on the application process and application requirements;

- Revise required timelines to reflect the 30-day notification requirement for residents as well as the time needed for administrative review of reports;

- Provide guidance and additional review measures to acknowledge circumstances in which the demolition moratorium can be waived; and

- Correct various errors and omissions.

FINANCIAL IMPACT

Financial Impact Statement

Date: February 27, 2019

Project Name:

First Year of Program 2019

Armstrong's Point Heritage Conservation District Plan and Designation

	2019	2020	2021	2022	2023
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ 16,000	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	-	-	-	-	-
Net Cost/(Benefit)	$ 16,000	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	16,000	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments: Direct costs represent an estimate of the cost of title searches and caveat registration fees associated with the 124 applicable properties with the HCD.

"Original signed by"
Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:

Historical Buildings and Resources Committee
Public Works
Feedback from public consultations and property owners
Legal Services (as to legal issues)

OURWINNIPEG POLICY ALIGNMENT

The following Directions from the City of Winnipeg's Municipal Development Plan, *OurWinnipeg*, support the creation of HCDs:

Section 02-3 Heritage
Direction 2: Conserve, protect and celebrate the significant heritage resources that illustrate the broad range of Winnipeg's heritage values.

- Recognize the importance of a broad range of tangible and intangible heritage resources throughout the city that illustrate a unique sense of place and community pride.
- Identify, designate and protect the City's most significant heritage resources using a Historic Context Statement and a Thematic Framework for evaluation.

Direction 3: Provide leadership in heritage conservation that links to broader civic goals of economic development, sustainability and neighbourhood planning.

- Work with other governments, community groups and building owners to conserve significant heritage resources.
- Develop heritage stewardship policies that will allow the City to act as a leader in heritage conservation initiatives.
- Engage the community in developing long-term heritage resource stewardship strategies.
- Work with heritage stakeholders and other community partners in the establishment, coordination and promotion of community heritage initiatives including public education and heritage awareness.

Direction 6: Plan for the sustainable development of healthy neighbourhoods based on their particular historic identity and character.

- Work with community stakeholders to identify unique heritage identities and neighborhood legacy elements.
- Include heritage values when developing plans for new and existing neighbourhoods.
- Encourage the sustainable reuse of existing building stock and historic infrastructure.

Complete Communities also supports the concept of Heritage Districts.

Section 13 Heritage Conservation: Key Direction: Support the ongoing sustainable development of Winnipeg's urban structure through heritage conservation initiatives that assist in the development of a complete community*. Complete Communities* also includes directions 1, 2, 3 and 6 as above.

SUBMITTED BY

Department: Planning, Property and Development
Division: Urban Planning & Design
Prepared by: Karin Kliewer, Planner
Date: February 28, 2018

Attachments:

Attachment A – Draft Heritage Conservation District Plan

Attachment B – Heritage Conservation District Information

Attachment C – Compiled letters of support and opposition (personal information redacted)

Attachment D – Summary of written submissions, Armstrong's Point HCD

Attachment E – draft amending by-law