Minute No. 601
Standing Policy Committee of Property and Development, Heritage and Downtown Development - Notice of Motion

Item No. 1 Historical Resources By-law Amendments

Moved by Councillor Klein,
Seconded by Councillor Lukes,

WHEREAS Historical Resources By-law 55/2014 (the By-law) establishes the procedures for the preservation of the City's heritage buildings and structures, including the process for listing/removing buildings from the List of Historic Resources;

AND WHEREAS the By-law allows the Director of Planning, Property and Development to nominate a resource (building/structure) which is not a single family residential building, to be added to the List of Historic Resources, without the consent of the owner;

AND WHEREAS once a resource is nominated, the owner is prohibited from altering or demolishing their building until the nomination is considered by the Historic Buildings Committee and Council, a process that can take up to 36 months;

AND WHEREAS during this period, the property may sit in limbo as the owner is prevented from developing their property to its full and best use, is forced to incur maintenance costs and still pay property taxes to the City, which essentially amounts to expropriation without compensation;

THEREFORE BE IT RESOLVED That the Historical Resources By-law 55/2014 be amended to require that any building or structure that the Director of Planning, Property and Development wishes nominate to be added to the List of Historic Resources, without the consent of the owner, shall be submitted to Council for confirmation of the nomination, by way of a two thirds vote in the affirmative.

In amendment,
Moved by Councillor Klein,
Seconded by Councillor Lukes,

WHEREAS on at the Council meeting held on September 26, 2019, Council was presented with a Notice of Motion regarding a proposed amendment to the Historical Resources By-law 55/2014:

AND WHEREAS the third "WHEREAS" of said motion stated that:

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"once a resource is nominated, the owner is prohibited from altering or demolishing their building until the nomination is considered by the Historic Buildings Committee and Council, a process that can take up to 36 months;"

AND WHEREAS the Winnipeg Public Service has advised that although the original version of the Historical Resources By-law did allow for up to 36 months to review and make recommendations concerning a nominated resource, the by-law has been updated to reduce the review period to up to 12 months;

AND WHEREAS the Winnipeg Public Service has further advised that once nominated the owner is prohibited from demolishing the building, but alterations are permitted;

THEREFORE BE IT RESOLVED that the recommendation contained in the Notice of Motion presented at the Council meeting held on September 26, 2019, regarding a proposed amendment to the Historical Resources By-law No. 55/2014, be amended by deleting all of the wording after "RESOLVED" and replace with the following:

"that the Historical Resources By-law No. 55/2014 be amended to require a two thirds vote of Council in the affirmative to add any building or structure to the List of Historic Resources, if the owner is opposed to the listing."

Moved by Councillor Orlikow:

That the motion and amending motion above moved by Councillor Klein and Seconded by Councillor Lukes be referred to the Standing Policy Committee of Property and Development, Heritage and Downtown Development.

Carried

Councillor Klein asked to be recorded as having voted against the above motion to refer, in accordance with Rule 47(7) of the Procedure By-law.