Minute No. 129
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 18, 2019

Item No. 4 Amendments to the Heritage Conservation Districts By-law No. 87/2018

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 Heritage Conservation Districts By-law No. 87/2018 be amended in accordance with the draft amending By-law, attached as Attachment C, with the following amendment:

   A. In Section 10.1.a.i., add the words "based on the recommendation of the Historical Buildings and Resources Committee to the Director" immediately after "demolition permit would be compatible with the heritage values of the proposed HCD,"

2. 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 – November 18, 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 January 14, 2020, 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.

On December 3, 2019, the Executive Policy Committee laid the matter over for 30 days.

STANDING COMMITTEE RECOMMENDATION:

On November 18, 2019, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Winnipeg Public Service, with the following amendment:

- In Recommendation 1, add the following after "Attachment C":

  ", with the following amendment:

  A. In Section 10.1.a.i., add the words "based on the recommendation of the Historical Buildings and Resources Committee to the Director" immediately after "demolition permit would be compatible with the heritage values of the proposed HCD,"

and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: Proposed Amendments to the Heritage Conservation Districts By-law No. 87/2018

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

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Pittet	J. Kiernan	N/A	M. Ruta, Interim CAO

EXECUTIVE SUMMARY

The Heritage Conservation Districts By-law No. 87/2018 (the "HCD By-law") outlines the process for designating Heritage Conservation Districts ("HCD") in Winnipeg.

While implementing the established designation process for Armstrong's Point as a pilot project, the public service noted certain procedural and logistical issues associated with the HCD By-law, as well as a few errors and omissions in both the HCD By-law and the Armstrong's Point HCD Plan, which is a schedule to the HCD By-law.

The proposed amendments to the HCD By-law are being brought forward to ensure future designation processes are more streamlined and logistically sound, and can respond to community needs. Amendments are also needed to ensure Armstrong's Point HCD Plan is as accurate as possible.

RECOMMENDATIONS

1. That the Heritage Conservation Districts By-law No. 87/2018 be amended in accordance with the draft amending By-law, attached as Attachment C.

2. 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

By-law amendments require Council approval.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations are concurred in, HCD By-law No. 87/2018 will be amended to correct errors and improve process clarity and efficiency.

HISTORY/DISCUSSION

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 area residents' long-standing advocacy.

On September 20, 2018 Council passed the HCD By-law, which formalized 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 as Winnipeg's first HCD, and the Public Service began the designation process as outlined in the HCD By-law.

While implementing the designation process, the public service noted procedural and logistical issues associated with the HCD By-law and is bringing forward a revised by-law for review.

The proposed amendments to the HCD By-law are being brought forward at this time to add clarity and efficiency in the process.

A version of the HCD By-law with all changes tracked can be found in Attachment A. Proposed changes include:

- an expanded time frame related to a nomination decision after an application is received;
- an expanded time frame for public notification after nomination occurs;
- introduction of delegated authority to the Director to issue a demolition permit in specific circumstances during the nomination period;
- recognition of email submissions from landowners;
- clarifying processes and opportunities for landowners to express their opinions at a public meeting;
- removal of duplicated content required for the HCD Study and the HCD Plan;
- an expanded time frame for bringing the HBRC recommendation regarding the Plan to the Standing Policy Committee on Property and Development, Heritage and Downtown Development, to allow for preparation of an administrative report;

- additional information on how to launch an appeal and an expanded window of time in which an appeal is possible;

- correction of various errors and omissions.

A summary of proposed changes to the Armstrong's Point HCD Plan can be found in Attachment B. No changes to the by-law's intent are proposed; rather, the changes address numbering and formatting errors, remove redundancies, and increase clarity.

FINANCIAL IMPACT

Financial Impact Statement **Date:** October 16, 2019

Project Name:
Proposed Amendments to Heritage Conservation Districts By-Law No. 87/2018

COMMENTS:

There are no direct financial implications associated with the recommendations in this report.

"Original Signed By"
Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:

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 HCD:

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.

Also Directions 1, 2, 3 and 6 as above

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Strategic Opportunity #6 (Waste Reduction and Diversion) from the *Winnipeg Climate Action Plan*, speaks to the need to maximize the diversion of organic wastes from landfill, which includes construction/demolition waste. This strategic opportunity includes Direction 6.1, "*Reduce Consumption and Increase Waste Diversion from Residential, Commercial and Industry* (pages 49-50)".

With respect to waste sector 2030 performance indicators (page 23), the *Winnipeg Climate Action Plan* notes that in order to achieve an 11% reduction in city emissions (relative to the 2011 baseline) the City must improve on the commercial/industrial and construction and demolition waste diversion rate (to 80%). Heritage Conservation Districts can assist in the preservation of the built environment, while still allowing for the possibility of adaptive re-use and intensification of existing structures where appropriate.

SUBMITTED BY

Department: Planning, Property & Development
Division: Urban Planning & Design
Prepared by: Karin Kliewer, Planner
Date: October 21, 2019
File No:

Attachments

Attachment "A" – HCD By-law 87/2018, proposed changes tracked

Attachment "B" – Itemized changes to Armstrong's Point HCD Plan

Attachment "C" – Draft Amending By-law