

# Bylaw 18412

## To Designate the Brighton Block as a Municipal Historic Resource Amendment No. 1

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### Purpose

The purpose of this Bylaw is to amend Bylaw 12605 to remove three of the regulated architectural elements to permit alterations that are necessary to facilitate the structural stabilization and rehabilitation of the building.

### Readings

Bylaw 18412 is ready for three readings.

If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree “That Bylaw 18412 be considered for third reading.”

### Advertising and Signing

This Bylaw does not require advertising and can be signed and thereby passed following third reading.

### Position of Administration

Administration supports this amending Bylaw.

### Report Summary

Bylaw 12605, Being a Bylaw to Designate the Brighton Block as a Municipal Historic Resource requires amendment to remove the storefronts, flagpole and fire escape stairwell as regulated architectural elements, in order to permit alterations that are necessary to facilitate the structural stabilization and rehabilitation of the building.

### Report

The property known as the Brighton Block, located at 9666 Jasper Avenue NW, was designated by City Council as a Municipal Historic Resource by Bylaw 12605 on June 12, 2001 (refer to Attachment 2 - Location Map for the Brighton Block).

In the period since its designation, the Brighton Block has fallen into an advanced state of disrepair. The building's new owner, Brighton Block Inc., now intends to initiate a program to stabilize and rehabilitate the building (refer to Attachment 3 - Background Information) .

Schedule "A" of Bylaw 12605, identifies the storefronts located at grade on the south elevation, the flagpole located at roof level and the recessed fire escape stairwell on the north elevation, as regulated architectural elements.

On April 26, 2018, Brighton Block Inc., requested amendments to the bylaw to remove the storefronts, flagpole and fire escape stairwell as regulated architectural elements, in order to allow for alterations that are necessary to stabilize and rehabilitate the building (refer to Attachment 4 - Request for Amendment to Bylaw 12605).

Administration has reviewed the proposed alterations and is satisfied that they are necessary to facilitate the stabilization and rehabilitation of the building (refer to Attachment 5 - Photographs of the Brighton Block and Attachment 6 - Proposed Alterations to the Historic Facades).

This Bylaw removes the "Period reproduction of the storefronts", "Period restoration of the flagpole" and "Fire escape stairwell" from Schedule "A" of Bylaw 12605 (refer to Attachment 1 - Bylaw 18412) .

This Bylaw also incorporates the amendments set out in this Bylaw into Bylaw 12605, and adopts this consolidation as the official version of Bylaw 12605.

## **Policy**

City Policy C450B – Policy to Encourage the Designation and Rehabilitation of Historic Resources in Edmonton

## **Corporate Outcomes and Performance Management**

<b>Corporate Outcome(s): Edmontonians are connected to the city in which they live, work and play</b>			
<b>Outcome(s)</b>	<b>Measure(s)</b>	<b>Result(s)</b>	<b>Target(s)</b>
Unique character and history of neighbourhoods is preserved	Number of designated Municipal Historic Resources in Edmonton	148 (April 26, 2018)	There is no target for the designation of historical resources

## **Risk Assessment**

### **Risks if Recommendation is Approved**

<b>Risk Element</b>	<b>Risk Description</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Risk Score (with current mitigations)</b>	<b>Current Mitigations</b>	<b>Potential Future Mitigations</b>
Heritage value impacted	The building's exterior form is a physical record which contributes to the story of the building's development. Altering its exterior form impacts this record and may undermine its heritage value	4 - Likely	2 - Moderate	8 - Medium	Administration is working closely with the property owner to ensure that the impact on the historic appearance of the building is limited	The site is currently being rezoned and the new zoning provision will include enhanced controls in relation to the exterior appearance of the building
Public perception	Some members of the public may not consider the proposed alterations appropriate	3 - Possible	1 - Minor	3 - Low	Administration has communicated the need for the proposed alterations to heritage stakeholders	Administration has prepared a communications strategy to address public concerns
Precedent	The developers of other Municipal Historic Resources may seek to amend the terms of their designations	2 - Unlikely	1 - Minor	2 - Low	This amendment responds to very unique circumstances. All future requests would ultimately require Council approval	All future requests for amendments would be carefully scrutinized in relation to their individual circumstances

### **Risks if Recommendation is Not Approved**

<b>Risk Element</b>	<b>Risk Description</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Risk Score (with current mitigations)</b>	<b>Current Mitigations</b>	<b>Potential Future Mitigations</b>

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Feasibility of stabilization and rehabilitation impacted	The stabilization and rehabilitation program is terminated or stalled	3 - Possible	3 - Major	9 - Medium	Administration will continue to work with the property owner to explore other options for the stabilization and rehabilitation of the building	Administration will work with the property owner to ensure the building is adequately protected from further deterioration
The condition of the building continues to deteriorate	The heritage value of the building is further compromised and/or potential life safety issues result	3 - Possible	3 - Major	9 - Medium	The existing Rehabilitation Incentive Agreement associated with the building mandates ongoing maintenance	Should the building become a life safety issue, the City could pursue action under the Safety Codes Act.
Financial - City intervention is required	The City is forced to invest in measures to ensure the building is adequately protected from further deterioration and/or take legal action	3 - Possible	3 - Major	9 - Medium	Should the property owner fail to maintain the building to an adequate standard The City could take remedial action and register the cost as a lien on the title.	
Public perception	Some members of the public may feel that not enough was done to facilitate the stabilization and rehabilitation of the building	3 - Possible	2 - Moderate	6 - Low	Administration has prepared a communication plan to address public concerns.	

### Public Engagement

No public engagement was conducted as the proposed amendment is a matter to be resolved directly between the City and the building owner.

### Attachments

1. Bylaw 18412
2. Location Map for the Brighton Block

3. Background Information
4. Request for Amendment to Bylaw 12605
5. Photographs of the Brighton Block
6. Proposed Alterations to the Historic Facades

**Others Reviewing this Report**

- R. Kits and S. Padbury, Acting Deputy City Managers, Financial and Corporate Services
- M. Sturgeon, Acting Deputy City Manager, Communications and Engagement