

Options for Preserving/Conserving Historic Resources

The information below provides a description of the potential options that could be realistically considered to pause the demolition of historic resources.

Existing Options

Option 1: Develop Direct Development Control Provision (DC1) zoning

This option would establish Direct Development Control Provision zoning for targeted areas within a community that have an identified concentration of historic buildings and other features that taken together represent heritage character. Criteria Administration typically uses to identify potential heritage character areas include the following:

- Date of development (typically 50 years or older)
- Elevated concentration of historic resources (those listed on the Inventory of Historic Resources and/or designated Municipal Historic Resources)
- Street patterns (e.g. a grid layout or a curvilinear layout)
- Street layouts (e.g. boulevard trees, wide sidewalks, unique streetlights)
- Width of lots
- Height and size of existing buildings (e.g. bungalows versus two-storeys)
- Architectural treatments (e.g. window patterns, siding materials, roof structure type, doors)
- Site access locations (e.g. rear alley access, front drive garages)
- Any cultural features (e.g. cultural associations, unique vegetation, local landmarks, public art or significant residents)

These elements contribute to an area's historic context and can provide the basis for regulation to maintain and enhance area character. A Direct Control Provision could identify specific minimum parcel widths that may have been historically typical in the area, and would therefore potentially preclude subdivision of certain parcels. This restriction could not prevent the demolition of historic resources outright, but could act as a means to encourage preservation of some existing heritage homes listed on the Inventory as redevelopment opportunities would not be as great because redevelopment is limited to one-for-one replacement rather than multiple dwelling development. This would provide more specific direction to the Subdivision Authority when reviewing applications for subdivision.

Affected owners will have a range of tolerance for self-regulating their properties. While some owners may be willing to restrict redevelopment opportunities for their lands to a relatively high degree, other owners may

prefer greater flexibility in direction and regulation, or not be in favour of the imposition of a Direct Development Control Provision.

At present, there are seven existing DC1 areas in Edmonton that address historic resources, outlining guidelines to ensure new development is compatible with existing heritage structures (Garneau, Historic West Ritchie, Oliver, Strathcona Historic Commercial, Viewpoint, Church Street and Westmount). Special area zoning also exists for the 104 Street corridor in the Downtown (identified as the Heritage Area Zone). There are other heritage character areas that have been identified through neighbourhood-level historic resources inventory projects that the City has completed, but no special area zoning has been developed for these areas (portions of the Calder, Glenora, Highlands, McCauley-Alberta Avenue and Westmount-Inglewood areas).

Variances to regulations contained in a DC1 Provision cannot be granted by the Development Officer nor the Subdivision and Development Appeal Board. Depending on the extent of the regulations in a DC1 Provision, this may limit the amount of flexibility to respond to the context of an individual site.

As with the other options, the creation of a DC1 for a heritage character area would not prevent the demolition of a heritage home or other historic structure without the designation of the building (with or without the owner's consent). Property owners could also apply to rezone their property to no longer be subject to the DC1 zone.

Option 2: Designate Buildings as Municipal Historic Resources

The *Historical Resources Act* does allow the City to designate a building without the consent of the owner (thus preventing demolition), but requires compensation be provided to the owner if it is determined that the designation reduces the economic value of the building or site. When faced with a proposed demolition of a building on the Inventory, Administration could prepare a Notice of Intention to Designate report package that outlines the expected compensation amount to the owner, and allow City Council to consider the designation. The compensation amount would either be negotiated between the City and the owner, or determined by the Alberta Land Compensation Board. In this scenario, the owner would continue to own the building after compensation was provided by the City, but would be expected to undertake required rehabilitation.

Administration can also continue to explore whether a municipal purpose exists to support full expropriation by the City of a building listed on the Inventory. In this scenario, the City would assume ownership of the historic

resource after compensation of the property's market value was provided to the owner.

Option 3: Continue lobbying the Province

The compensation requirement that is included in the *Historical Resources Act* continues to be the main impediment to a municipality to designate a Municipal Historic Resource without the owner's consent. Changes to the Act or additional powers provided to the City (e.g. through the City Charter structure) could allow the City to designate buildings, structures or land without consent, and without the requirement for compensation. Alberta is one of the few jurisdictions in Canada that requires compensation to be provided at the municipal level for historic designations. In other jurisdictions, municipalities can designate historic resources without the owner's consent, and without compensation, providing the opportunity for additional tools to preserve buildings. Alberta Culture and Tourism has recently indicated its support for outlining opportunities for the City and Province to work together to support heritage preservation. This ongoing collaboration may present opportunities for addressing the compensation requirement through an amendment to the Act.

Option 4: Provide guidance through governing plans

The Way We Grow, Edmonton's Municipal Development Plan, currently contains high-level policy statements regarding the conservation and preservation of significant structures, buildings and districts. As Administration is now developing a new Municipal Development Plan, an opportunity exists to include more specific policy direction regarding the retention of heritage homes (and other structures) listed on the Inventory. This could provide more direct policy support should City Council or Administration choose to pursue the formal protection of a listed heritage home without the owner's support. Such policy direction could also speak to the subdivision of parcels of land with buildings on the Inventory, and could provide direction to the Subdivision Authority.

Many neighbourhoods that have a concentration of historic resources have had Area Redevelopment Plans (ARPs) prepared at some point in the past, although certainly not all. In those cases where an ARP has been prepared, the plan often provides some level of policy support to historic preservation, and in some specific instances, provides Direct Control Provision zoning for special heritage character areas (as outlined in Option 1 above). ARPs could be amended to provide more specific policy on historic preservation, in alignment with potential direction from the new Municipal Development Plan. Where no ARP exists, policy direction from the Municipal Development Plan would be taken.

Another suggestion could be to establish a stand-alone City Policy or Directive that formalizes the City's commitment to the retention of heritage homes listed on the Inventory, and outlines the procedure Administration would follow to ensure as many options as possible are created to encourage owners to retain these assets prior to initiating any process related to their demolition. The existing City Policy C450B: Policy to Encourage the Designation and Rehabilitation of Municipal Historic Resources in Edmonton, only focuses on the process of how to designate any heritage structure, and does not provide any broader direction on the City's objectives to retain heritage homes or other structures. Some of this direction is established in the current Historic Resource Management Plan.

Potential Option

Develop special heritage character area overlay

This option could create a new Overlay in Zoning Bylaw 12800 to apply to properties within the potential Heritage Conservation Areas in Glenora.

An Overlay could address certain elements related to development, such as minimum parcel width, setbacks and contextual design requirements for new buildings. Addressing minimum parcel widths could achieve the objective of pausing some demolitions of historic resources, by reducing the redevelopment opportunity to a point where there is a better chance of retaining an historic resource.

An Overlay would provide flexibility and some interpretation on a site-by-site basis of the applicable regulations, as compared to a DC1 Provision. However, variances can be granted at the development permit stage for regulations in the Overlay, which may reduce the level of certainty for property owners. As with the DC1 Provision option, an Overlay could not prevent the demolition of historic resources outright. Overlays are also used to apply land use regulation to new development, and would have limited utility to maintain existing structures.