

# Bylaw 19581 - To Designate the Nye Residence as a Municipal Historic Resource

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## Recommendation

That Executive Committee recommend to City Council:

That Bylaw 19581 be given the appropriate readings.

## Purpose

To designate the Nye Residence as a Municipal Historic Resource pursuant to the provisions of the *Historical Resources Act*, RSA 2000, c H-9.

## Readings

Bylaw 19581 is ready for three readings.

A majority vote of City Council on all three readings is required for passage.

If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree “That Bylaw 19581 be considered for third reading.”

## Advertising and Signing

This Bylaw is not required to be advertised and can be signed and, thereby, passed following third reading.

## Position of Administration

Administration supports this Bylaw.

## Report Summary

This Bylaw is to designate the Nye Residence as a Municipal Historic Resource and to allocate financial incentives for its restoration.

## Report

Upon passage of the Bylaw, the Rehabilitation Incentive and Maintenance Agreement (Schedule “C” of Attachment 1) will be approved and come into effect.

The City will pay the owner up to \$56,348.50, pursuant to the terms of the Rehabilitation Incentive and Maintenance Agreement (Schedule “C” of Attachment 1), to encourage the designation and rehabilitation of the Nye Residence as a Municipal Historic Resource, in accordance with City Policy C450B - A Policy to Encourage the Designation and Rehabilitation of Municipal Historic Resources in Edmonton.

The Nye Residence is on the Inventory of Historic Resources in Edmonton and merits designation under City Policy C450B - A Policy to Encourage the Designation and Rehabilitation of Municipal Historic Resources in Edmonton. The Nye Residence is valued for its association with the early development in the Highlands neighbourhood and as one of the earliest examples of craftsman-influenced architectural style.

The owner has completed the application requirements to have the Nye Residence designated as a Municipal Historic Resource under the provisions of City Policy C450B.

The regulated portions of the structure, as outlined in Schedule “A” of Attachment 1, will be restored. Rehabilitation work will meet the Standards and Guidelines for the Conservation of Historic Places in Canada.

On November 26, 2019, City Council passed amendments to the City Administration Bylaw, delegating approval of Notices of Intention to Designate under the *Historical Resources Act* to the City Manager, where the owner consents to the designation of their property. Following this new process, a memorandum regarding the application to designate the Nye Residence as a Municipal Historic Resource was provided by the City Planning Branch to City Council for their information on December 15, 2020. The required Notice of Intention to Designate was subsequently issued to the owners of the building by the City (pursuant to the City Manager’s delegated authority) via registered mail on December 29, 2020.

**Corporate Outcomes and Performance Management**

| <b>Corporate Outcome(s): Edmonton is attractive and compact.</b> |   |                          |  |
|--|---|--------------------------|--|
| <b>Outcome(s)</b>  | <b>Measure(s)</b>                                 | <b>Result(s)</b>         | <b>Target(s)</b>   |
| Unique character and history of the neighborhood is preserved    | Number of designated Municipal Historic Resources | 161 (September 29, 2020) | There is no target for the designation of historical resources |

**Risk Assessment**

| <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> |
|---------------------|--|-------------------|---------------|--|---|-------------------------------------|
| Financial           | Grant provided used for costs that are not related to heritage resource conservation/ rehabilitation | 1 - Rare          | 2 - Moderate  | 2 - Low                                      | <ul style="list-style-type: none"> <li>- Administration reviews detailed work estimated from third party contractors for qualifying rehabilitation work</li> <li>- Funds are not disbursed until rehabilitation work is complete</li> </ul> |                                     |

**Public Engagement**

Public engagement is not required for this process under the Historical Resources Act. Administration has engaged with the owners of the property throughout the designation process.

**Budget/Financial Implications**

Upon completion of the project phases, the City will pay the owner up to \$56,348.50 for rehabilitation from the Heritage Resources Reserve. The current Reserve balance is sufficient to cover committed funding, including the Nye Residence.

The total estimated cost of the restoration portion of the project is \$112,697. Beyond the \$56,348.50 grant from the Heritage Resources Reserve, the owner is responsible for all costs associated with the restoration portion of the project.

The projections for the Reserve (using current commitments) anticipate a Reserve balance of \$2,015,360.26 at the end of 2021. Administration is considering a number of potential heritage designations for use of these funds, which will be brought forward for Council approval as required. Based on the current commitments, the Reserve balance is anticipated to decline to a balance of \$713,697.22 at the end of 2022. The Reserve is funded by the tax levy on an annual basis (\$2.3 million in 2021 including \$418,000 specifically for the Edmonton Brewing and Malting Company Ltd).

### **Legal Implications**

In consideration of the incentive payable for the rehabilitation of the Historic Resource (as described in Schedule “C” of Attachment 1), the Owner has waived the right to compensation under the *Historical Resources Act*.

### **Attachments**

1. Bylaw 19581 - To Designate the Nye Residence as a Municipal Historic Resource
2. Location Map of the Nye Residence
3. Photographs of the Nye Residence
4. Heritage Officer’s Statement of Significance
5. Description of City-Funded Work for the Nye Residence
6. December 15, 2020, Memorandum to City Council re: Notice of Intention to Designate the Nye Residence as a Municipal Historic Resource

### **Others Reviewing this Report**

- M. Persson, Chief Financial Officer and Deputy City Manager, Financial and Corporate Services
- C. Owen, Deputy City Manager, Communications and Engagement
- K. Fallis-Howell, Acting City Solicitor