

**Refers Item #4**  
**Public Hearing of February 23, 2016**

February 17, 2016

## MEMORANDUM

TO: Mayor and Council

CC: Sadhu Johnston, Acting City Manager  
Paul Mochrie, Acting Deputy City Manager  
Janice MacKenzie, City Clerk  
Lynda Graves, Manager, Administration Services, City Manager's Office  
Rena Kendall-Craden, Director, Communications  
Mike Magee, Chief of Staff, Mayor's Office  
Kevin Quinlan, Deputy Chief of Staff, Mayor's Office  
Catherine Kinahan, Solicitor, Legal Services  
Grant Murray, Solicitor, Legal Services  
Anita Molaro, Assistant Director of Planning, Urban Design  
Marco D'Agostini, Senior Heritage Planner

FROM: Jane Pickering, Acting General Manager of Planning and Development Services

SUBJECT: First Shaughnessy Heritage Conservation Area Amendments

- A. The proposed wording of Section 1.12 of the First Shaughnessy Heritage Conservation Area General Guidelines has been revised to clarify that removal from the list of protected heritage property is a legislative act that must be done by Council. The proposed revisions are as follows:

### 1.12 REMOVAL FROM PROTECTED HERITAGE PROPERTY LIST

#### 1.12.1 Application for removal

*An owner of protected heritage property may apply to Council requesting that the property be removed from Appendix A4.*

~~An owner who wishes to remove protected heritage property from Appendix A, must apply to the Director of Planning and must:~~

~~(a) submit an assessment of the heritage character and heritage value of the buildings, structures, land or features in a form satisfactory to the Director of Planning, if requested to do so by the Director of Planning; and~~

~~(b) submit such other plans and documentation as may be requested by the Director of Planning.~~

### 1.12.2 Heritage Inspection

*If an application is made to Council in accordance with Section 1.12.1, the* ~~The~~ Director of Planning may order a heritage inspection pursuant to the Heritage Procedure By-law in order to determine whether or not the protected heritage property has sufficient heritage character or value to justify its conservation.

B. Accordingly the Bulletin entitled “Procedure for Review of Protected Heritage Property Status in the First Shaughnessy Heritage Conservation Area” (Appendix F) will also be revised to indicate removal of properties from the protected heritage property list requires Council approval at a Public Hearing. The proposed revisions are as follows:

#### Step 4 - City Council Decision

##### *For Demolition*

7. If the Director of Planning supports the demolition *of the building* ~~or removal of the property from the list~~ (Decision B above), staff will prepare a report to Council with this recommendation and request that Council refer the matter to a Public Hearing for discussion and decision.

8. If the Director of Planning does not support the demolition *of the building* ~~or removal of a property from the list~~ (Decision A above) and the property owner disagrees with this decision, the property owner can pursue reconsideration by Council in accordance with Part 6 of the Heritage Procedure by-law. Typically, this will require them to make a development permit application to demolish the protected heritage property and build a new home on the site. This development permit application will be refused by the Director of Planning, thus enabling the applicant to request a reconsideration by City Council, in accordance with section 6.1 (a) of the Heritage Procedure By-law.

##### *For Removal*

9. *For applications to be removed from the schedule of protected heritage properties (Appendix A4), staff will prepare a report to Council and request that Council refer the matter to a Public Hearing for discussion and decision.*

#### C. Other Housekeeping Amendments

Two other housekeeping amendments to the design guidelines to correct factual errors are proposed as follows:

2.2 Streetscape

- In the second paragraph, it should say “First Shaughnessy, planned by Montreal *landscape* architect Frederick Todd”

3.6 Architectural Design

- caption under photo should say “1098 Wolfe Avenue Street”



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JP/md