

# J M GARTLY DESIGN STUDIO INC.

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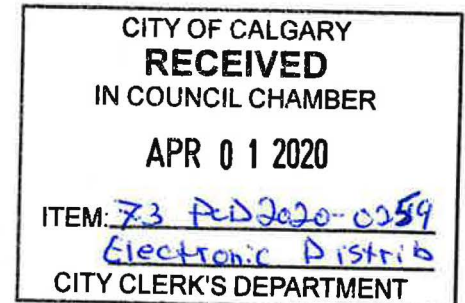
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March 26, 2020

To: City of Calgary SPC on Policy and Urban Development (PUD)

Re: **Heritage Conservation Tools and Incentives Report  
Comments and Recommendations for April 1, 2020 PUD Meeting**

Dear Members of PUD,



Thank you for the opportunity to submit comments and recommendations in regard to the Heritage Conservation Tools and Incentives Report going before PUD on April 1, 2020.

As the Principal and Heritage Conservation Consultant of J M Gartly Design Studio, Inc., I, Jeanie Gartly, am submitting my comments and recommendations as a key stakeholder who volunteered my time and input as a part of the Guidebook for Great Communities and, the later separated out, Heritage Conservation Tools and Incentives program, as well as a heritage conservation and heritage planning consultant.

In January 2018 I was invited, along with other heritage professionals and heritage community representatives, to be a key stakeholder for the Guidebook for Great Communities. Although I am also a professional urban designer and planner, I have been working solely as a heritage conservation consultant for the past three years and for that reason my input was focused on the heritage components of the City's Guidebook engagement process and now the Heritage Conservation Tools and Incentives Report.

The current Heritage Conservation Tools and Incentives Report before PUD is not comprehensive and it is incomplete to genuinely address identifying, protecting and managing Calgary's heritage resources. Therefore, this letter provides recommendations, to consider, that would address bringing forward a comprehensive and complete Heritage Conservation Tools and Incentives Report for PUD's review. Supporting background comments in regard to the recommendations are also provided below.

## **RECOMMENDATIONS FOR THE HERITAGE CONSERVATION TOOLS AND INCENTIVES REPORT**

1. Direct Administration to revise the Heritage Conservation Tools and Incentives Project Scope to include: "heritage conservation area" policy and regulation tools; Main Streets, commercial and industrial areas as a part of the "heritage conservation area" policy and regulation tools; and additional financial incentives including, but not limited to, density transfer bonusing.
2. Direct Administration to revise the heritage definitions (including the definition of a Heritage Asset which was based on the Windshield Criteria) in the Guidebook for Great Communities and include these definitions in the Heritage Conservation Tools and Incentives Report. Heritage definitions should be established for consistent usage within all City policy documents and amended as a part of Calgary's Heritage Strategy, 2008 and Municipal Development Plan (MDP).
3. The above noted recommendations shall be included in the proposed Heritage Conservation Tools and Incentives package to be brought back to PUD for a recommendation to Council later this year.

*Note: For the purposes of comments within this letter a "Heritage Conservation Area" definition includes the following components: "a distinct geographic area that has within its boundaries a concentration of heritage resources that have special heritage value and character-defining elements and may include built-form,*

*structures, streets, landscapes, vistas, views and other physical elements that are linked by architectural style, historical development, similar use, and/or a past event.*

## **SUPPORTING BACKGROUND COMMENTS**

### **“Heritage Conservation Area” Policy and Regulation Tools**

For many years, the City has been missing key heritage policy, regulations and financial incentives to achieve important components of conserving heritage resources within Calgary and our communities. The two critical missing items to identify, protect and manage the heritage resources are policy and regulatory tools for “heritage conservation areas” and financial incentives. The Heritage Conservation Tools and Incentive Report does not include any policy or regulations for “heritage conservation areas” and does not include a robust financial incentives program.

The proposed “unique local approach” to heritage areas through “layers” that only apply to private property is not a policy tool for “heritage conservation areas” which are defined to include the cultural landscape, public realm, architectural context and styles and other artifacts or features that have heritage value and character-defining elements. At a minimum, a report on Heritage Conservation Tools and Incentives needs to include policy that would provide the regulatory tools and financial incentives for residents and communities to be able to achieve “heritage conservation areas”. This is especially critical to have in place prior to, or at minimum, as a part of future community planning visions and policy work. The proposed policy tools for “heritage conservation areas” remain to be a significant incomplete piece of work within this Report, the Guidebook for Great Communities, and Local Area Plan projects.

There are several ways that cities are achieving “heritage conservation area” designations and, as a stakeholder, I had expected that the work on the Guidebook this past year would have included comprehensive analysis, review and recommendations to achieve “heritage conservation areas” within Calgary’s policy and bylaw structure and the *Historical Resources Act*. Per the Alberta Culture (Municipal Heritage Partnership Program) and Canada’s Historic Places, *Managing Historic Places, Protection and Stewardship of Your Local Heritage* document,

*“The *Historical Resources Act* also provides for designating historic areas when the heritage significance of an area lies in the area’s overall character rather than its constituent buildings or other features. That is, the elements of the area are collectively significant. They contribute to the character of the area even though individually they may not be of sufficient significance to merit designation”.*

*“Section 27 of the Act enables municipal councils to pass bylaws that designate Municipal Historic Areas in the municipality to preserve the historic character of these areas in the public interest. The designation bylaw can prohibit or control the use and development of land as well as the demolition, removal, construction or reconstruction of buildings in the Municipal Historic Area. It becomes part of the municipality’s land use bylaws (as provided under Part 17 of the *Municipal Government Act*) or functions as such even in the (unlikely) event that the municipality has no established land use policies for the area in question. In practice, however, because all owners in the proposed area must consent to the designation, municipalities have chosen to protect municipal historic districts indirectly; that is, by designating individual properties as Municipal Historic Resources” (page 28).*

In the past it has been a challenge to achieve municipal heritage areas in Alberta so many municipalities have focused on individual property designation however, there are many examples in municipalities in Canada and the United States that have achieved them within their legislative framework and more have now in Alberta through a combination of legislation in the *Historical Resources Act* and the *Municipal Government Act*. Currently, there are two designated Provincial Historic Areas which are Fort Macleod and Old Strathcona (Edmonton). Other designated Municipal Historic Areas in Alberta include First Street South Municipal Historic Area Designation Bylaw in Medicine Hat, Westmount Architectural Heritage Area (DC-1) and current work on the Glenora Heritage Character Area (DC-1) in Edmonton and Okotoks has chosen a heritage district overlay in the form of a Heritage Mixed Use District (HMU) within their Land Use Bylaw. There are several opportunities to establish heritage policy and regulations that would protect Calgary’s identified “heritage conservation areas”.

“Heritage Conservation Areas” need to be comprehensive such that policy and regulations are established to apply to all areas of the city including, but not limited to: Main Streets, commercial areas, industrial heritage

areas, and residential areas. To leave these areas out of "heritage conservation area" policy consideration results in a fragmented approach and does not provide complete heritage conservation area policy and regulations that would consistently address protecting our heritage resources across the city. A year ago, I understood the Guidebook for Great Communities was looking to achieve consistency in policy for developed areas therefore, special area policy for "heritage conservation areas" to be included. It is also important that the criteria for the Windshield Survey be expanded if it's being used for the basis of identifying heritage areas within the city. Similarly, revised and consistent heritage policy definitions are required to ensure that there is an alignment of understanding and usage of heritage in city planning policy. All of these missing components to the Heritage Conservation Tools and Incentives should be included and considered if the recommendations of the Report are to be of value, and consistent with all communities, towards identifying, protecting and managing our heritage resources especially in the context of "heritage conservation areas".

### **Expanded Financial Incentives**

It would appear that the scope of financial incentives in the report is not robust and comprehensive enough. This comment was made through the Guidebook for Great Communities including that more work was needed in regard to financial incentives such as density transfer incentives, among others, that could be considered by Council to further the protection of Calgary's heritage resources. This aspect remains to not be complete and it is recommended that further work be included in the Report.

### **Heritage Conservation Tools and Incentives Engagement**

When asked to commit my time and input to the Developed Areas Guidebook through 2018, I was encouraged that the City brought together a mix of heritage professionals, heritage community representatives, heritage organizations and the development industry on February 15, 2018 prior to the broader stakeholder group on the DAG (at that time its name) on Wednesday, February 20, 2018. The focus of the "Developed Areas Guidebook Workshop on Heritage Conservation Policies" was to address a long-time and significant missing policy direction for "heritage areas" or "heritage conservation areas" within Calgary's management of its heritage. I, along with other heritage stakeholders, engaged and shared our input with the understanding that the Guidebook would include heritage policies and a special area policy for "heritage conservation areas".

At that time, and understanding that the Guidebook would be implemented only as a part of the Local Area Plan (LAP) process, all of my input related to how "heritage conservation area" policies were needed sooner rather than later and how the concern of waiting to address it at the Local Area Plan level would result in the loss of potential heritage areas within the city. The consistent insight provided through the process by heritage stakeholders is that the City is behind in providing heritage policy and should be addressed as a city-wide heritage project rather than left to each LAP. This has been the concern for several decades as heritage policies became inconsistent throughout the city as they were addressed individually in Area Redevelopment Plans resulting in various forms of heritage policies, bylaws, and density transfer bonusing incentives that have had a mix of results.

This feedback was provided through the initial Guidebook engagement process trusting that it would be translated into the Draft Guidebook provided to the stakeholders in June 2018. The *Draft* Guidebook included a special policy area for heritage areas that would be achieved through future LAP processes. Although still not ideal in the Guidebook as it would only be implemented with each LAP, it was a least heritage area policy that has been missing from the Calgary Heritage Strategy all these years. Regardless, I did provide detailed feedback and questions on the proposed special policy area for heritage areas to support its inclusion in the Guidebook. Assuming this would be a part of the Guidebook, it was most surprising to me and other heritage stakeholders when we received a note in August 2019 that the Guidebook would be shared with the public in September however, the heritage policies would be removed from the Guidebook and instead we would be further engaged on a separate Heritage Conservation Tools and Incentives project in October 2018.

A stakeholder session on October 29, 2019 provided that planning would be looking at heritage tools and incentives to take as a separate report to PUD for April 2020. At the presentation on January 29, 2020, a heritage tools and incentives package was shared that left out "heritage conservation areas" policy that heritage stakeholders understood would be a key component of the Guidebook at that first session back in February 2018. It has appeared that the heritage area feedback and draft policies were not translated and furthered in the presented materials to stakeholders in January 2020 rather a new heritage tools and incentives package was prepared which did not allow time to provide feedback for the heritage planning team to consider and include in

the Report. It was presented at that time as information of what would be going forward to PUD. As someone who spent the past year genuinely engaging with input and volunteer time to participate in sessions, review the Draft Guidebook and write out comments, it is disappointing to be crafting a letter of comments and recommendations for PUD that should have been worked on, addressed and included in the Report now before PUD.

### Closing Thoughts

Achieving “heritage conservation areas” within a city is a piece of work that requires leadership, heritage understanding, and the will of Council to want to achieve as a means of genuinely protecting the heritage values and character-defining elements that make each of Calgary’s communities unique.

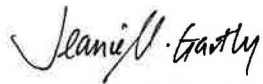
***“In short people love old buildings. They love their character, their history, and the sense of connection they provide – put simply, that power of place. “Place is more than a spot on the map, “urban scholar Ed McMahon has said. “Place is what makes your hometown different from my hometown. . . . In the Old Economy, markets mattered. In the New Economy, place matters most. . . . In a world where capital is footloose, if you can’t differentiate [your city] from any other place, you will have no competitive advantage. The same is true of a project, or a community or a building.”***

*(Stephanie Meeks, “The Past and Future City”)*

In summary, there is still the opportunity to bring forward a comprehensive and complete set of heritage conservation tools and incentives through consideration of the above noted recommendations as a part of PUD’s review and discussion on the Heritage Conservation Tools and Incentives Report.

Thank you again for the opportunity to provide feedback for consideration at the PUD meeting on Wednesday, April 1, 2020. Please don’t hesitate to call me at 403-952-5787 if you have any questions on the recommendations and comments provided.

Warm regards,



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