

A BYLAW TO REPEAL BYLAW 3M2008

EXECUTIVE SUMMARY

On 2014 December 15 Council voted to repeal Bylaw 3M2008 which designated the St. Louis Hotel and property as a Municipal Historic Resource and passed Bylaw 77M2014 re-designating the newly subdivided St. Louis Hotel property as a Municipal Historic Resource. The new designation bylaw reflected a subdivision of the property that released vacant lands, which were formerly part of the designated St. Louis Hotel property, from the municipal historic resource re-designation.

However, the Alberta Land Titles office requires a 'Repealing Bylaw' (see Attachment 1) to discharge Bylaw 3M2008 and to register the new Municipal Historic Resource designation bylaw (77M2014).

ADMINISTRATION RECOMMENDATION(S)

That the SPC on Planning and Urban Development recommends that Council:

1. Give three readings to the proposed attached bylaw.

RECOMMENDATION OF THE REGULAR MEETING OF THE SPC ON PLANNING AND URBAN DEVELOPMENT, DATED 2015 FEBRUARY 11:

That Council give three readings to proposed **Bylaw 13M2015** to repeal Bylaw 3M2008 (Attachment 1)

PREVIOUS COUNCIL DIRECTION / POLICY

2014 December 15 Council voted to repeal Bylaw 3M2008 which designated the St. Louis Hotel property as a Municipal Historic Resource, and approved Bylaw 77M2014 which re-designated the St. Louis Hotel as a Municipal Historic Resource. Bylaw 77M2014 reflected a subdivision of the property and released vacant lands from the designation which were included in the 2008 heritage designation of the property.

2007 July 23 Council adopted the recommendations in LAS2007-98 which authorized the proposed sale of the St. Louis Hotel subject to its designation as a Municipal Historic Resource.

BACKGROUND

The St. Louis Hotel (430 - 8 Av. SE; short legal description of 1412692; 54; 43) is listed as having "City-wide" significance on Calgary's Inventory of Evaluated Historic Resources.

In 2008 the St. Louis Hotel property was designated as a Municipal Historic Resource under Section 26 of the Alberta Historical Resources Act. The property, as designated, included four lots with the St. Louis Hotel building occupying only two of those lots.

In 2014 the St. Louis Hotel property was subdivided to allow those portions of the property not containing the St. Louis Hotel building to be sold and developed.

A BYLAW TO REPEAL BYLAW 3M2008

The Calgary Municipal Land Corporation (CMLC), owner of the St. Louis Hotel building and those lands contained in the 2008 designation bylaw requested that the Municipal Historic Resource designation be removed from those lands not containing the St. Louis Hotel building. CMLC requested the designation be removed from the vacant lands so that a future sale of the vacant lands would not be encumbered by the 2008 designation.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

While Council voted to repeal Bylaw 3M2008, this action was not done through a repealing bylaw, which is the formal step required by the Land Titles office. Bylaw 3M2008 must be discharged from the lands designated as a municipal historic resource in 2008 to allow registration at the Land Titles office of the new re-designation Bylaw (77M2014) for the St Louis Hotel and to remove the encumbrance from the vacant lands that were formerly part of the 2008 designation.

Not approving the proposed attached bylaw that allows a discharge of Bylaw 3M2008 from title of the lands designated in 2008 will negatively impact the sale of the vacant lands formerly comprising the St Louis Hotel property due to the encumbrance on the land title of Bylaw 3M2008, and will preclude The City from registering the new re-designation bylaw (77M2014).

Stakeholder Engagement, Research and Communication

CMLC, the owners of the St. Louis Hotel, are in agreement with the proposed attached Bylaw.

Strategic Alignment

N/A

Social, Environmental, Economic (External)

N/A

Financial Capacity

Current and Future Operating Budget:

The proposed bylaw will have no operating budget implications for The City of Calgary.

Current and Future Capital Budget:

The proposed bylaw will have no capital budget implications for The City of Calgary.

Risk Assessment

No risks have been identified in the proposed bylaw.

REASON(S) FOR RECOMMENDATION(S):

The Alberta Land Titles office requires that the proposed attached bylaw be passed to discharge Bylaw 3M2008 and to register Bylaw 77M2014.

ATTACHMENT

PROPOSED BYLAW 13M2015