

## Update of Approving Authority for Changes to Municipal Historic Resources

### EXECUTIVE SUMMARY

This report seeks an update to the approving authority appointed by Council for changes to sites designated as Municipal Historic Resources under Section 26(6) and 26(7) of the *Historical Resources Act*. The update is proposed in response to the restructuring of the position to which authority was previously delegated. To reduce the need for further updates of this kind, Administration is seeking the City Manager be appointed as the new approving authority, with the powers and intention of sub-delegating this role as appropriate.

#### **ADMINISTRATION RECOMMENDATION:**

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

1. Revoke all previous delegations of power authorizing certain individuals under subsection (6) and (7) of section 26 of the *Historical Resources Act*, and
2. Appoint the City Manager, or the individual authorized to act in the City Manager's absence, as the approving authority for matters outlined in subsections (6) and (7) of section 26 of the *Historical Resources Act*, with the powers and functions described and the authority to further delegate as the City Manager determines appropriate.

#### **RECOMMENDATION OF THE SPC ON PLANNING AND URBAN DEVELOPMENT, DATED 2018 JANUARY 15:**

That the Administration Recommendations contained in Report PUD2018-0049 be approved.

### PREVIOUS COUNCIL DIRECTION / POLICY

2017 January, a reorganization in Planning and Development resulted in the position of Coordinator of Urban Design & Heritage ceasing to exist.

2015 July 27 Council approved PUD2015-0546 and changed the Council-appointed approving authority for alterations to properties designated as Municipal Historic Resources to the position of Coordinator of Urban Design & Heritage, or to the individual authorized to act in that individual's absence.

2004 July 04 Council approved LPT2004-54 and appointed the subsequent individual in the position of Heritage Planner as the Council-delegated approving authority for matters outlined in subsections (6) and (7) of Section 26 of the *Historical Resources Act*; those subsections address the approval of changes to properties designated as Municipal Historic Resources.

1996 February 26 Council approved OE 96-12 and appointed the individual in the position of Heritage Planner, as the Council-delegated approving authority for matters outlined in subsections (6) and (7) of Section 26 of the *Historical Resources Act*.

### BACKGROUND

The Alberta *Historical Resources Act* legislates conditions in which the council of a municipality may by bylaw designate historic resources, as part of the fulfillment of the Minister of Culture

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and Tourism's responsibilities to "...the preservation, the study and interpretation, and the promotion of appreciation of Alberta's historic resources".

Designation by a council as a Municipal Historic Resource ensures that "Notwithstanding any other Act, no person shall destroy, disturb, alter, restore or repair an historic resource that has been designated under this section...without the written approval of the council or a person appointed by the council for that purpose". (*Alberta Historical Resources Act*, Section 26 (6)).

In Calgary, City Council has appointed this authority to a (sequential) series of different positions: Prior to 1996, the Director of the Planning and Building Department was the appointed delegate, then two following individuals in the position of Heritage Planner (OE 96-12; LPT2004-54), and finally, the position of Coordinator of Urban Design & Heritage (PUD2015-0546).

With the exception of OE 96-12, these appointment changes have taken place to reflect the different persons and position titles in Planning & Development as staff succession and organizational restructuring has taken place. That situation is presented again with the 2017 January reorganization of Planning & Development, and the restructuring of the position of Coordinator of Urban Design & Heritage. This report addresses the need for the approving authority named in the *Alberta Historical Resources Act* to be updated reflecting the current management structure of Administration.

Acknowledging that the evolving needs of The City may result in future administrative restructuring, this report recommends rather than transferring authority directly to the current Coordinator responsible for Heritage Planning (Coordinator of City Wide Policy), that Council's authority on matters concerning subsection (6) and (7) of Section 26 of the *Alberta Historical Resources Act* be appointed to the position of City Manager. The intention is not to have the City Manager fulfill these responsibilities, but instead delegate this authority internally to the appropriate position responsible for Heritage Planning (at present, Manager of City Policy & Planning Services). In this way, subsequent changes to Administrative structure will not require amendment at Council to update the approving authority for the described matters of the *Historical Resources Act*.

This appointment is proposed as a time and resource-saving method of managing further change in accordance with the framework of the *Alberta Historical Resources Act*, and is done in consultation with the City Manager's office. As indicated above, the process of approving changes to Municipal Historic Resources would continue to reside with Heritage Planning and its associated management. The position of City Manager is proposed as the formal appointment in these matters, as that position is not anticipated to change with the same frequency as other leadership positions within Administration.

### **INVESTIGATION: ALTERNATIVES AND ANALYSIS**

Prior appointments by Council to the approving role described in Section 26(6) of the *Alberta Historical Resources Act* have been at the level of Heritage Planner, or the Coordinator responsible for Heritage Planning. While the restructuring of the position currently appointed in these matters (Coordinator of Urban Design & Heritage) requires a new appointment by Council, alternatives to the proposed recommendation could include the position of Lead

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Heritage Planner, or the Coordinator currently responsible for Heritage Planning (Coordinator of City Wide Policy).

These alternatives are not recommended by Administration, due to the observed frequency at which prior roles or role titles experienced change, requiring a new report be brought before Committee and City Council. The Council-approved PUD2015-0546 intended a similar resource-saving change to what is recommended in this report, but did not anticipate the 2017 January separation of the Urban Design & Heritage division, stating:

“Rather than appointing a particular person by name as the Council-appointed approving authority for changes to properties designated as Municipal Historic Resources, the position of Coordinator of Urban Design & Heritage, or to the individual authorized to act in that individual’s absence, should be appointed to avoid having to return to Council in the future” (PUD2015-0546).

### **Stakeholder Engagement, Research and Communication**

N/A

### **Strategic Alignment**

N/A

### **Social, Environmental, Economic (External)**

N/A

### **Financial Capacity**

#### ***Current and Future Operating Budget:***

None

#### ***Current and Future Capital Budget:***

None

### **Risk Assessment**

No risks have been identified in appointing the person in the position of City Manager as the Council-appointed approving authority for changes to sites designated as Municipal Historic Resources.

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**REASON(S) FOR RECOMMENDATION(S):**

The Council-appointed position as the approving authority for changes to Municipal Historic Resources has been eliminated, and a Council-appointed approving authority for changes to Municipal Historic Resources under Section 26(6) and (7) of the *Historical Resources Act* must now be appointed.

Appointing the position of City Manager to the described role, and internally delegating this authority to the Manager of City Policy & Planning Services anticipates future change, and reduces the required frequency in returning to City Council for this administrative matter.

**ATTACHMENT(S)**

None