

PROPOSED

PUD2021-0100
ATTACHMENT 3

BYLAW NUMBER 1M2021

BEING A BYLAW OF THE CITY OF CALGARY TO DESIGNATE THE JOHNSTON RESIDENCE AS A MUNICIPAL HISTORIC RESOURCE

WHEREAS the *Historical Resources Act*, R.S.A. 2000 c. H-9, as amended (the “Act”) permits The City of Calgary Council (“City Council”) to designate any historic resource within the municipality whose preservation City Council considers to be in the public interest together with any specified land in or on which it is located, as a Municipal Historic Resource;

AND WHEREAS the owners of the Johnston Residence have been given sixty (60) days written notice of the intention to pass this Bylaw in accordance with the Act;

**NOW THEREFORE THE COUNCIL OF THE CITY OF CALGARY ENACTS AS
FOLLOWS:**

SHORT TITLE

1. This Bylaw may be cited as “City of Calgary Bylaw to Designate the Johnston Residence as a Municipal Historic Resource”.

BUILDING AND LAND DESIGNATED AS A MUNICIPAL HISTORIC RESOURCE

2. The building known as Johnston Residence, located at 1723 13 AV S.W., and the land on which the building is located being legally described as PLAN 5380V BLOCK 219 LOT 9 AND THE WEST HALF OF LOT 10, as shown in the attached Schedule “A”, are hereby designated as a Municipal Historic Resource.
3. The specific elements of the Historic Resource possessing heritage value are hereafter referred to as the Regulated Portions (the “Regulated Portions”). The Regulated Portions are identified in the attached Schedule “B”.

PERMITTED REPAIRS AND REHABILITATION

4. a) The Regulated Portions of the Historic Resource, as described or identified in Schedule “B” shall not be removed, destroyed, disturbed, altered, rehabilitated, repaired or otherwise permanently changed, other than for routine preservation and maintenance work, without prior written approval from City Council, or the person appointed by City Council as the Approving Authority for the purposes of administration of Section 26 of the Act. Any alteration, rehabilitation, repair or change to the Regulated Portions must be in accordance with the terms of the Parks Canada 2010 publication Standards and Guidelines for the Conservation of Historic Places in Canada, (the “Standards and Guidelines”), as referenced and summarized in the attached Schedule “C”.
- b) All portions of the Historic Resource, which are not described or identified as a Regulated Portion in Schedule “B” are hereby known as the Non-regulated Portions (the “Non-regulated Portions”). The Non-regulated Portions are not subject to the *Standards and Guidelines* and may be rehabilitated, altered or repaired, provided that such rehabilitation,

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alteration, and repair does not negatively impact the Regulated Portions or adversely affect the historical, contextual or landmark character of the property, and that all other permits required to do such work have been obtained.

COMPENSATION

5. No compensation pursuant to Section 28 of the *Act* is owing.

EXECUTION OF DOCUMENTS

6. Any employees of The City of Calgary who exercise land use and heritage planning powers and duties are hereby authorized to execute such documents as may be necessary to give effect to this Bylaw.

SCHEDULES

7. The schedules to this Bylaw form a part of it.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

8. This Bylaw comes into force on the day it was passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

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SCHEDULE "A"



1723 13 AV SW



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SCHEDULE "B"

Description

The 1912 Johnston Residence is a substantial one and one-half-storey, wooden-frame Craftsman-style home with bevelled-wood siding on the lower level and wooden shingles on the veranda and upper level. The side-gabled roof overhangs a full-width front veranda with tapered piers and twinned tapered posts as well as an offset front entry with sidelights. The house features a decorative roofline with large cross-gabled dormers, exposed rafter tails, corner brackets and stickwork detailing. It is located on 13th Avenue on a quiet residential street with tree-lined boulevards, landscaped setbacks with mature plantings, and many homes of the same period. The home is situated in the early southwest inner city community of Sunalta, in close proximity to the boundary with Scarborough and a few blocks south of the Bow River.

Heritage Value

As a mid-scale home constructed in the Sunalta subdivision shortly after it was established, the Johnston Residence is symbolic of this early middle class neighbourhood. Sunalta was one of three CPR subdivisions in Calgary designed by landscape architect John Olmsted, who from 1898 headed the firm established by his father Frederick Law Olmsted. He was engaged in 1909 by the CPR's Assistant Land Commissioner and chief surveyor J. Lonsdale Doupe. Sunalta was to be marketed to the middle class with a *garden city* design on the hillside, today's Scarborough, and a lower grid-iron plan that transitioned to the existing layout of the city, today's Sunalta.

In 1912, at the height of the boom, hundreds queued overnight in the rain to purchase lots in Sunalta even though prices had doubled from 1909. That year Raleigh P Hickie, a US-born building contractor and Alberta farmer, who came to Calgary in 1910, acquired a 37.5 foot lot a short distance from where 13 AV terminates at the boundary with Scarborough, just north of the Sunalta recreation ground and tennis club. Hickie, who built many Sunalta houses, constructed an 8-room dwelling and was living there by August.

The Johnston Residence is valued as a substantial and very well-preserved side-gabled variation of a Craftsman-style home in Sunalta. Elements of the home's Craftsman stylistic detailing are its one and one-half-storey form with side-gable roof that deeply overhangs a full-width front veranda with tapered piers and twinned tapered posts. A feature of the side-gabled variation is the sleeping porch, which could also be placed on the front façade. Decorative wooden elements like centred gable dormers, exposed rafter tails, corner brackets, verge boards and stickwork in the gables show the home's craftsmanship, and draw the eye to the roofline. In addition, the home shows English Arts & Crafts influences like the steep roof pitch, and use of materials with contrasting textures such as the smooth bevelled-wood siding on the lower level and the wooden shingles on the veranda and upper level. The high quality craftsmanship extends to the interior with extensive built-in cabinetry.

By late 1913 the new resident owners, Frederick Johnston (Fred, b.1878), his wife Bertha (Clarke, b. ca1887) and mother-in-law Hattie, were living in the home. Fred was raised in Manitoba and in 1907 moved to Calgary, established Johnston's Storage & Cartage, and married Ontario-born Bertha. He founded Arctic Ice, three years later and by 1911 his two companies boasted 42 employees, 21 teams of horses, an ice house, four warehouses and multiple stables. He was also a director of the Alberta Horse Breeders Association and an officer of the 1908 Dominion Exhibition. The next long-term residents, by 1919, were farmer George Foster Beatty (1876-1964), his wife Clara (nee Purdue, 1887-1942), and their two pre-school children, Georgina & Lloyd. The couple were born in Ontario; George had come west

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with his family in 1902 to farm in the Stavely area. The couple resided in Calgary from 1917, although they continued to farm in Stavely and in 1918 also began operating a Hereford cattle ranch in Midnapore where they gave financial support to build the Midnapore School (municipal historical resource). George's farming career ended in 1951 with the sale of his Midnapore farm which set a provincial land price record. That year his son, then working as a plasterer, was living in the home.

In 1952 Susie Sterling and husband Edward, a farmer, became the resident owners of the Johnston Residence; a year later they partitioned it into 2 suites, and in 1954 added a basement suite. From 1963 the owners were landman James O'Byrne, and his wife Leona O'Byrne who lived there for a short period. There were a number of long-term renters, the longest being Mrs Aileen Palmer and her children. Aileen lived in the home for 5 decades and was active in the community.

Character-defining Elements

The character-defining elements include:

Exterior:

- form, scale and massing as expressed by its one and one-half-storey, rectangular plan with long façade; hip-roofed bay window on west façade and shed-roofed bump-out on east façade;
- high-pitched, side-gable roof with large front and rear cross-gable dormers; stickwork in the gable peaks; overhanging eaves with decorative exposed rafter tails and moulded frieze; projecting verges with vergeboards with decorative ends, decorative wooden brackets and moulded frieze; wooden tongue-and-groove soffits; tall, red-brick internal rear chimney;
- wooden-frame construction with bevelled-wood siding on the lower storey and wooden-shingle cladding on the upper storey and verandas; wooden tongue-and-groove ceilings and inner balustrades on verandas and balcony; wooden belt course, water table with drip mould and cornerboards;
- original fenestration pattern on all façades; windows such as single, double, triple and quadruple assemblies of tall windows; fixed and 1-over-1 hung wooden sashes; 2-light fixed wooden-sash windows; double-assemblies of 2-over-2 wooden-sash windows with leaded glass in the upper lights and 4-light wooden-sash storm windows; fixed wooden-sash, multi-light, leaded-glass window in front vestibule; wooden trim; plain lintels with drip moulds; lug and continuous sills in wood;
- offset front entry with side-lights, 3-light transom, wooden surround, and original wooden door with glazed panel and original hardware; offset rear entry with original external door with wooden and glazed panels and hardware; and
- full-width front veranda with wooden tongue-and-groove ceiling, tapered piers with twinned, tapered posts supporting moulded entablatures, closed balustrade with wooden shingles; full-width rear veranda with wooden tongue-and-groove ceiling, tapered wooden posts, closed balustrade with wooden shingles and courses of decorative shingles; upper rear balcony with shed roof, tapered wooden posts and closed balustrade with wooden shingles with courses of decorative shingles.

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Interior:

- cast-iron clawfoot tub, lower floors and extensive woodwork: wooden quarter-turn staircase with landing, open balustrade with square spindles, handrail and decorative newel posts; coffered ceilings; fireplace mantle; multi-light French doors with sidelights and original hardware; built-in cabinetry; interior multi-panel doors, upper floors and moulded trim around windows and doors;
- garage with wooden-shingled, hipped roof, bevelled-wood siding, and wooden trim and cornerboards;
- placement and orientation on property; setbacks on all sides; landscaped front and rear setbacks; and
- location fronting 13th Avenue, a quiet residential street with many houses from the same period with landscaped front setbacks, as well as grassy City boulevard with mature trees.

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REGULATED PORTIONS

1.0 Land

The Land is regulated as follows:

- a) The building's existing location and placement on the property (as shown on attached Schedule "A").

2.0 Exterior

The following elements are regulated:

- a) One and one-half storey massing, rectangular plan; bevelled wood siding on the lower storey and wood shingle cladding on the upper storey; wood belt course, water table with drip mould and cornerboards (Images 2.1, 2.5 - 2.6);
- b) Side-gable roof with front and rear cross-gable dormers; stick work (gable peaks); overhanging eaves with exposed rafter tails, wood brackets, wood tongue-and-groove soffits and moulded frieze; projecting verges with vergeboards with decorative ends (peak of gables) (Images 2.1, 2.2, 2.5 - 2.6);
- c) Full-width front veranda with closed balustrade, tapered piers and twinned, tapered posts supporting moulded entablatures; wood tongue-and-groove veranda ceiling; and upper floor closed balustrade balcony (Images 2.1 and 2.3);
- d) Hip-roofed bump out on east façade and shed-roofed bay window on west façade; both with overhanging eaves with exposed wood rafter tails (Images 2.5 and 2.6); and
- e) Original extant fenestration composed of: (one) double-assembly of 2-over-2 with leaded glass in the upper lights profile; (one) fixed, multi-light, leaded glass profile; (two) fixed, multi-light, leaded glass profiles; (one) fixed 2-light profile; (two) 2-light single hung profiles; (one) quadruple assembly of multi-light, leaded glass profile; (three) 1-over-1 hung profiles; plain lintels with drip moulds; lug and continuous sills on west bay window (Images 2.1 – 2.3 and 2.5 – 2.7) and;
- f) Front entry with (two) side-lights, 3-light transom, wood surround, and original wood door with glazed panel (Image 2.4).

Note: South (rear) façade is not regulated.

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(Image 2.1: North (front) façade showing front cross-gable dormer and full-width front veranda)



(Image 2.2: Detail of front cross-gable dormer on high-pitched, side gable roof; stick work (gable peak); overhanging eaves with exposed rafter tails, wood brackets, wood tongue-and-groove soffits and moulded frieze; projecting verges with vergeboards with decorative ends)

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(Image 2.3: Detail of full-width shingle clad, front veranda with closed balustrade, tapered piers and twinned, tapered posts supporting moulded entablatures)



(Image 2.4: Detail of offset front entry on front veranda with side-lights, 3-light transom, wood surround, and original wood door with glazed panel and wood tongue-and-groove ceiling)

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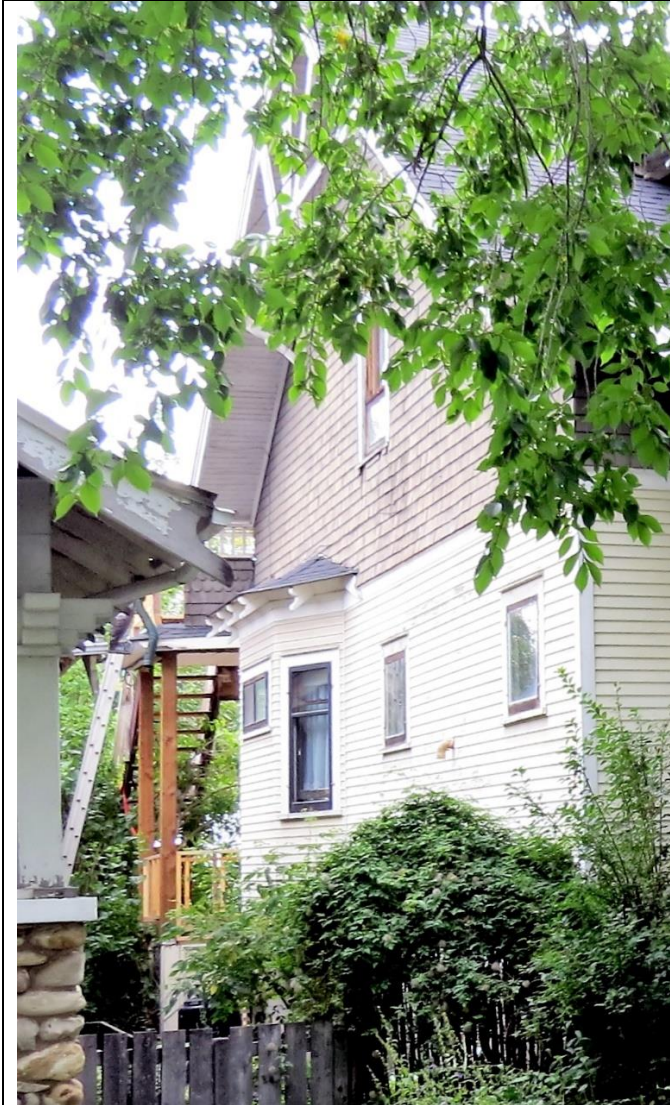


Image 2.5: Hip-roofed bump out on east façade, bevelled wood and shingle cladding, exposed rafter tail; and example of 1-over-1 single hung profile and 2-light fixed profile



Image 2.6: Shed-roofed bay window with exposed rafter tails on west façade, projecting verges in side gable with stick work in the gable peak, wood belt course, water table with drip mould and corner boards

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Image 2.7: Original fixed, multi-light, leaded glass profile

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3.0 Interior

The following elements are regulated:

- a) Woodwork trim around windows (Images 3.1 – 3.4);
- b) Multi-light French doors with sidelights and original hardware (Image 3.5); and
- c) Wooden built-in features including; room separator with built-in cabinetry (Image 3.6), room separator - no cabinetry (Image 3.7) and built-in drawer and cabinet unit (Image 3.8).



Image 3.1: Example of woodwork trim around windows



Image 3.2: Example of woodwork trim around window

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(Image 3.3: Example of woodwork trim around windows)



(Image 3.4: Example of woodwork trim around windows)

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(Image 3.5: Multi-light French doors with sidelights and original hardware)

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(Image 3.6: Room separator with built-in cabinetry)

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(Image 3.7: Room separator (left) with built-in drawer and cabinet unit (right))



(Image 3.8: Built-in drawers and cabinet (partitioning wall constructed over built-in drawer and cabinet unit during previous renovation))

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SCHEDULE “C”

The primary purpose of the *Standards and Guidelines* is to provide guidance to achieve sound conservation practice. They are used to assess proposed changes to designated Municipal Historical Resources and form the basis for review and assessment for the approved rehabilitation program.

The *Standards and Guidelines* were developed by Parks Canada and were formally adopted by The City of Calgary in 2005. They provide a philosophical consistency for project work; and while neither technical nor case-specific, they provide the framework for making essential decisions about those features of a historic place, which should be maintained and cannot be altered.

The *Standards* listed below and the referenced *Guidelines* shall apply to the Regulated Portions and any rehabilitation or maintenance work undertaken with respect to them at any time.

The Standards

Definitions of the terms in italics below are set forth in the Introduction of the *Standards and Guidelines*. In the event of a conflict between the italicized terms below and those in the *Standards and Guidelines*, the latter shall take precedence. The Standards are not presented in a sequential or hierarchical order, and as such, equal consideration should be given to each. All Standards for any given type of treatment must therefore be applied simultaneously to a project.

General Standards (all projects)

1. Conserve the *heritage value* of a *historic place*. Do not remove, replace, or substantially alter its intact or repairable *character-defining elements*. Do not move a part of a *historic place* if its current location is a *character-defining element*.
2. Conserve changes to a *historic place* which, over time, have become *character-defining elements* in their own right.
3. Conserve *heritage value* by adopting an approach calling for *minimal intervention*.
4. Recognize each *historic place* as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other *historic places* or other properties or by combining features of the same property that never coexisted.
5. Find a use for a *historic place* that requires minimal or no change to its *character defining elements*.
6. Protect and, if necessary, stabilize a *historic place* until any subsequent *intervention* is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.
7. Evaluate the existing condition of *character-defining elements* to determine the appropriate *intervention* needed. Use the gentlest means possible for any *intervention*. Respect *heritage value* when undertaking an *intervention*.
8. Maintain *character-defining elements* on an ongoing basis. Repair *character-defining elements* by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of *character-defining elements*, where there are surviving prototypes.

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9. Make any *intervention* needed to preserve *character-defining elements* physically and visually compatible and identifiable upon close inspection and document any *intervention* for future reference.

Additional Standards Relating to Rehabilitation

10. Repair rather than replace *character-defining elements*. Where *character-defining elements* are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the *historic place*.
11. Conserve the *heritage value* and *character-defining elements* when creating any new additions to a *historic place* or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the *historic place*.
12. Create any new additions or related new construction so that the essential form and integrity of a *historic place* will not be impaired if the new work is removed in the future.

Additional Standards Relating to Restoration

13. Repair rather than replace *character-defining elements* from the restoration period. Where *character-defining elements* are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

Guidelines

The full text of the *Standards and Guidelines* is available online through www.historicplaces.ca, or from:

Parks Canada National Office
25 Eddy Street
Gatineau, Quebec K1A 0M5