

PROPOSED

PUD2021-0839
ATTACHMENT 3

BYLAW NUMBER 40M2021

BEING A BYLAW OF THE CITY OF CALGARY TO DESIGNATE J. FRANK MOODIE 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 J. Frank Moodie 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 J. Frank Moodie Residence as a Municipal Historic Resource”.

BUILDING AND LAND DESIGNATED AS A MUNICIPAL HISTORIC RESOURCE

2. The building known as the J. Frank Moodie Residence, located at 238 Scarboro AV S.W., and the land on which the building is located being legally described as PLAN 5700AG; BLOCK 226; LOT 17 (the “Historic Resource”), 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.
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"

Calgary



238 SCARBORO AV SW



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SCHEDULE "B"

Description

The J. Frank Moodie Residence, built 1914, is a substantial 2-storey Craftsman-style building, clad in clinker brick and mock half timbering, with double front-facing cross-gables, and a full-width veranda with fieldstone pillars. The house contributes to a historic streetscape comprising houses from the same era along with others of compatible size, style, and quality.

Heritage Value

The J. Frank Moodie Residence, 1914, represents the origins of Scarborough (first called the Sunalta Addition) as an upscale residential neighbourhood. Most suburbs created from CPR lands were laid out in a grid pattern, but Scarborough, like nearby Mount Royal, was designed by the famed Olmsted firm, in 1909, as a "picturesque" suburb, with wide streets following the contours of the land and much green space. This is one of just 3 fully developed Olmsted-designed suburbs in Canada. Large lots went on sale in 1912, restricted to use for single homes with 30-foot set-backs. Scarborough had about 24 houses by the end of 1914. Building ended with WWI and did not resume until the 1920s.

This residence exemplifies the housing constructed by speculative builders during the city's pre-WWI population boom. M. Ross Wallace, a former alderman, built this and 2 other houses on Scarborough AV (1 for himself), as well as Calgary's Lorraine and Wallace apartments.

This was one of the high-quality homes built in Scarborough's early years that helped set the tone for the neighbourhood. Sandstone from nearby Oliver's quarry, brick, and fieldstone were widely used in early Scarborough, adding elegance and interest.

The clinker brick facing used on this house was rare in Calgary, and the fieldstone (possibly excavated from the site) with mortar beading, used on the veranda pillars and pedestals, is distinctive. Other high-end features include the dumb waiter (nonextant) to a basement pantry, bedroom walk-in closets, separate WC, and finished basement with half-bath.

This house is an excellent example of a substantial, high-style Craftsman house with high exterior and interior integrity. This style, common in early Scarborough, is typified by a horizontal emphasis; low, sheltering roof with deep eaves and exposed rafters; open front veranda and sleeping porch for indoor-outdoor living; and varied surface materials—all to create a cozy, picturesque look in harmony with nature. Interior highlights include its mahogany-stained oak doors, door and window casings, wainscotting, built-ins, and ceiling beams.

In 1917 James Francis Melville Moodie moved into and later bought the house, shared with his wife Lucy, their 3 children, and sometimes other relatives. Lucy's family came west from Quebec in September 1891 and homesteaded on the Glenbow Ranch.

J. Frank Moodie was an entrepreneur and self-taught geologist who helped develop the Drumheller coal field and Turner Valley oil field. Born in 1878 in Ontario, and trained as an oculist and jeweler, Moodie moved to Calgary in 1901 to join his brother, Kenneth. After other ventures, in 1911 they established the Rosedale Coal & Clay Products Co. Ltd, the first large coal mine in the Drumheller field. As its manager until 1921, Moodie tried to create a model mine and workers' village, with safe working conditions, higher than union wages, sanitary housing and dining facilities, a school, and recreation areas. But Moodie's anti-union stance and single-handed control led to bouts of labour unrest. He next searched for oil in the Turner

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Valley, and in 1927 formed the Sentinel Oil Company in Black Diamond, serving thereafter as its managing director. He ran unsuccessfully for the Alberta legislature in 1940.

Moodie was well known in Calgary. He amassed a world-class collection of opals and other minerals and gems, some through prospecting trips. His basement museum also held taxidermy, antiques, and curios. Items were distributed to museums and universities after his death. He was an early car owner often seen driving around town, flew his own plane, and owned racehorses.

In ill health after a car crash in 1938, Frank died in 1943. Lucy stayed in the house, joined in 1950 by her daughter, son-in-law, and their children. Family members have continued to own the house and live there, except when it was rented out in the 1970s.

Character-Defining Elements

The character-defining elements of the J. Frank Moodie Residence include its:

Exterior elements:

- 2-storey, rectangular form with central entrance; full basement; full-width front veranda; back extension with 1st-storey sun porch, 2nd-storey sleeping porch; front bow window; side bay-window extensions with moulded bracket supports;
- deeply pitched side-gable roof, with double front- and rear-facing cross-gables; shed roof over sleeping porch extension; hip roofs over bay-window extensions; all with deep tongue-and-groove eaves, exposed rafters, moulded brackets;
- wood construction faced in clinker-brick in stretcher bond, stucco with mock half-timbering; concrete foundation; concrete lintels and brick sills (basement, 1st storey), painted-wood window casings with brick sills (1st storey), painted-wood window casings (2nd storey); on veranda: pillars and stairway pedestals with concrete caps, both faced in fieldstone with mortar beading; concrete floor; tongue-and-groove ceiling;
- mainly symmetrical fenestration, comprising wood single-hung sash windows with multi-pane upper lights, some in sets of 2 (dining room) or 3 (living room bow window); fixed multi-pane windows; multi-pane awning windows (basement); glass panes enclosing 2nd-storey sleeping porch;
- solid oak entrance door and matching vestibule door, both with 4 “gun-slit” windows with clear beveled glass; 8-pane transom over entrance door; at side and rear: panelled oak door with 9-pane top light;
- side exterior brick chimney faced in clinker-brick in stretcher bond, with plain (probably concrete) cap; and
- deep set-back on a landscaped lot, in a residential block, next to a historically unbuilt, grass-planted lot.

Interior features:

- original layout including enclosed vestibule, large 2nd-storey central hall, walk-in closets in bedrooms, separate WC; finished basement with “gentleman’s room,” half-bath;
- mahogany-stained oak features: panelled wainscotting topped by bracketed plate rail (dining room, den), panelled doors including 2 pocket doors (living room/front hall, living/dining rooms), some doors with top lights, laundry-chute door, door and window casings, ceiling beams (living room, den), baseboards, picture rails, built-in glass-door cabinets (den) and linen closet (2nd-storey hall); painted-wood panelled door with muffled-glass top light (basement bathroom);
- closed dogleg staircases to 2nd-storey and to basement, both with dark wood balustrades, handrails, panelled newel posts;

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- lathe-and-plaster walls; plaster ceiling with decorative cornice (dining room);
- oak parquet floors (front hall, living room, dining room, den) with inlaid borders (living room, dining room, den); fir plank flooring (2nd-storey, finished basement room); poured concrete floor (basement);
- clinker-brick fireplaces with stained wood mantel shelves; den one with clinker-brick over-mantel with stained wood cap, plain brick insets; basement one with arch of lighter brick framing hearth;
- original light fixtures including Arts & Crafts brass-and-glass chandeliers (dining room, den) and sconces (den), etched frosted-glass globes (1st and 2nd-storey hallways), other ceiling lights in living room, veranda, finished basement; and
- cast-iron radiators including two with Art Nouveau patterns in relief (2nd-storey bathroom, WC); brass drapery rods and fittings, door, window, and cabinet hardware; push-button electrical switches (some replaced in kind).

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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) Two storey massing, square plan; dark-red clinker-brick in stretcher bond facing on the lower storey; unpainted stucco and painted mock half-timber cladding on the upper storey; painted wood belt course (Images 2.1 – 2.3 and 2.7 - 2.9);
- b) Deeply pitched side-gabled roof with double front and rear facing cross gables; heavy front gable trim; deep tongue-and-groove eaves; exposed rafters, moulded brackets (Images 2.1 – 2.2 and 2.7 – 2.9);
- c) Full-width front verandah with field stone faced pillars, field stone faced stairway pedestals with concrete caps, both with mortar beading; tongue-and-groove ceiling; bow window; projecting square window (Image 2.1 – 2.6);
- d) Canted bay window on east façade and box bay window on west façade, both with hipped roofs, deep tongue-and-groove eaves, exposed rafters and moulded brackets (Images 2.7, 2.9, 2.10 and 2.12);
- e) Original fenestration; original wood sash windows including the following configurations: triple assembly of 8-lights-over-one windows; double assembly of 8-lights-over-one windows; 10 lights-over-one wood sash window; fixed 18-light window, fixed 12-light window; (two) fixed 9-light windows; 2 casement windows, 4 glass pane windows; double assembly of fixed 12-light windows; (two) fixed 6-light windows; concrete headers; brick sills; wood sills; and painted wood window casings (Images 2.1 –2.5 and 2.7 –2.15);
- f) Central front entrance with 8-light transom; wood surround; solid oak entrance door with 4 'gun-slit' windows with clear beveled glass (Images 2.1 – 2.3);
- g) Enclosed balcony with shed roof; exposed rafters (Images 2.14 – 2.15) and;
- h) Tall, exterior chimney faced with clinker-brick in stretcher bond and plain cap (Images 2.2 and 2.9).

Note: A return to the original sashes and profiles would not be precluded where documentation of the original profile exists (Image 2.2). The west side of the veranda was enclosed ca 1960's. This enclosure, while compatible with the original appearance of the front façade, is not regulated. A return to original appearance/design would not be precluded where documentation of original configuration exists (Image 2.8).

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(Image 2.1: Front (southwest) façade)



(Image 2.2: Historical image of Front (southwest) façade)

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(Image 2.3: Veranda faced with clicker-brick facing in stretcher bond, pillars faced with fieldstone and mortar beading; tongue-and-groove eave; front entry with wood surrounds; 8-light transom and solid oak entrance door with 4 'gun-slit' windows with clear beveled glass)



(Image 2.4: Detail of bow window; concrete headers; brick lintels; painted wood window casings)

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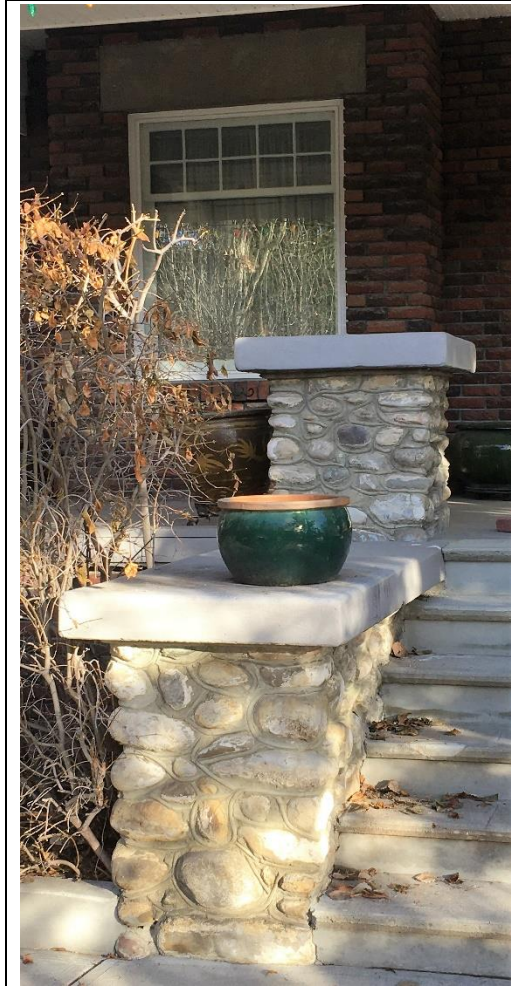


Image 2.5: Detail of ten-over-one single hung projecting square window; concrete header; fieldstone-clad stairway pedestals; and mortar beading and concrete caps



Image 2.6: Detail of fieldstone-clad pillar with mortar beading

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(Image 2.7: Southeast façade showing deeply pitched gable roof, front- and rear-facing cross-gables; heavy gable trim; deep eaves; exposed rafters; painted wood belt course, and fenestration)



(Image 2.8: Historical image of front façade before west side of veranda was enclosed, Glenbow Archives NA-3724-9)

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(Image 2.9: Northwest façade showing deep gable roof, front-facing cross-gable; heavy gable trim; deep eaves; exposed rafters; painted wood belt course and fenestration)



(Image 2.10: Detail of box bay window; hip roof; deep tongue-and-groove eaves; painted wood casing and moulded brackets)

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Image 2.11: Original fixed multi-light wood sash window



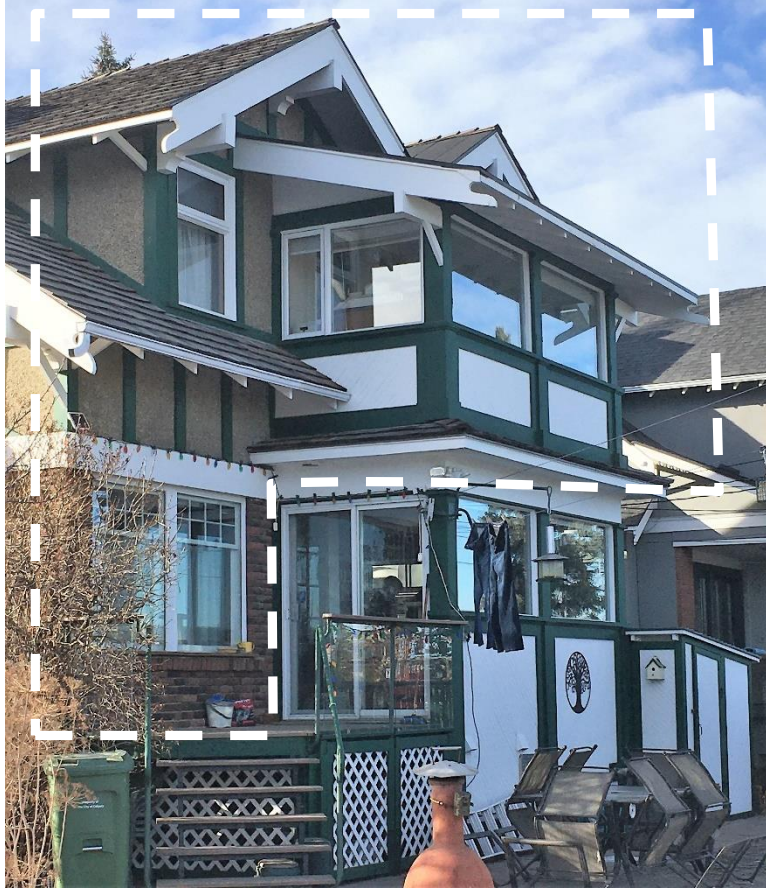
Image 2.12: Original canted bay window; hip roof, deep tongue-and-groove eaves; painted wood casings and moulded brackets



Image 2.13: Original double assembly of 8-over-one hung sash windows

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(Image 2.14: Rear façade. Note. Regulated portions are in area demarked by the dashed line)



(Image 2.15: Rear façade. Note. Regulated portions are in area demarked by the dashed line))

3.0 Interior

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The following elements are regulated:

- a) Original wood door and window casings (Images 3.1 – 3.5);
- b) Original crown moulding in the main floor hallway, living room and den; original ceiling beams in den and living room (Images 3.1 – 3.3);
- c) Original oak parquet flooring throughout main floor (Images 3.1 – 3.5);
- d) Main floor staircase with oak balustrade; panelled newel post (Image 3.4);
- e) Built-in glass-door cabinetry in den (Image 3.2);
- f) Panelled wainscoting topped by bracketed plate rails in den and dining room (Images 3.2 and 3.5); and
- g) Clinker-brick fireplace and over-mantel in den (Image 3.2).



(Image 3.1: Wood door casings; crown moulding; extant oak parquet flooring)

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Image 3.2: Window casings; crown moulding; ceiling beams; panelled wainscoting topped by bracketed plate rail; built-in glass-door cabinets; clinker-brick fireplace and clinker-brick over-mantel, oak parquet flooring

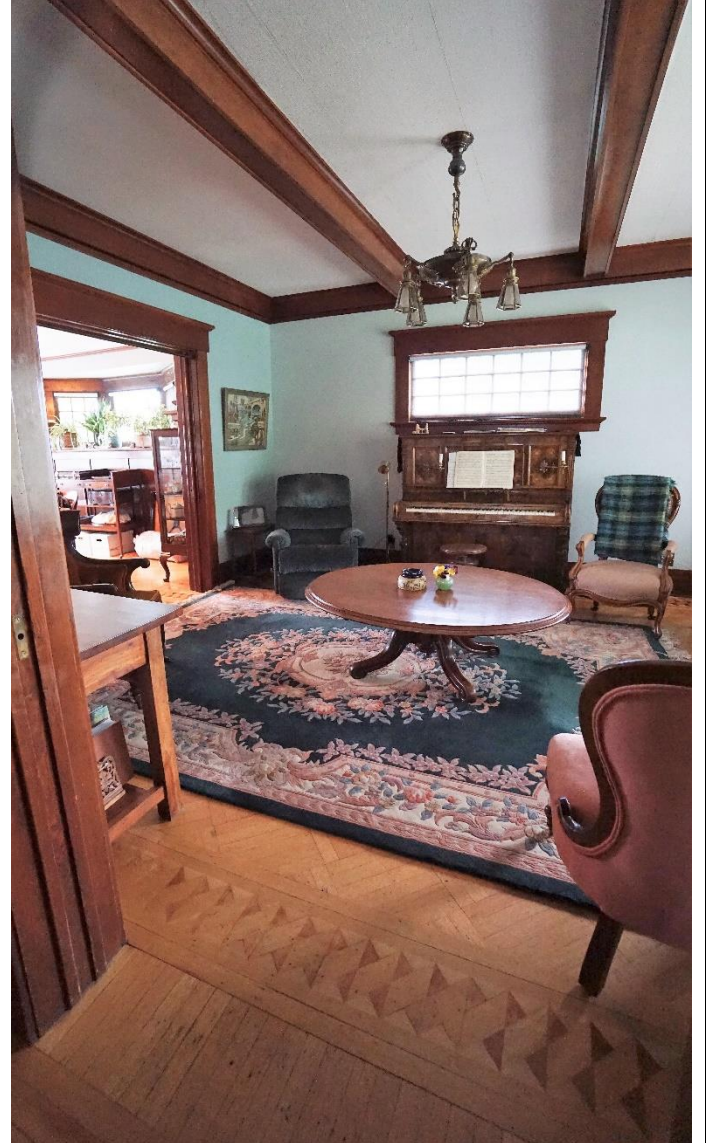


Image 3.3: Wood door and window casings; crown moulding; ceiling beams; oak parquet flooring

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(Image 3.4: Main floor staircase with oak balustrade; panelled newel post; wood door casings; oak parquet floor)



(Image 3.5: Door and window casings; panelled wainscoting topped by bracketed plate rails; oak parquet floor)

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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

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extensively deteriorated or missing parts of *character-defining elements*, where there are surviving prototypes.

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