

BYLAW NUMBER 28M2014

**BEING A BYLAW OF THE CITY OF CALGARY
TO DESIGNATE BOWNESS PARK AS A
MUNICIPAL HISTORIC RESOURCE**

WHEREAS the Historical Resources Act, R.S.A. 2000 c. H-9, as amended (the "Act") permits the Council of The City of Calgary to designate real property as a Municipal Historic Resource whose preservation the Council considers to be in the public interest because of their heritage value;

AND WHEREAS the Owner(s) of Bowness Park has 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 Bowness Park as a Municipal Historic Resource".

BUILDING AND LAND DESIGNATED AS A MUNICIPAL HISTORIC RESOURCE

2. "Bowness Park" comprises:
 - a) 326,799.31 square meters (80.75 acres) of land which comprises the parcel; and
 - b) Is located at 8900 48 Av NW as shown on attached Schedule "A" and legally described as:

Plan 5565AH Blocks 40, 40A, 40B, 40C, 41, 58, 59 and 60
Excepting thereout

Plan	Number	Hectares (more or less)	Acres
Calgary-Bowness highway	7315HX	0.032	0.08 (Block 60)
Calgary-Bowness highway	7315HX	0.219	0.54 (Block 40B)
Roadway	8311273	portion	(Block 41)

Excepting out of said Block 40, 40A, 41, 58 and 59 all mines and minerals

3. "Bowness Park" is designated as a Municipal Historic Resource as defined in the Act.
4. The heritage value of Bowness Park is described in the attached Schedule "B".

5. The specific elements of Bowness Park possessing heritage value are identified as the “character defining elements” in the attached Schedule “B”. Those specific elements identified as “character defining elements” in the attached Schedule “B” are known as the Regulated Portions (“Regulated Portions”).

PERMITTED REPAIRS AND REHABILITATION

6. a) The Regulated Portions of Bowness Park shall not be removed, destroyed, disturbed, altered, rehabilitated, repaired or otherwise permanently changed, other than routine preservation and maintenance work, without prior written approval from the City of Calgary Council, or the heritage planner appointed by the City of Calgary 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, (“*Standards and Guidelines*”), as referenced and summarized in the attached Schedule “C”.
- b) All portions of Bowness Park which are not specifically described or identified as a Regulated Portion are hereby known as the Non-Regulated Portions (“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, alteration or repair does not negatively impact the Regulated Portions, and that all the other permits required to do such work have been obtained.
7. a) Any changes to Bowness Park that require a building permit or a development permit also require the approval of the City of Calgary Council, or the heritage planner appointed by the City of Calgary Council as the Approving Authority for the purposes of administration of Section 26 of the *Act*. Any such changes must be done in accordance with the terms of the Standards and Guidelines.
- b) Changes to Bowness Park that do not require a building permit or development permit are not subject to the Standards and Guidelines.

COMPENSATION

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

EXECUTION OF DOCUMENTS

9. 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

10. The schedules to this Bylaw form a part of it.
11. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME THIS ____ DAY OF _____, 2014.

READ A SECOND TIME THIS ____ DAY OF _____, 2014.

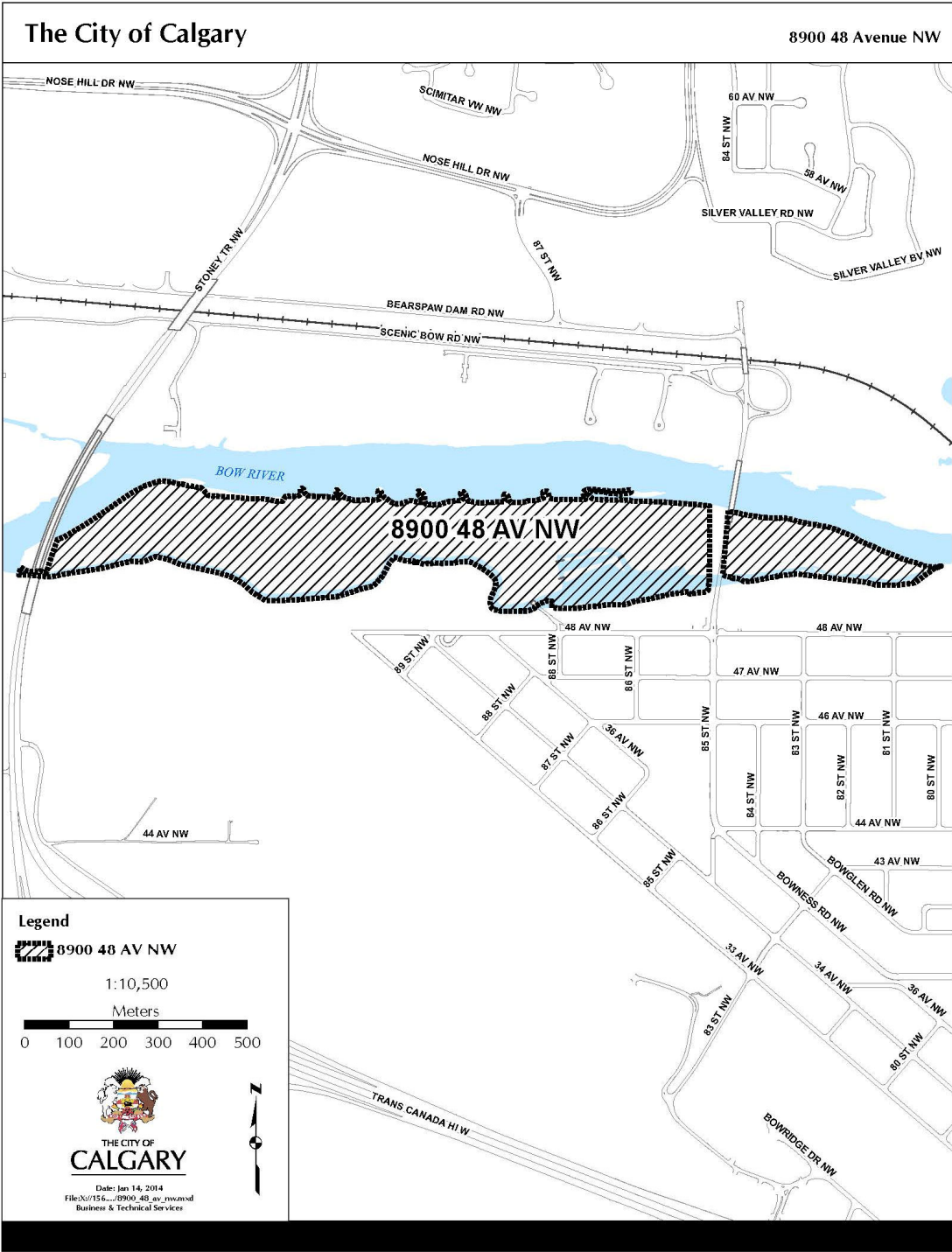
READ A THIRD TIME THIS ____ DAY OF _____, 2014.

MAYOR
SIGNED THIS ____ DAY OF _____, 2014.

CITY CLERK
SIGNED THIS ____ DAY OF _____, 2014.

SCHEDULE “A” TO THE BYLAW TO DESIGNATE BOWNESS PARK AS A MUNICIPAL HISTORIC RESOURCE

PROPOSED



SCHEDULE "B" TO THE BYLAW TO DESIGNATE BOWNESS PARK AS A MUNICIPAL HISTORIC RESOURCE

Description

Bowness Park is a large City of Calgary park, approximately 30 hectares in area and two kilometers in length, situated on the south bank of the Bow River in the community of Bowness. The site comprises a relatively flat and long alluvial island separated from a residential enclave via a narrow channel and is accessed via a bridge from 48 Avenue. There are numerous buildings and landscape features on the site associated with the park including covered picnic shelters, restroom facilities, clusters of picnic tables and fire pits, a large lagoon, a concession pavilion, a miniature rail track, two playground areas, open grassed areas, and clusters of mature trees and plantings. The park amenities are linked by gravel and paved trails that follow the natural topographic contours of the landscape. The park has open vistas to the north bank and provides direct access to the Bow River.

Heritage Value

Bowness Park is valued as the preeminent leisure, public gathering, and recreational resort for Calgarians for over 100 years and has evolved through time with the community's needs. Bowness Park, established in 1911 by the City of Calgary, was initially developed as an urban trolley park at a time when family parties were in vogue. Situated at the end of streetcar lines, trolley parks were conceived by streetcar companies to encourage people to use their services on weekends and were a popular park type in the late 1800s to early 1900s in Canada and the United States.

The park was initially conceived by John Hextall (1861-1914), a solicitor, who envisioned developing the Bowness area as a high-end suburb known as Bowness Estates. In 1908, Hextall purchased a large area of the Bowness Ranch property, which included two islands that would become Bowness Park. In 1911, the *Hextall Agreement* was signed with the City of Calgary that saw the transfer of the islands and a bridge to the City for development as a park, in exchange for the extension of streetcar service to the area by 1912.

The park originally contained picnic areas, shelters, and camping cabins carved out of the largely treed, riparian landscape. In 1914, a man-made lagoon with adjacent shallow pond, and connecting canal was constructed, which was used for skating in the winter and swimming in the summer. During the park's heyday, from the 1920s to 1950s, the park transitioned into a recreational and social hub with access to a deeper main swimming pool, boating, and skating. Facilities to support these activities included a dance pavilion (1919), a carousel built by Hershell Spillman Company (1919), a teahouse (1923), an orthophonic device in the lagoon that played music (1929), and Canada's first floating fountain (1928). In 1931, due to its popularity, the dance pavilion was enlarged to include a dining room - an area known as 'Twilight Corner'. In the 1960s, pathways were paved and lit, and the park's amusement rides were consolidated in one area, later known as Funland which operated as until 1988.

Bowness Park is also valued as a designed landscape that showcases the integration of natural and managed landscapes, park buildings, and amenities. Bowness Park was developed based on recommendations from Thomas Mawson, internationally renowned town planner, who was hired to develop a plan for the city in 1913. As an advocate of the City Beautiful movement, Mawson believed that parks and green spaces were beneficial for the promotion of harmonious social order. His 1914 report called for the creation of a green belt on the south slope of the Bow River and his vision came to fruition in 1914, under the supervision of the city's Parks Superintendent, William R. Reader. During this early period of development to 1919, a lagoon,

playground, and vernacular structures were constructed and open grassed areas and natural forests defined. The park's design was based on the English tradition of tamed but natural landscapes. The park underwent a large redevelopment in the late 1950s to early 1960s, with the addition of Modern architectural-style buildings, including a new dance hall, a concession building (1958) and washrooms (1961) designed by J.H. Cook & Associates.

Bowness Park is also valued as a landmark as the foremost leisure and recreational resort in Calgary that serves as a collective memory for the community and for its bucolic quality that provides a vital link between people and nature.

Character-defining Elements

Key elements that define the heritage character include:

- siting on a low-lying island on the south side of the Bow River;
- views of the north bank of the Bow River; view down the lagoon;
- water features including a natural east-west channel off of the Bow River feeding into the lagoon; footbridge and attached canal with oblong smaller pond north off the lagoon; a fountain in the lagoon;
- associated landscaping including: natural and managed stands of trees (including Riverine Poplar and White Spruce) framing open grassed areas; a collection of Douglas Fir trees on the western extent of the park; Riverine Poplar lining river; natural areas in the park at the east and west ends and along the River and channel edge;
- historic circulation pattern, consisting of two road loops on the east and west side of the park;
- clusters of picnic amenities throughout park including: picnic tables, fire pits, and barbeques;
- wooden-framed rustic picnic shelters with log veneer cladding and exposed structural posts (a total of four historic shelters – two square and two rectangular buildings); and remnants of use as an amusement park including: miniature train track on east extent of park.

SCHEDULE "C" TO THE BYLAW TO DESIGNATE BOWNESS PARK AS A MUNICIPAL HISTORIC RESOURCE

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 conserved.

The Standards

Definitions of the terms in italics below are set forth in 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.

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 from:

City of Calgary
Planning, Development and Assessment
Department
P.O. Box 2100, Stn. M, #8117
Calgary, Alberta, T2P 2M5

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