

BYLAW NUMBER 29M2014

**BEING A BYLAW OF THE CITY OF CALGARY
TO DESIGNATE THE COLONEL WALKER
RESIDENCE AND HOMESTEAD LANDS 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 the Colonel Walker Residence and Homestead Lands 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 the Colonel Walker Residence and Homestead Lands as a Municipal Historic Resource".

BUILDING AND LAND DESIGNATED AS A MUNICIPAL HISTORIC RESOURCE

2. The "Colonel Walker Residence and Homestead Lands" comprises:
 - a) A two-storey Italianate-style dwelling dating from 1910;
 - b) 325,247.76 square-meters (80.37 acres) of land covering six separate parcels of land shown on attached Schedule "A" and described as follows:
 - I. First parcel
Municipal address: 2320 9 Avenue SE
Legal description:
Plan 731650
The right of way containing 0.987 of a Hectare (2.44 Acres) more or less in 12-24-1-W5M excepting thereout all mines and minerals
 - II. Second parcel
Municipal address: 2405 9 Avenue SE
Legal description:
Plan 5891ET Block C
 - III. Third parcel

Municipal address: 2410 9 Avenue SE

Legal description:

Plan 5891ET Block B

Excepting thereout the right of way on Plan 731650, containing two and forty four hundredths (2.44) Acres more or less excepting thereout all mines and minerals

IV. Fourth parcel

Municipal address: 2453 9 Avenue SE

Legal description:

Plan 5744JK Parcel W

containing 3.32 Acres more or less excepting thereout all mines and minerals

V. Fifth parcel

Municipal address: 3020 Sanctuary Road SE

Legal description:

Meridian 5 Range 1 Township 24 Section 12 that portion of the south east quarter which lies within parcel V as shown on Plan 1385JK containing 0.979 of a Hectare (2.42 Acres) more or less excepting thereout all mines and minerals

VI. Sixth parcel

Municipal address: 2900 Sanctuary Road SE

Legal description:

Meridian 5 Range 1 Township 24 Section 12 those portions of the south east quarter which are not covered by any of the waters of the bow river as shown on the township plan dated 9 April 1885 containing 123 Acres more or less excepting thereout

first: those portions on the following Plans:

Plan	Number	Acres more or less
Roadway	1590I	.534
railway	rw56	6.066
subdivision	6700an	2.8
canal right of way	irr51	20.02
sanctuary road	5891et	0.87
parcel O	5611gu	1.66
parcel P	3940gy	2.5
parcel R	1645hd	10.09
parcel V	1385jk	0.76
parcel W	5744jk	0.82

secondly: that portion of said south east quarter of Section 12 which lies to the west of the said railway on Plan RW56 containing 24 Acres more or less
Excepting thereout all mines and minerals

3. The "Colonel Walker Residence and Homestead Lands" are designated as a Municipal Historic Resource as defined in the *Act*.
4. The heritage value of the Colonel Walker Residence and Homestead Lands is described in the attached Schedule "B".
5. The specific elements of the Colonel Walker Residence and Homestead Lands 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 the Colonel Walker Residence and Homestead Lands 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 the Colonel Walker Residence and Homestead Lands 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 the Colonel Walker Residence and Homestead Lands 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 the Colonel Walker Residence and Homestead Lands 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.

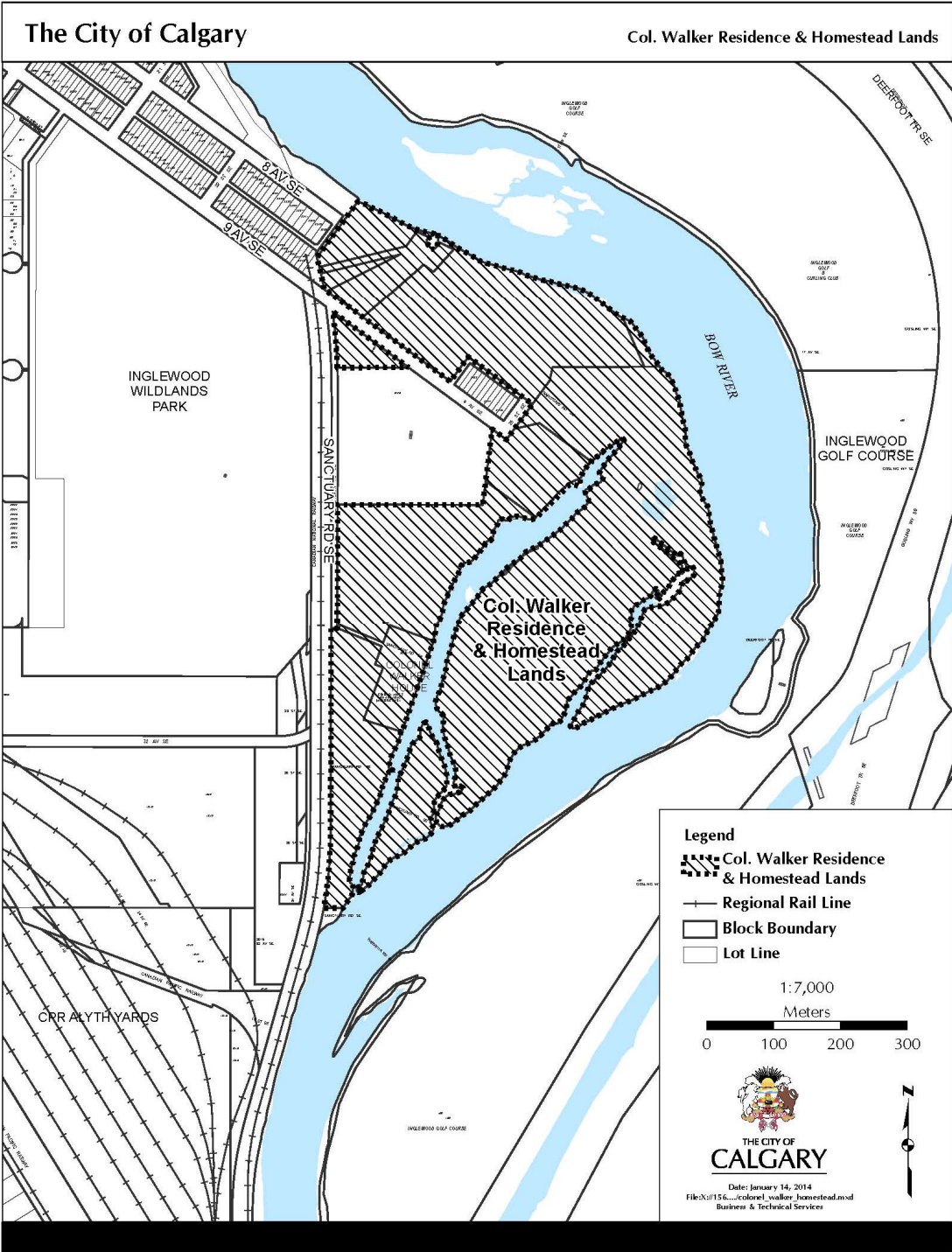
READ A THIRD TIME THIS ____ DAY OF _____, 2014.

MAYOR
SIGNED THIS ____ DAY OF _____, 2014.

CITY CLERK
SIGNED THIS ____ DAY OF _____, 2014.

SCHEDULE "A" TO THE BYLAW TO DESIGNATE THE COLONEL WALKER RESIDENCE AND HOMESTEAD LANDS AS A MUNICIPAL HISTORIC RESOURCE

PROPOSED



SCHEDULE "B" TO THE BYLAW TO DESIGNATE THE COLONEL WALKER RESIDENCE AND HOMESTEAD LANDS AS A MUNICIPAL HISTORIC RESOURCE

Description

The Colonel Walker Homestead Lands, now known as the Inglewood Bird Sanctuary, forms the south-east end of the Inglewood community, at the Bow River. The 33.5 hectare (82.8 acre) site comprises all of the land between the Bow River and Sanctuary Road. It includes wooded riverine islands, inner river channels, a lagoon, a grassland plain - the former cultivated fields and pastures of the homestead.

The Col. Walker House and yard site, which is a separate titled parcel, is located on 0.98 hectares of land backing onto the lagoon. The house is an early twentieth century, two-storey building constructed of red bricks and featuring sandstone trim, a low hipped roof and a wide verandah on the south and west sides. The original brick carriage house adjacent to the building is also included.

Heritage Value

The property is valued as the homestead of Colonel James Walker (1846-1936), a founder of the city of Calgary and one of the city's most important early civic leaders. He had a distinguished career in the Royal North West Mounted Police and the Canadian military, before becoming an innovative and influential businessman in Calgary and the Canadian west. He was the first Chairman of the Civic Committee, the precursor to Calgary's city council. He is credited with laying Calgary's first sidewalk, stringing the first telephone line and providing the city with its first commercial and residential natural gas illumination supplied from a well located on this property. He founded the Calgary Agricultural Society (forerunner of the Calgary Stampede), served as first school trustee, the first justice of the peace and the first Boy Scout leader. Walker was posthumously declared Citizen of the Century on the city's centennial in 1975.

The property survives as the only remaining agricultural homestead in Calgary's inner city. It serves to recall the importance and predominance of agricultural activity to Calgary's development history and character. The property was originally part of a 480 acre-parcel, which comprised native and improved pasture, hay fields, and crop land. On his homestead, Walker experimented in livestock breeding and horticulture - notably fruit trees.

The heritage value of the Colonel James Walker House lies chiefly in that it is one of the best examples of an Italianate styled residence in Calgary; an eclectic residential architecture favoured by wealthy Albertans in the early twentieth century. The Italianate influence is apparent in the low-pitched hipped roof, wraparound verandah, squat corner tower, and decoration. Also notable is the use and combination of local red brick with sandstone elements. The residence was declared a Provincial Historic Resource in 1977.

Another activity of historic significance associated with the homestead was the operation of Walker's sawmill on the inner channel of the Bow River. From 1882 to 1903 the sawmill was Calgary's first manufacturing industry, supplying the majority of the wood products for the fledgling city. Calgary's first telephone line, constructed in 1885, stretched from the sawmill to Walker's downtown office.

The historical prominence of the property, originally named 'Inglewood', is symbolized in the naming of the adjacent Inglewood community and recalls the early importance of Walker and his homestead in the area. Upon the city's expansion of its boundaries in the 1907 annexation,

James Walker subdivided the west portion of his land as the “Inglewood Addition”, with Inglewood later became the name of the entire community.

Further, the property has heritage value as an institution, being one of the first federally designated migratory bird sanctuaries in Alberta and Canada. Prominent naturalist George Pickering and James Walker’s son Selby, resident on the estate, began a migratory bird sanctuary on the river channels and islands at the river on the east edge of the homestead. In 1929 Selby Walker achieved the designation of the Inglewood Bird Sanctuary as a federal migratory bird sanctuary, only the second in Alberta following the ratification by Canada and the United States of the Migratory Birds Convention in 1917. With the succeeding management by the City, the Inglewood Bird Sanctuary has remained one of the primary, most valued natural areas in Calgary.

Character-defining Elements

Key elements that define the heritage character include:

Homestead lands

- The open river plain (former pastures and fields);
- The vista with the estate house and yard in the terminus;
- Allée approach to the house from the west off of Sanctuary road;
- The floodway and inner river channel which were the conditions and location for the sawmill;
- The springs and open water which were the natural features basic to the wildlife sanctuary;
- The natural habitat of the sanctuary including the area of the estate - George Pickering’s domain - south of the house; and
- Extant remnants of the early sanctuary: the first weirs, path stones.

Colonel James Walker residence

- Situated in a park-like setting adjacent to a lagoon with a view to the inner Bow river channel;
- Low hipped cedar shingle roof and two storey tower on the southwest corner forming a cube-like mass;
- Brick veneer with a running bond pattern combined with local sandstone elements;
- Wide open verandah wrapping from west to south side with square supporting posts topped with scrollwork decoration on the cornice brackets;
- Square entry vestibule with arched doorway setting, accentuated with sandstone elements in the voussoirs and larger sandstone keystones; balcony with balustrade atop entry;
- Open rear entry porch with triangular pediment supported by square posts;
- Wooden hung sash windows, more narrow on the first floor, with storm windows; vertically stacked stretcher bricks over the basement windows;
- Main floor plan with main hallway, two main rooms with back-to-back brick fireplaces and rear kitchen; 2nd floor plan consisting of four rooms off of a central corridor; and
- Fir doors and casings with dentil millwork on main floor rooms; sliding double pocket door to main reception room; brass key plates and hexagonal door knobs; several original light fixtures.

Carriage house

- Low hipped cedar shingle roof with upper gable ridge details;
- Brick veneer; stone lintels and sills; and

- Four fixed wooden sash 15 pane windows; two each on the west and east elevations; two sets of side-by-side hung sash windows on the south and two individual garage doors on the north elevation.

PROPOSED

SCHEDULE "C" TO THE BYLAW TO DESIGNATE THE COLONEL WALKER RESIDENCE AND HOMESTEAD LANDS 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	Parks Canada National Office
Planning, Development and Assessment	25 Eddy Street
Department	Gatineau, Quebec
P.O. Box 2100, Stn. M, #8117	Canada
Calgary, Alberta, T2P 2M5	K1A 0M5