

PROPOSED

IP2023-1253
ATTACHMENT 4

BYLAW NUMBER 3M2024

BEING A BYLAW OF THE CITY OF CALGARY TO DESIGNATE THE LAWLESS 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 Lawless 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 Lawless Residence as a Municipal Historic Resource”.

BUILDING AND LAND DESIGNATED AS A MUNICIPAL HISTORIC RESOURCE

2. The building known as the Lawless Residence, located at 2326 15A ST SE, and the land on which the building is located being legally described as PLAN 1894AC BLOCK 17 THE SOUTH HALF OF LOT 12 AND ALL OF LOT 13 AND THE NORTHERLY 12 1/2 FEET FROM FRONT TO REAR OF LOT 14, 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

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Guidelines and may be rehabilitated, altered or repaired, provided that such rehabilitation, 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"



2326 15A ST SE



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SCHEDULE "B"

REGULATED PORTIONS

1.0 Context, Orientation and Placement

The following elements are regulated:

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

2.0 West, North & South Exterior

The following elements are regulated:

- a) One storey massing; rectangular plan; clad in beveled wood siding (Images 1.1, 1.2 & 1.6);
- b) Steeply-pitched, hipped roof; overhanging eaves with moulded wooden frieze, plain wooden fascia, wooden tongue-and-groove soffits (Images 1.1 – 1.3 & 1.6);
- c) Full-width raised enclosed verandah; clad in beveled wood siding; square wooden posts; wooden tongue-and-groove ceiling and interior walls, crown moulding; wooden plank flooring (Images 1.1, 1.4 & 1.5); and
- d) Original fenestration:
 - West façade: Single-assembly and triple-assembly wooden window and transom sashes evenly segmented by wooden mullions, posts, heads and sills (verandah); 1-over-1 wooden window sashes, wooden mullions, heads and sills; central entry door openings and wooden casings (verandah exterior and interior) (Images 1.1, 1.4, 1.5 & 1.10);
 - North façade: Six-light double-assembly wooden window sashes evenly segmented by wooden mullions, posts, heads and sills (verandah); 1-over-1 wooden window sashes, wooden mullions, heads and sills (Images 1.2, 1.4, 1.7 & 1.8);
 - South façade: Double-assembly wooden window and transoms sashes evenly segmented by wooden mullions, posts, heads and sills (verandah); single assembly 1-over-1 wooden window sashes, wooden mullions, heads and sills (Image 1.6 & 1.9).

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(Image 1.1: West façade with full-width enclosed verandah; single-assembly and triple-assembly wooden window and transom sashes evenly segmented by wooden mullions, posts, heads and sills, central entry door; steeply-pitched hipped roof)

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(Image 1.2: North façade showing six-light double-assembly wooden window sashes evenly segmented by wooden mullions, posts, heads and sills (enclosed verandah); 1-over-1 wooden window sash, wooden mullions, heads and sills; beveled-wood siding; moulded frieze, plain wooden fascia, overhanging eaves. Note: storm windows are not regulated)

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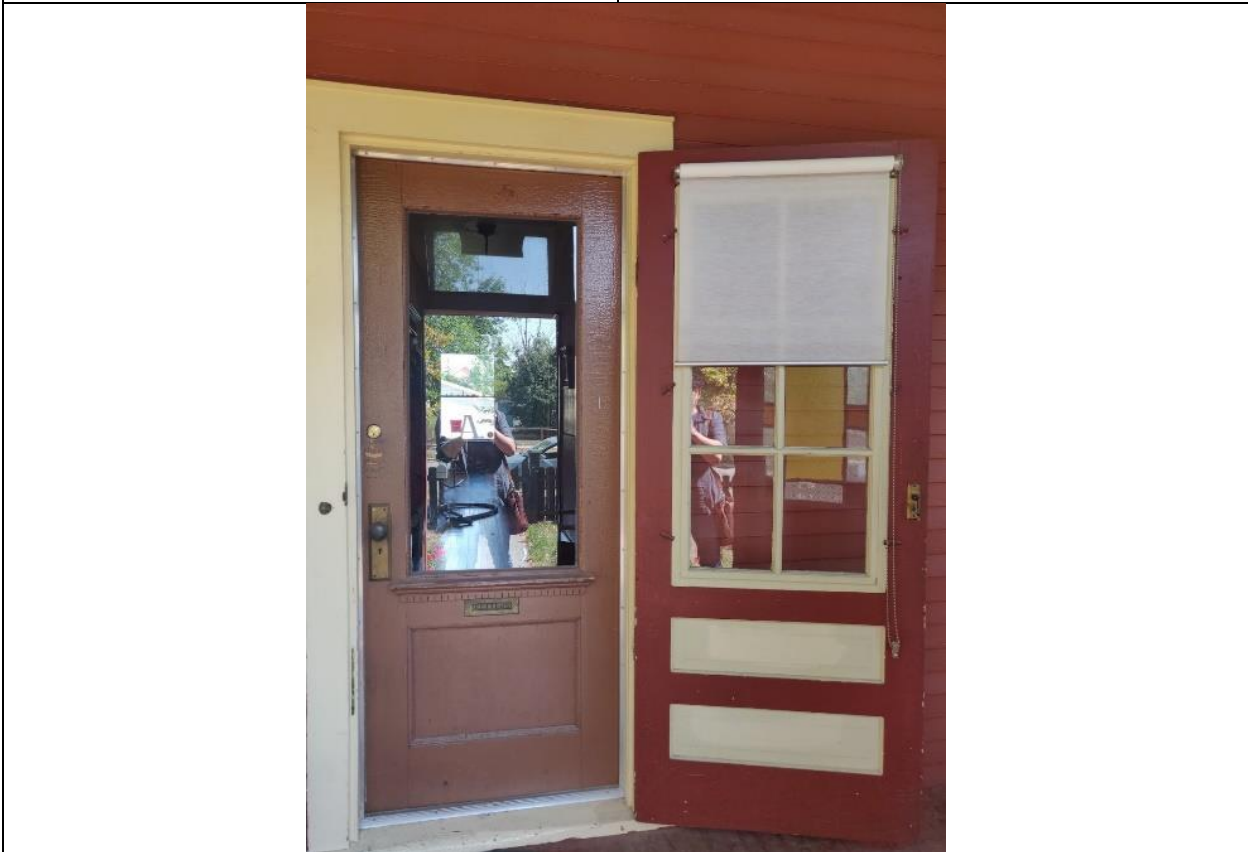
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(Image 1.3: Overhanging eaves, wooden tongue-and-groove soffits, moulded wooden frieze, plain wooden fascia)



(Image 1.4: Interior of enclosed verandah showing exterior north-facing six-light double-assembly windows: wooden tongue-and-groove ceiling, beveled wood siding on interior walls, crown moulding, wooden plank flooring; 1-over-1 wooden hung-sash windows including 6-light wood storm window sashes, wooden mullions, heads, and sills)



(Image 1.5: central front entry door opening and wooden casing – verandah interior)

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(Image 1.6: South façade showing single assembly 1-over-1 wooden window sash including 2, 3 and 4-light wood storm window sashes, wooden mullions, heads, and sill; beveled-wood siding. Note: storm windows are not regulated)

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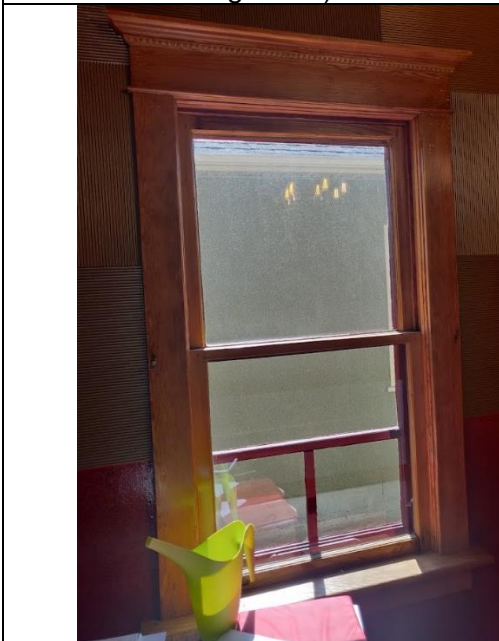
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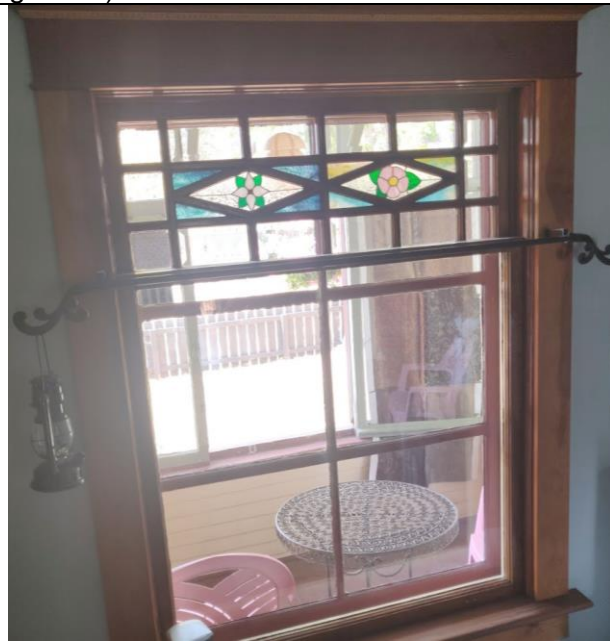
(Image 1.7: Example of typical 1-over-1 wooden window sash. Note: storm window is not regulated)



(Image 1.8: Example of typical 1-over-1 wooden window sash. Note: storm window is not regulated)



(Image 1.9: Example of typical 1-over-1 wooden window sash, viewed from building interior. Note: interior features, such as casing, are not regulated)



(Image 1.10: Example of typical 1-over-1 wooden window sash, viewed from building interior. Note: interior features, such as casing, are not regulated)

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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