

PROPOSED

IP2023-1253
ATTACHMENT 2

BYLAW NUMBER 4M2024

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

BUILDING AND LAND DESIGNATED AS A MUNICIPAL HISTORIC RESOURCE

2. The building known as the Cross Residence, located at 1240 8 AVE SE, and the land on which the building is located being legally described as PLAN A3 BLOCK 3 LOTS 28 TO 34 INCLUSIVE, 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"



1240 8 AV SE



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SCHEDULE "B"

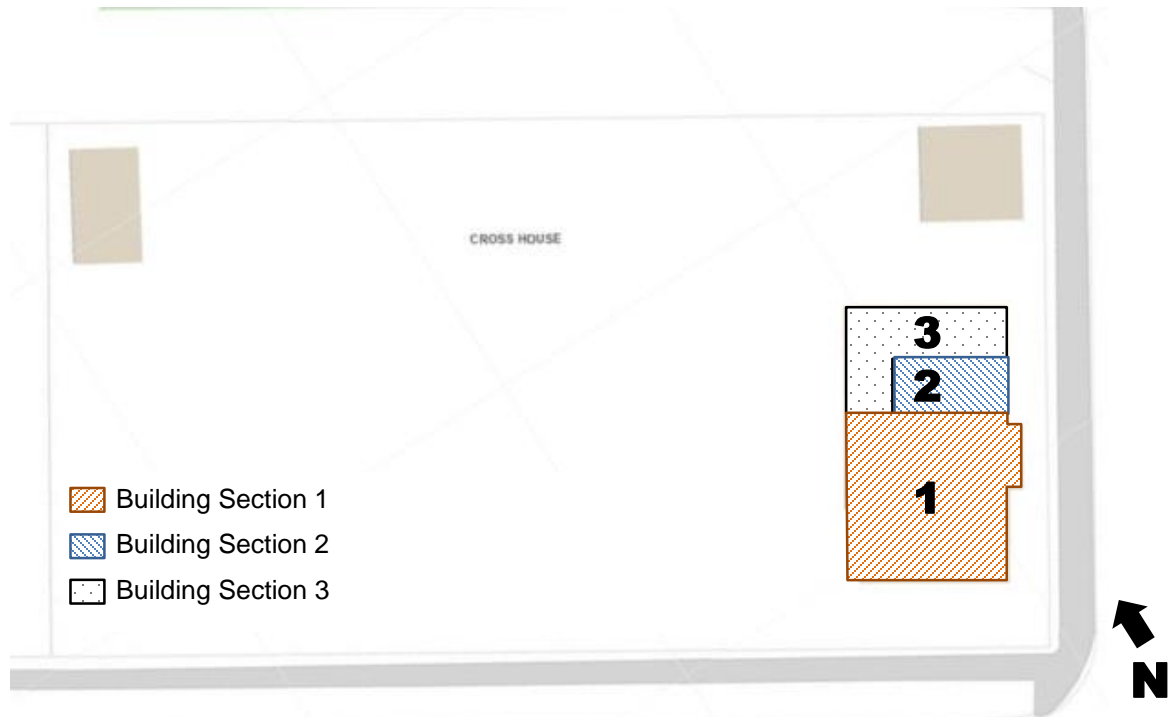
REGULATED PORTIONS

1.0 Land

The following elements are regulated:

- a) The building's existing location and placement on the property (attached Schedule "A" and Image 1.1);

Note: The north addition, known as Building Section 3 (as outlined in Image 1.1) is not regulated.



(Image 1.1: Building orientation and placement on parcel. Note: the north addition, shown as Building Section 3, is not regulated)

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2.0 Form, Scale, Massing and Roof

The following elements are regulated:

- a) Two-storey massing and asymmetrical rectangular form defined by:
 - **Building Section 1:** projecting two-storey bays on south and east facades, projecting two-storey addition on west façade, south-facing enclosed verandah including second-level balcony, and west-facing sunroom (Images 1.1 & 2.1); and
 - **Building Section 2:** two-storey north addition (Images 1.1 & 2.1);
- b) Roofs:
 - Building Section 1** – original building roofs:
 - Hipped roof with overhanging eaves with profiled wooden frieze, plain wooden fascia, tongue-and-groove wooden soffits (Images 2.1 & 2.2);
 - Pedimented gables over south and east-facing projecting two-storey bays and west-facing two-storey addition:
 - o South and east-facing gables: angled pedimented gables clad in alternating wooden octagonal and square shingles, projecting verges with profiled wooden friezes, tongue-and-groove wooden soffits, plain wooden bargeboards, decorative scrollwork and finials supported by wooden brackets with decorative panel inlay (Images 2.3 & 2.4);
 - o West-facing gable: pedimented gable clad in wooden square shingles, projecting verge with profiled wooden frieze, tongue-and-groove wooden soffits, plain wooden bargeboard, decorative scrollwork and finial (Images 4.1 & 4.2);
 - Shed roof over west-facing sunroom addition, narrow eaves (Images 3.4, 4.1 & 4.2);
 - Flat roof over south-facing enclosed verandah, eaves, built-up wooden soffits, profiled wooden frieze and plain wooden fascia (Images 2.5 & 3.4);
 - Widow's walk with stylized wooden lyre balustrade (Image 2.6);
 - Building Section 2:**
 - West-facing gabled dormer: clad in wooden siding, projecting verge with profiled wooden frieze, tongue-and-groove wooden soffits, plain wooden bargeboard, finial (Images 2.7 & 2.8);
 - North-facing gable roof and profile (Image 2.9); and
- c) Original red brick chimney with heavily corbelled top and secondary chimney atop widow's walk (Images 2.6 & 2.8).

Note: The flat roof over the enclosed verandah, together with low-profile balustrade, forms the second-level balcony. The balustrade on the balcony, while sympathetically replaced, is not regulated and a return to original configuration/appearance would not be precluded where documentation of original configuration exists. Building Section 3, as denoted in Images 1.1 and 2.1, is not regulated.

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(Image 2.1: Plan view of the Cross Residence. The area denoted in dotted lines is Building Section 3, and is not regulated)

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(Image 2.2: Example of overhanging eaves with profiled wooden frieze, plain wooden fascia, tongue-and-groove wooden soffits)



(Image 2.3: Example of one of two projecting two-storey bays with angled gable pediment, clad in wooden octagonal and square shingles, projecting verge with profiled wooden frieze, tongue-and-groove wooden soffits, plain wooden bargeboard, decorative scrollwork and finial, and supported by wooden brackets with decorative panel inlay)

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(Image 2.4: Example of wooden bracket with decorative inlay)



(Image 2.5: South-facing enclosed verandah: eaves, built-up wooden soffit, profiled wooden frieze and plain wooden fascia)

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(Image 2.6: Widow's walk with secondary brick chimney)



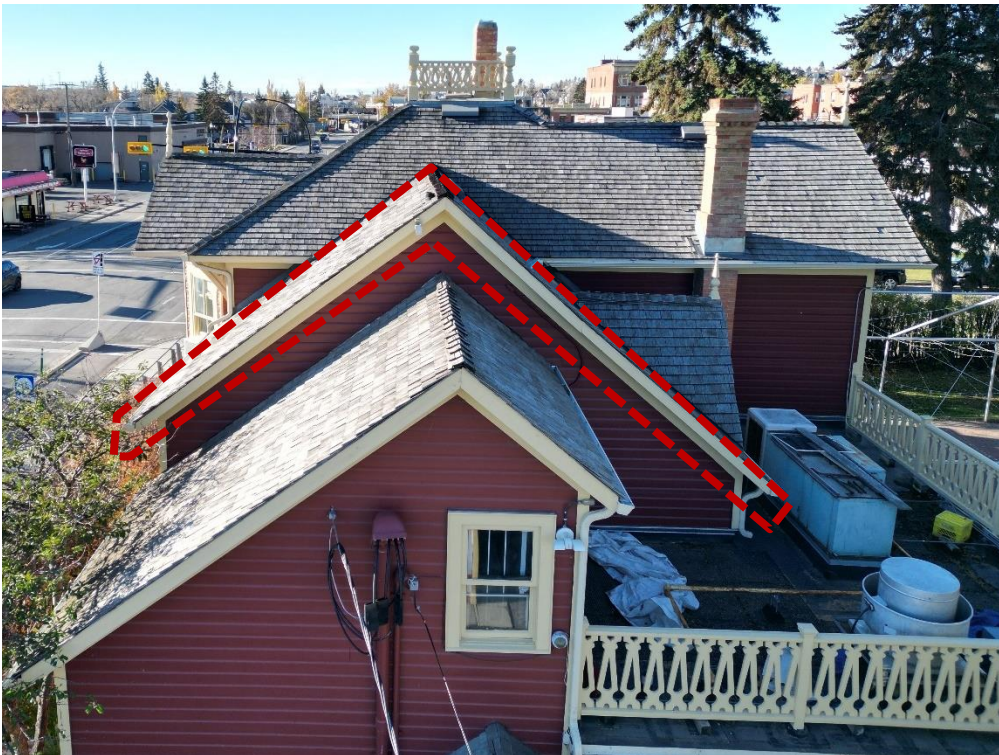
(Image 2.7: West-facing gabled dormer clad in wooden siding, projecting verges with profiled wooden frieze, tongue-and-groove wooden soffits, plain wooden bargeboard, finial)

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(Image 2.8: Original red brick chimney with heavily corbelled top. West-facing gable dormer with single-hung sash window can also be seen in this photo)



(Image 2.9: North-facing gable roof and profile, outlined in dotted lines)

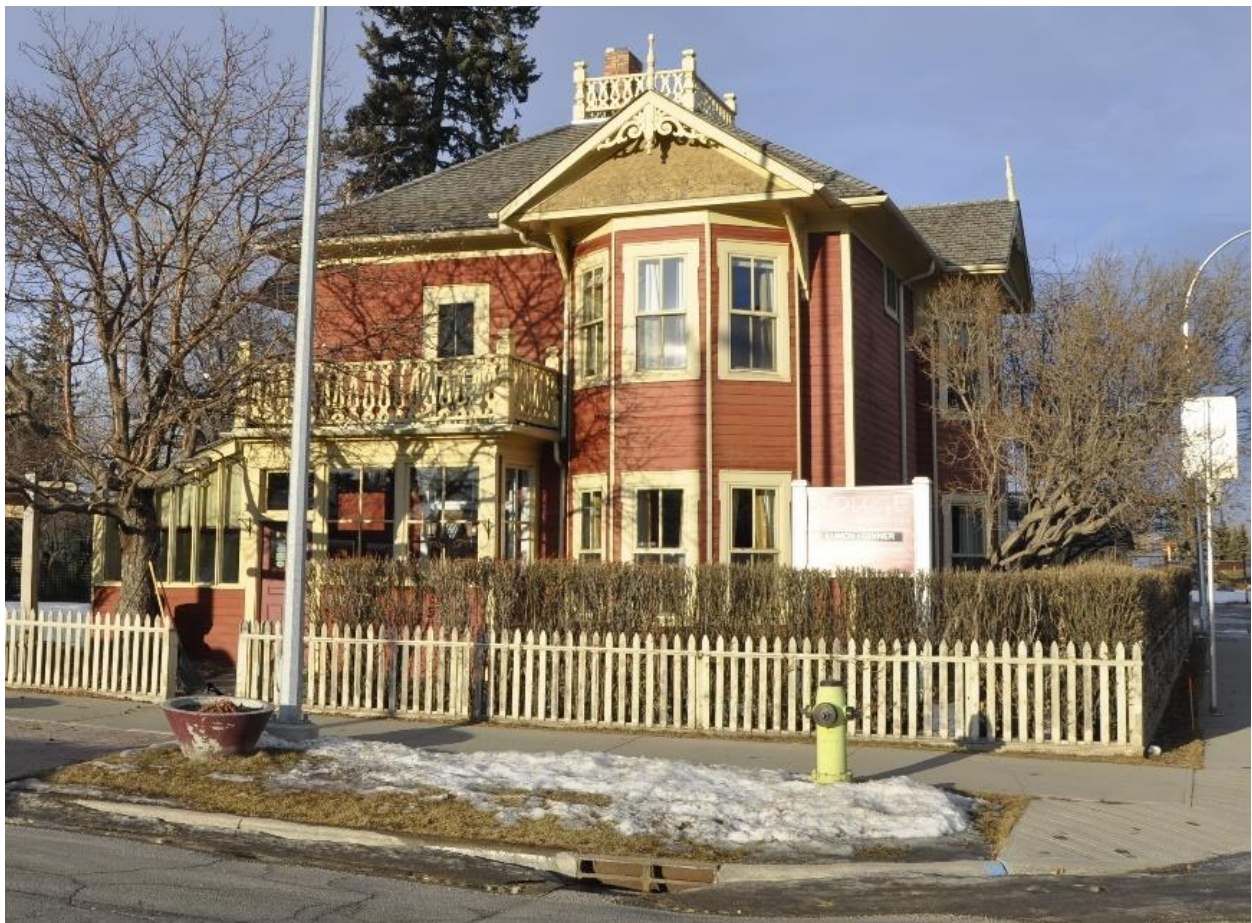
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3.0 South Façade

The following elements are regulated:

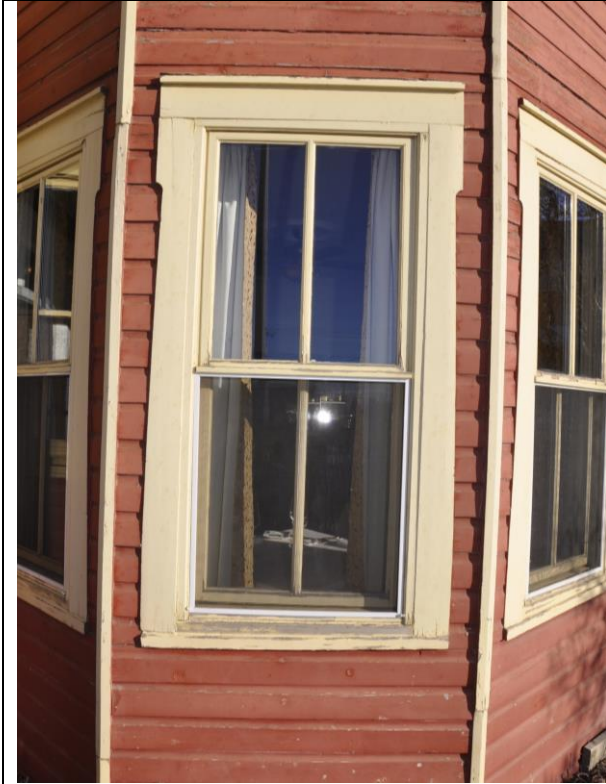
- a) Wood drop siding cladding, wooden corner boards (Images 3.1 & 3.2); and
- b) Fenestration:
 - Projecting two-storey bay: original south, east and west-facing 2-over-2 hung sash windows, wood casing with eared corners at the top of window frames (Images 3.1 – 3.2);
 - Second-level balcony: door opening and wood casing (Image 3.3);
 - Verandah Exterior: south and east-facing 4-light double-assembly wooden window sashes evenly segmented by wooden mullions, heads and sills; transom window and door opening including wood casings (Image 3.4);
 - Verandah Interior: profiled wooden double-doors inlaid with diamond-patterned glass surmounted with two-pane transom, wood casing with eared corners, and west-facing 1-over-1 wooden hung sash, wooden casing and sill (Images 3.5 & 3.6).



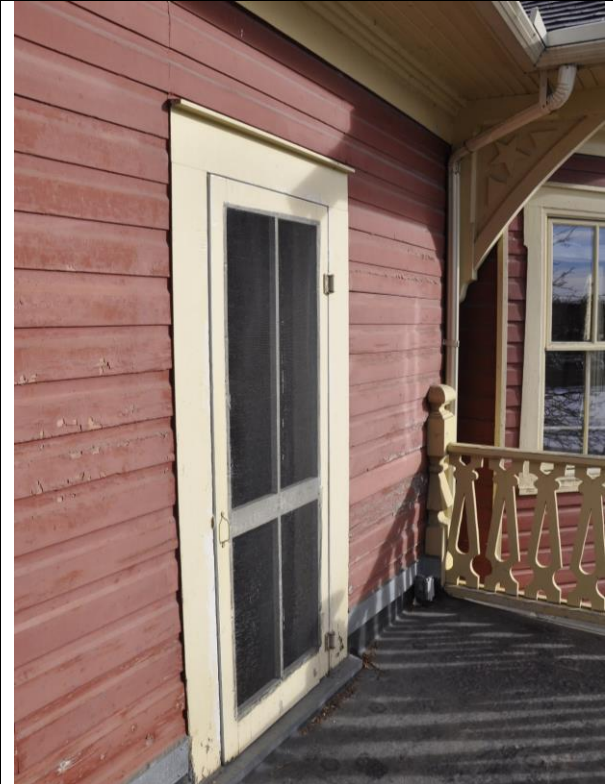
(Image 3.1: South façade showing pedimented gable over projecting two-storey bay, enclosed verandah, balcony and widow's walk)

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(Image 3.2: Projecting Bay – original 2-over-2 hung sash windows, wood casing with eared corners at the top of window frames; wood drop siding cladding, wooden corner boards)



(Image 3.3: Second-level balcony: door opening and wood casing)



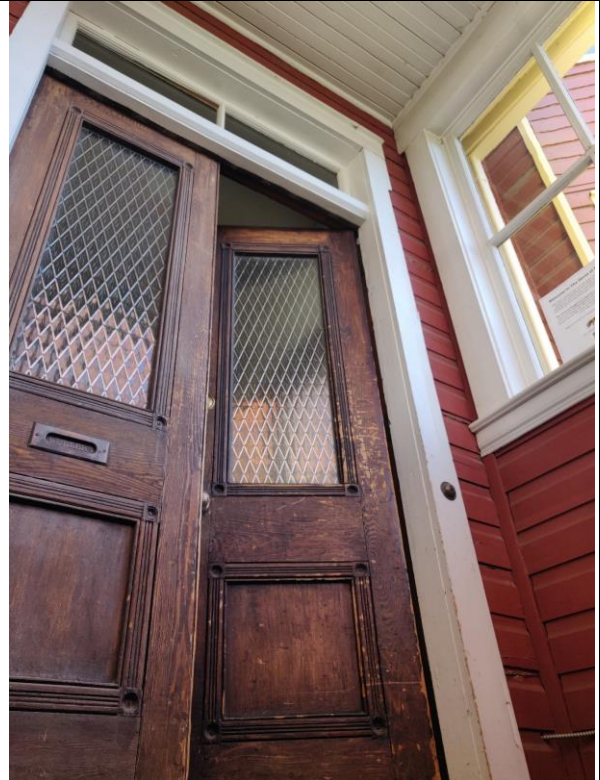
(Image 3.4: Oblique view of enclosed verandah, balcony and sunroom. Verandah exterior: East and south-facing 4-light double-assembly wooden window sashes evenly segmented by wooden mullions, heads and sills; transom window and door opening including wood casings)

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(Image 3.5: West-facing 1-over-1 wooden hung sash, wooden casing and sill inside enclosed verandah)



(Image 3.6: Profiled wooden double-doors inlaid with diamond-patterned glass surmounted with two-pane transom, wood casing with eared corners)

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4.0 West Façade

The following elements are regulated:

- a) Wood drop siding cladding, wooden corner boards (Images 4.1 & 4.2); and
- b) Fenestration:

Building Section 1:

- Sunroom: south-facing tall vertical narrow window patterns with tapered ends, evenly segmented by narrow wooden mullions, upper band, sills, corner post and verandah door/transom casings; west-facing door opening and window pattern evenly segmented by narrow wooden mullions, upper band, sills, and door casing (Images 3.4, 4.1 & 4.2);
- Projecting two-storey addition: west and south-facing 2-over-2 hung sash windows, south-facing 1-over-1 hung sash window, wooden casing and sills (Images 2.2, 4.1 & 4.2);

Building Section 2:

- Gabled dormer: 1-over-1 hung sash window, wooden casing and sills (Images 2.7, 2.8 & 4.2)

Note: The door opening on the projecting two-storey addition is not original and is not regulated.



(Image 4.1: Building Section 1 – West façade showing sunroom addition with narrow eaves and projecting two-storey addition with pedimented gable clad in wooden square shingles, projecting verge with profiled wooden frieze, tongue-and-groove wooden soffits, plain wooden bargeboard, decorative scrollwork and finial)

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(Image 4.2: Building Section 1 – west façade showing sunroom addition with narrow eaves and projecting two-storey addition with pedimented gable clad in wooden square shingles, projecting verge with profiled wooden frieze, tongue-and-groove wooden soffits, plain wooden bargeboard, decorative scrollwork and finial. Building Section 2 – gabled dormer)

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5.0 East Façade

The following elements are regulated:

- a) Wood drop siding cladding, wooden corner boards (Image 5.1); and
- b) Fenestration:

Building Section 1:

- Two-pane fixed window, wooden mullion; wood casing and sill (Image 5.1);
- Projecting two-storey bay: original east, south and north-facing 2-over-2 hung sash windows, wood casing with eared corners at the top of window frames (Image 5.1);

Building Section 2:

- 1-over-1 hung sash window, wooden mullion, casing and sill; triple-assembly 1-over-1 hung sash window, wooden mullion, casing and sills (Image 5.1).



(Image 5.1: East façade showing projecting two-storey bay, widow's walk and Building Section 2)

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6.0 Interior:

The following elements are regulated:

a) Verandah interior: tongue-and-groove wood ceiling; original wood drop siding cladding; wood-drop siding walls, wooden corner board (Images 3.5 & 3.6); and

b) Building Interior:

Building Section 1:

- Hardwood flooring, profiled wooden baseboards, chair rails, and crown mouldings on first and second level (Images 6.1 – 6.5);
- Carved fir newel posts and balusters on stairway (Images 6.6 – 6.8);
- Brick fireplace with tiled hearth, profiled wooden mantle and surround (Image 6.9);
- Arched wall openings framing the projecting bays (first and second levels), central wall curvature in the main room (second level) (Images 6.10 & 6.11);
- Wooden doors and profiled frames (Image 6.12);
- Ceiling pendant light fixture (Image 6.13);
- Vault door (Images 6.14 & 6.15).



(Image 6.1: Example of original hardwood flooring on the second level)



(Image 6.2: Example of chair rail and profiled wooden baseboards)



(Image 6.3: Example of staircase's profiled wooden baseboard and hardwood flooring)

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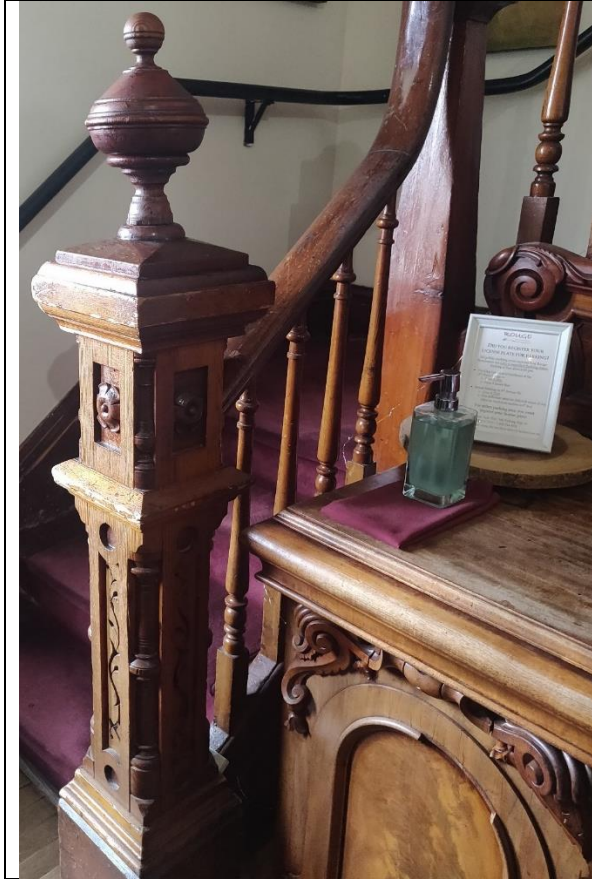
(Image 6.4: Example of crown moulding on ceiling. Partial door frame casing visible)



(Image 6.5: Another example of crown moulding with different articulation)

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(Image 6.6: Carved fir newel posts and balsters on stairway)



(Image 6.7: Carved fir newel posts and balusters on stairway)



(Image 6.8: Carved fir newel posts and balusters at top of stairway)

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(Image 6.9: Brick fireplace with tiled hearth, profiled wooden mantle and surround)



(Image 6.10: Example of typical arched wall opening framing the projecting bay)

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(Image 6.11: Example of central wall curvature in the main room at second level, as denoted with arrow)

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(Image 6.12: Example of wooden doors and profiled frames)



(Image 6.13: Historic pendant ceiling light)



(Image 6.14: Vault door, located in basement)



(Image 6.15: Vault door, located in basement)

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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