

Proposed Wording for a Bylaw to Designate Capitol Hill Park 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 Capitol Hill Park 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 Capitol Hill Park as a Municipal Historic Resource”.

MUNICIPAL HISTORIC RESOURCE

2. The park known as Capitol Hill Park, comprising an area of 12,014.70 square-meters (2.96 acres) more or less, of land which comprises a parcel and a lane and is located at 1531 21 AV NW and legally described as:

FIRST:

PLAN 2864AF

BLOCK 5

LOTS 1 TO 40 INCLUSIVE

EXCEPTING OUT OF LOT 1 AND 40

THE ROAD WIDENING ON PLAN 8011042

EXCEPTING THEREOUT ALL MINES AND MINERALS

SECOND:

PLAN 2864AF

BLOCK 5

THE LANE

EXCEPTING THEREOUT ALL MINES AND MINERALS

(the “Historic Resource”) as shown more specifically in the attached Schedule “A” is hereby designated as a Municipal Historic Resource.

3. The heritage value of the Historic Resource is described in the attached Schedule “B”.
4. The specific elements of the Historic Resource 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 (the “Regulated Portions”).

PERMITTED REPAIRS AND REHABILITATION

5. 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, 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.
- c) For clarity, routine operation of the Historic Resource including lawn care, weeding and planting or seeding of analogous replacements for trees, grass, shrubs, perennials or other plants existing at the time of passage of this Bylaw shall be considered routine preservation and maintenance work and shall not require separate approval by City Council or the Approving Authority.

COMPENSATION

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

EXECUTION OF DOCUMENTS

7. 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.

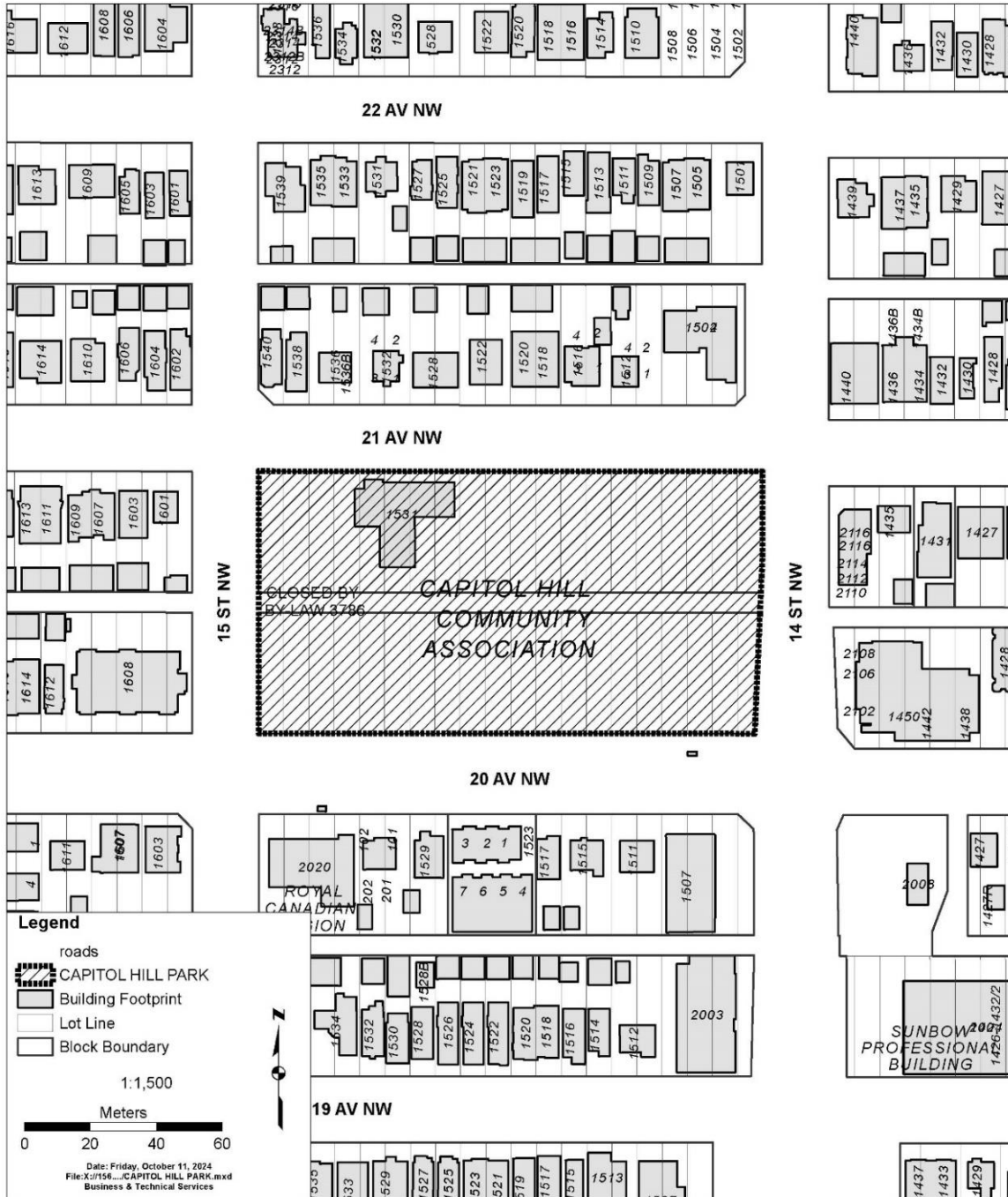
SCHEDULES

8. The schedules to this Bylaw form a part of it.

SCHEDULE "A"



CAPITOL HILL PARK



SCHEDULE "B"

Description

Capitol Hill Park at 14th Street and 20th Avenue NW occupies a standard residential block of 2.96 acres in Capitol Hill, surveyed and established in 1910. The basic, original park development began in 1932 and was carried out through to 1941. An original feature is the perimeter border planting of trees with an understory bed of shrubs and other ornamental plants. In the interior park space were, and remain in the same locations, a children's playground on the west end, an area leveled for skating rinks on the west half and a baseball field on the east half. A community "clubhouse" in the northwest part, shown in the original plan, was first established in 1949 and replaced by a larger structure in 1998.

Heritage Value

The heritage value of Capitol Hill Park is in its historical planning and function and in its design. Capitol Hill Park is representative of multi-purpose neighborhood parks of its era. The area reserved for park purposes is a full, regular block of the residential subdivision. The functions from the outset and continuing to the present include recreational and social elements, as well as general local park space and ornamental plantings.

A distinctive feature of Capitol Hill Park is its perimeter border of trees with the understory bed of shrubs and ornamental plants framing and enclosing the interior open space. The trees are those typically available and used at the time the park was established including Russian and cottonwood poplar and native white spruce as well as common caragana "shelterbelt" shrubs. The rectilinear, planted border is seen in other, but larger and more prominent parks of the same period: Central Memorial, Crescent Heights, and Riley Park. The wooded frame enclosing open "green" space was intended to provide a retreat from the urban setting.

The planning, design and development of Capitol Hill Park is associated with the principles and work of William R. Reader, the pioneering and visionary superintendent of Calgary Parks from 1913 to 1942. Capitol Hill Park is a representative element, a neighborhood park, of William Reader's philosophy and concepts for urban beautification and public recreation. The wooded frame enclosing open "green" space was intended to provide a retreat from the urban setting. The original plants, many of which remain, express Reader's pioneering efforts in demonstrating the horticultural potential for the young city in its western Canadian environmental setting and circumstances.

Character Defining Elements

- The rectilinear, enclosing edge/border planting pattern of trees, shrubs and other ornamental plants including, poplar, spruce, green ash and elm trees, as well as lilac and caragana shrubs typically planted in the original development period (image 1.1)

Images:

Images are included for reference and example only and are not intended to form part of the Regulated Portions.

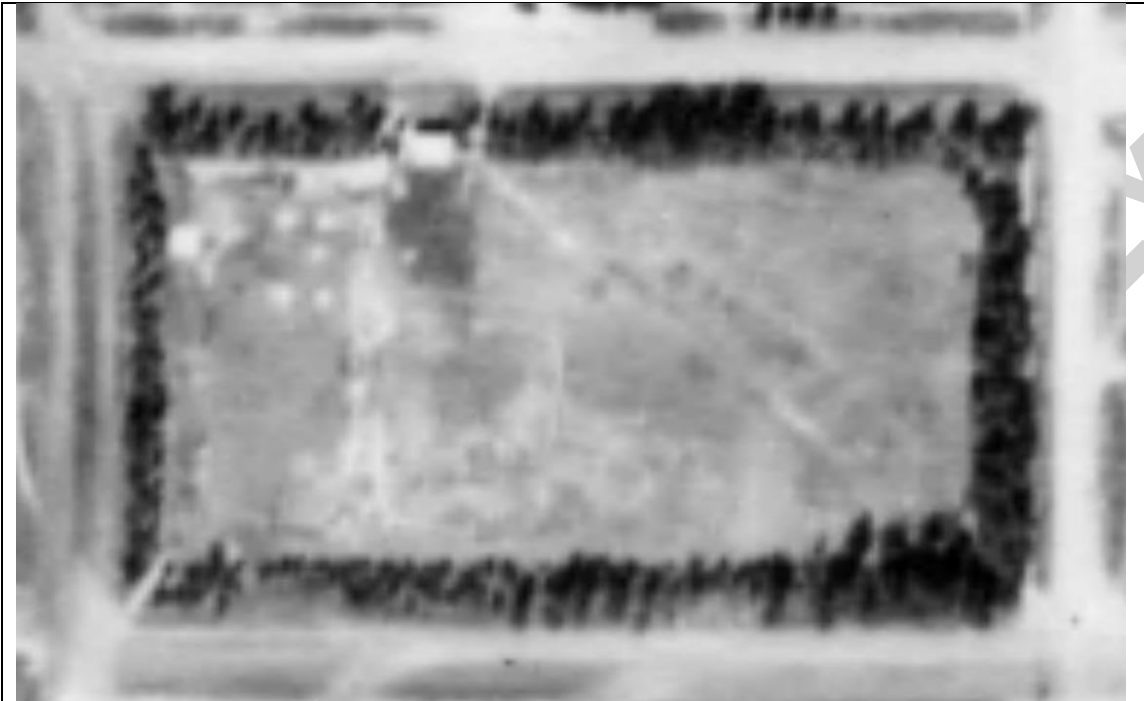


Image 1.1 Historic air photo of Capitol Hill Park (1948) showing the rectangular edge/border planting

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 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