

Proposed Wording for a Bylaw to Designate Century Gardens 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 Century Gardens 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 Century Gardens as a Municipal Historic Resource”.

MUNICIPAL HISTORIC RESOURCE

2. Century Gardens comprises 5369.92 square-meters (1.33 acres) of land, covering three parcels legally described as follows:

a) First Parcel

Municipal address: 827 7 AV SW

Legal description:

PLAN 8050 EJ

BLOCK 46

LOTS B,C,D AND E

EXCEPTING THEREOUT: (AS TO SURFACE ONLY)

PLAN	NUMBER	HECTARES	(ACRES)	MORE OR LESS
A) ROAD	7710999	0.007	0.017	(AS TO LOTS B,C AND D)
B) ROAD	8111565	PORTION		(AS TO LOT E)
C) SUBDIVISION	1810525	0.034	0.08	(AS TO LOT B)

b) Second Parcel

Municipal address: 826 8 AV SW

Legal description:

PLAN A 1

BLOCK 46

LOTS 27 TO 31 INCLUSIVE,

THAT PORTION OF LOT 32 WHICH

LIES TO THE NORTH OF THE

MOST SOUTHERLY 7 FEET THEREOF,

AND ALL OF LOTS 33 TO 40 INCLUSIVE
EXCEPTING THEREOUT:

- (A) OUT OF LOT 27 AND 28 THE MOST
SOUTHERLY 7 FEET
- (B) OUT OF LOT 31 THE SOUTHERLY
7 FEET OF THE WEST HALF
- (C) OUT OF LOT 40 THAT PORTION
DESCRIBED AS FOLLOWS:
COMMENCING AT A POINT IN THE
WESTERN BOUNDARY OF SAID LOT,
DISTANT 14.2 FEET NORTHERLY
THEREON FROM THE SOUTH WEST CORNER
THEREOF, THENCE SOUTHERLY ALONG THE
SAID WESTERN BOUNDARY OF THE SOUTH
WEST CORNER, THENCE EASTERLY ALONG
THE SOUTHERN BOUNDARY OF THE SAID
LOT 14.2 FEET THENCE NORTH WESTERLY
IN A STRAIGHT LINE TO THE POINT OF
COMMENCEMENT
- (D) OUT OF LOT 29, 30, 31, AND ALL LOT
33 TO 40 INCLUSIVE, AS TO SURFACE
ONLY, THOSE PORTIONS FOR THE ROAD
WIDENING ON PLAN 7710999

EXCEPTING OUT OF LOTS 27, 28, 31
AND PORTION OF LOT 32
ALL MINES AND MINERALS

c) Third Parcel

Municipal address: 831R 7 AV SW

Legal description:
PLAN A1
THAT PORTION OF THE LANE IN BLOCK 46
WHICH LIES TO THE SOUTH OF LOTS B, C & D ON PLAN 8050EJ
EXCEPTING THEREOUT ALL MINES AND MINERALS

(the "Historic Resource") as shown more specifically in the attached Schedule "A" are 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". 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 such 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 park including minor repairs of the existing brutalist concrete fountains and retaining walls, as well as minor adjustments to the water fountain system as necessary to keep it functioning properly, including the pruning of vegetation, and lastly weeding and planting of analogous replacements for trees, 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.

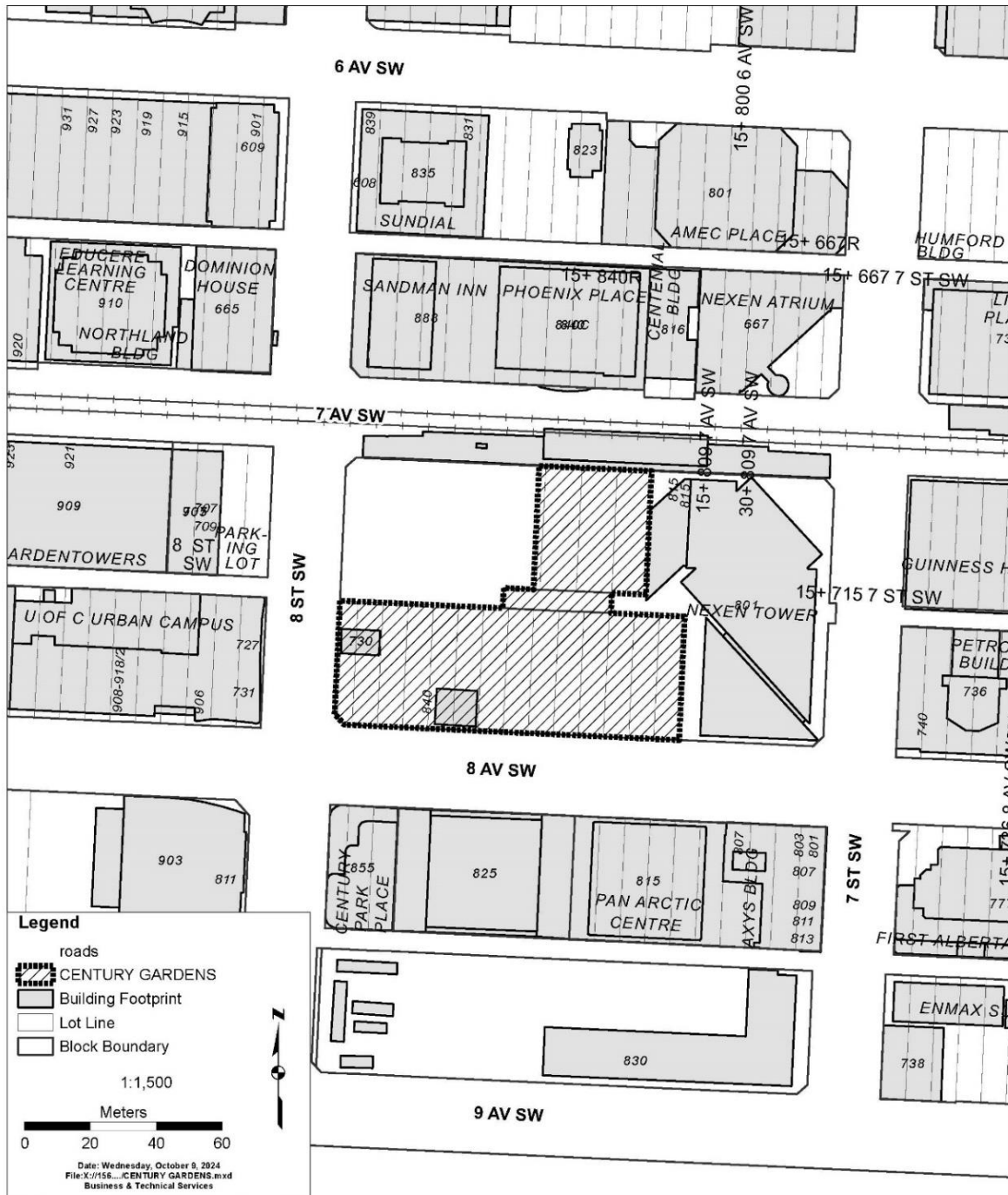
SCHEDULES

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

SCHEDULE "A"



CENTURY GARDENS



SCHEDULE “B”

Description

Century Gardens is a 0.54 ha brutalist style park located in downtown Calgary. The park includes two large concrete water feature structures, designed as an abstraction of the nearby Rocky Mountains. Additional features include spruce, pine, and aspen trees (vegetation common in the Rocky Mountains and Foothills regions), three large bronze sculptures, and ample seating.

Heritage Value

Century Gardens is directly associated with Calgary's 1975 Centennial celebration. Incorporated in 1875, the city experienced a great deal of growth over the next hundred years, amassing a population of around 450,000 by 1975. Calgary celebrated its centennial in a variety of ways, and one of these was a park building initiative spearheaded by Century Calgary, the official coordinating agency for all centennial celebrations. Established in 1973, their goal was to create one hundred additional acres of parkland for the centennial year, focusing on large river valley parks, neighbourhood parks, individual parks and downtown parks. Several parks were created as part this initiative.

Century Gardens is associated with Eric Harvie, a local oil baron and philanthropist who had an immeasurable impact on the city of Calgary. Harvie practiced law in Calgary before making his fortune in the late 1940s. He was the owner of several lucrative oil wells, including Leduc No.1, which struck oil in February of 1947 and began the oil boom in Alberta. In the 1950s, after making over \$100 million, Harvie started giving back to the community. In 1956 he established the Devonian Foundation, and in 1966 he donated over 200,000 items to the Government of Alberta, as well as a \$5 million endowment, providing for the establishment of the Glenbow-Alberta Institute, precursor to the Glenbow Museum and Archives. It was a direct result of Harvie's philanthropy that the Devonian Group was created, which then built Century Gardens and donated it to the City of Calgary.

Century Gardens is directly associated with the Devonian Group of Charitable Organizations, an institution that had a large municipal impact. Established in 1973, the Devonian Group was an amalgamation of different charities founded by Eric Harvie and members of his family. The Devonian Group had a mandate to spend \$61 million over twenty-five years. Projects were completed throughout Alberta, and while the majority were parks, cultural and scientific projects were also undertaken. High profile donations within Calgary include Century Gardens, the Devonian Gardens, and large sculptures installed in various public places downtown. It was the Devonian Group that initiated construction and donated the \$3.2 million Century Gardens to the City of Calgary.

Century Gardens is a good example of a very uncommon style of landscape architecture in Calgary, Brutalism. Inspired by renowned American landscape architect Lawrence Halprin, Century Gardens heavily massed concrete and water features combine to create an abstraction of nature, including nature as a form generating force. The composition of Century Gardens also mirrors Halprin's theory that park design should include elements vital to human survival, such as water, shelter and clearly defined gateways. Two of Halprin's most iconic concrete fountains are the Ira Keller Fountain in Portland and the fountain in Freeway Park in Seattle.

Century Gardens is a significant landmark in Calgary because of its distinctive character and design, as well as its prominent location. Unique to Calgary for its abundant use of water and concrete, Century Gardens is located on the 7 Avenue C-Train line and is therefore seen by thousands of commuters every day.

The unique style of the park also acted as a symbol of Calgary's coming of age and reflected the City's maturity through its modern contemporary design.

Character Defining Elements

- a) The southwest water feature, including:
 - The brutalist concrete fountain (Image 1.1 and 1.2);
 - A publicly accessible upper level to provide access to the upper-level concrete fountain elements and opportunity overlook the park;
 - The large granite boulder at the centre of the entrance deck (Image 1.2);
 - The plaque identifying the commemorative history of the park (Image 1.2);
 - The planting beds with the continued use of evergreen trees (e.g., spruce and pine) with supporting deciduous trees (Image 1.2);
- b) The north water feature, including:
 - The brutalist concrete fountain (Image 1.3);
 - The planting beds with the continued use of evergreen trees (e.g., spruce and pine) with supporting deciduous trees (Image 1.3);
- c) Continued use of evergreen trees (e.g., spruce and pine) with supporting deciduous trees;
- d) The brutalist concrete retaining wall located at the east side of the park (Image 1.4); and
- e) The Alberta Family bronze statue located in the centre of the park (Image 1.5 and 1.6).

Note: the large grassy knoll on the south edge of the park, contoured depression at the centre of the park and stepped wooden amphitheatre are not original, and are therefore not regulated.

Images

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

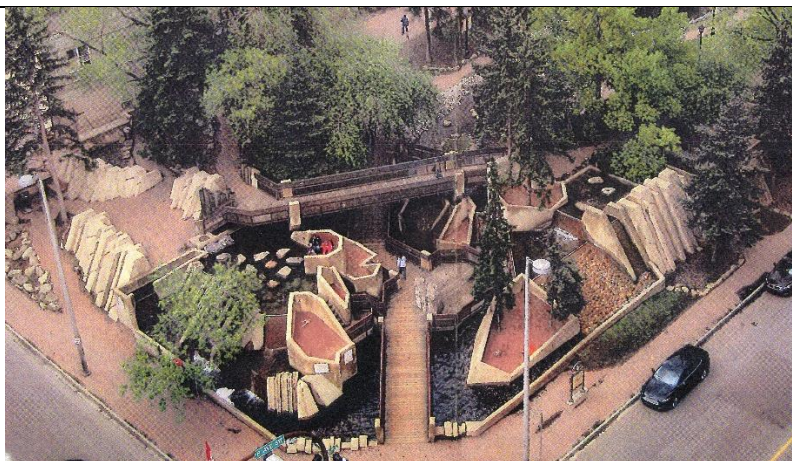


Image 1.1: Aerial photo of park containing brutalist concrete fountains prior to the redevelopment (2009)

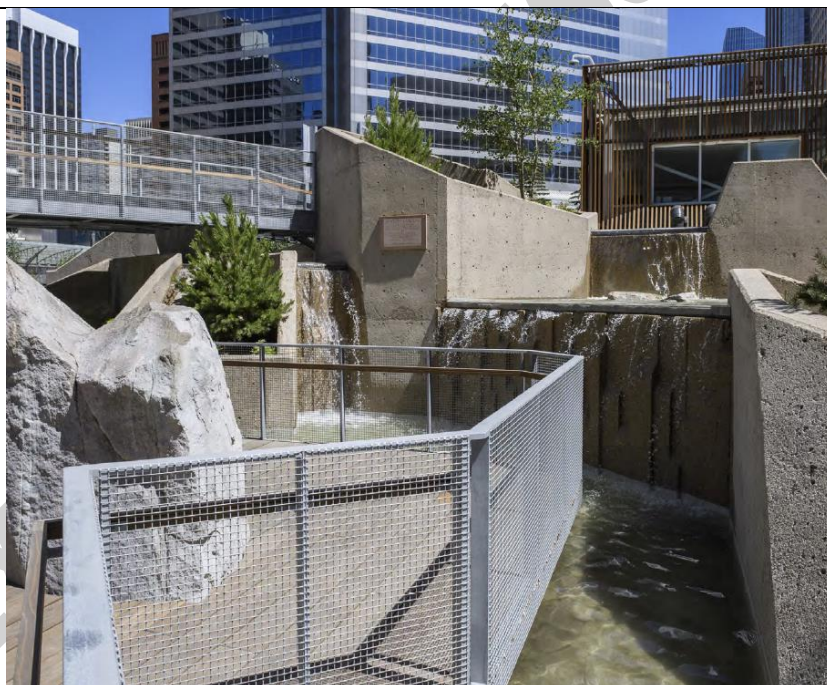


Image 1.2: Southwest water feature including the large granite boulder, plaque identifying the commemorative history of the park, and concrete planting beds filled with evergreen trees and supporting deciduous trees.



Image 1.3: The north brutalist concrete fountain with planting beds filled with evergreen trees and supporting deciduous trees.



Image 1.4: Contemporary view from the upper fountain to the central water feature with the brutalist concrete retaining wall located at the east side of the park (2022)



Image 1.5: Alberta Family sculpture in the original central water feature (2011)



Image 1.6: Alberta Family sculpture (2009)

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