

Proposed Wording for a Bylaw to Designate the Historic Parks of Upper Mount Royal 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 Historic Parks of Upper Mount Royal 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 Historic Parks of Upper Mount Royal as a Municipal Historic Resource”.

MUNICIPAL HISTORIC RESOURCE

2. The Historic Parks of Upper Mount Royal comprises four parks known as South Mount Royal Park, Talon Avenue Park, Cartier Park and Carleton Plot (also known as Levis Avenue Park) with a combined area of 35,618.55 square meters (8.80 acres), more or less, of land covering portions of four parcels and is located at 2908 Wolfe ST SW and legally described as follows:

PLAN 7080AJ
PARK A, B, C AND D

(together, 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”. 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. All replacement shrubs and perennials must be listed within “The Herbaceous Perennial Garden together with Annotated Catalogue of Herbaceous Plants introduced by, and growing in the garden of W. R. Reader, Parks Superintendent Calgary Alberta”.

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"



HISTORIC PARKS OF UPPER MOUNT ROYAL



SCHEDULE “B”

Description

The Historic Parks of Upper Mount Royal consist of four parks designed by the Olmstead Brothers as part of the original 1911 subdivision plan for the community of South Mount Royal. The parks are as follows: South Mount Royal Park bounded by Wolfe Street to the west, Quebec Avenue to the north, Montcalm Crescent to the east, and Cabot Street to the south; Talon Avenue Park bounded by Talon Avenue on the north, Laval Avenue on the south, and Carleton Street on the west; Cartier Park bounded by Cartier Street to the west, and Premier Way and Marquette Street along the east; and Carleton Plot (Levis Avenue Park) bounded by Levis Avenue on the north, Council way on the south, and Carleton Street on the west; and Cartier Park bounded by Cartier Street to the west, and Premier Way and Marquette Street along the east.

Heritage Value

The Historic Parks of Upper Mount Royal have value as fundamental design components of the original subdivision plan for the community. In 1910 to 1911, J. Lonsdale Doupe, Chief Surveyor for the CPR Western Region, contracted the Olmsted Brothers of Brookline, Massachusetts to assist in the design of the new (1911) subdivision of South Mount Royal in Calgary. The legendary firm, successors to famous American landscape architect Fredrick Law Olmsted, was involved in many significant urban improvement projects across the United States and Canada. Based on Olmstedian-suburb-planning principles, the South Mount Royal subdivision layout followed the natural topographical contours of the area. It featured spacious lots with large front yards, gracefully curving streets, treed boulevards, and open park spaces, such as South Mount Royal Park, throughout the community.

The four parks in Upper Mount Royal were transferred to the City of Calgary in 1922. Originally a bald expanse of dirt and clay, South Mount Royal Park was used as an ice rink in the winter and tennis courts in the summer until the first trees were planted in 1928. Development was slow due to poor soil and lack of funds; however, a more ambitious tree and shrub-planting program was begun in 1931 thanks to the availability of relief labour. The whole park was seeded in 1932, and the following year flowerbeds were prepared, paths were graveled, and a rustic arbour and seats installed. The 'Amazon Statue,' originally in front of the public library in Memorial Park, was re-installed in South Mount Royal Park in 1934. However, both the arbour and the statue were soon removed due to vandalism and the arbour was replaced with a pavilion from the abandoned cricket ground at Inglewood Park. In 2009 a bronze statue of General James Wolfe was installed in South Mount Royal Park. Produced by significant American sculptor J. Massey Rhind, the statue dates from about 1898, when it was mounted along with three others on the façade of the Astor Building in New York City. Removed sometime between 1945 and 1950, it was then purchased by Eric Harvie in 1966 and installed at the Calgary Centennial Planetarium until its removal in 2000.

Thanks to the availability of relief labour, Talon Avenue Park was finally developed beginning in 1931 as a rock garden. The rockery was located along the western sunken portion of the park and was planted in 1932 with over a thousand plants. That same year the surrounding land was seeded with grass and the entire park was fenced to prevent cars from driving through and to stop baseball from being played. Because of weed infestations, the rockery was reconstructed and replanted in 1935 and 1936, and in the following year several trees and shrubs were planted to relieve the flatness of the surrounding lawn area.

Thanks to the availability of relief labour, Cartier Park was finally developed beginning in 1935, when trees and shrubs were planted and a rustic fence was built. Graveled paths and a set of steps were built in 1936, and in 1937 the grass was seeded in a portion of the park. The following year a tool

shed was built at the foot of the hill on the east, along with a second flight of steps at the south end of the park in 1941. By 1951 a large portion of the park along the steep incline remained undeveloped, although the originally bare slopes had been planted with natural-looking groves of willow and poplar trees.

While the other three parks were developed in the 1930s, Carleton Plot (Levis Park) remained undeveloped until 1951 when the grass was seeded and flowerbeds prepared. In 1952 flowers were planted, along with spruce and birch trees. To eliminate the problem of wash-outs in the terraced section, three small rockeries were built and planted exclusively with violas.

The CPR's 1911 subdivision of South Mount Royal was created as an exclusive single-family residential community. Lots released in June of 1911 carried restrictive covenants specifying such things as minimum building setbacks and construction costs. The numerous park spaces and abundant vegetation with which the subdivision was planned contributed to the picturesque setting and exclusive, tranquil atmosphere of the neighbourhood. Although housing construction was slow through to the 1950s due to the end of Calgary's real estate boom in 1913, the economic depression of the 1930s, and two world wars, the community did eventually become one of the most desirable up-market neighbourhoods in the city.

Character Defining Elements

The character defining elements of all four Historic Parks of Upper Mount Royal include:

- a) The existing shape of the four parks (as shown on attached Schedule "A") which are formed by the curving roads, representative of an Olmstead influenced subdivision (as opposed to the typical grid pattern of the time) (Image 1.1).
- b) The soft-landscape character of all four parks with continued use of plantings identified within "The Herbaceous Perennial Garden together with Annotated Catalogue of Herbaceous Plants introduced by, and growing in the garden of W. R. Reader, Parks Superintendent Calgary Alberta" (Image 1.2).

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 Upper Mount Royal (1953), illustrating the shape of the four parks which are formed by the curving roads, representative of an Olmsted influenced subdivision.



Image 1.2: Contemporary photo of South Mount Royal Park (2011), illustrating the soft-landscape character that includes manicured lawn, trees and shrubs.

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