

PROPOSED

ITEM #6.2.1
PUD2017-0047
ATTACHMENT 1

BYLAW NUMBER 4M2018

BEING A BYLAW OF THE CITY OF CALGARY TO DESIGNATE THE FAIREY TERRACE 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 real property as a Municipal Historic Resource whose preservation City Council considers to be in the public interest because of its heritage value;

AND WHEREAS the owners of the Fairey Terrace 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 Fairey Terrace as a Municipal Historic Resource”.

BUILDING AND LAND DESIGNATED AS A MUNICIPAL HISTORIC RESOURCE

2. The building known as the Fairey Terrace located at 1111 3 Street S.E., legally described as PLAN C; BLOCK 79; LOTS 21, 22 and 23 as shown on attached Schedule “A” (the “Historic Resource”) is hereby designated as a Municipal Historic Resource.
3. The specific elements of the Historic Resource possessing heritage value are hereby known as the Regulated Portions (the “Regulated Portions”). The Regulated Portions are specifically described or 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 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 date it is passes.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

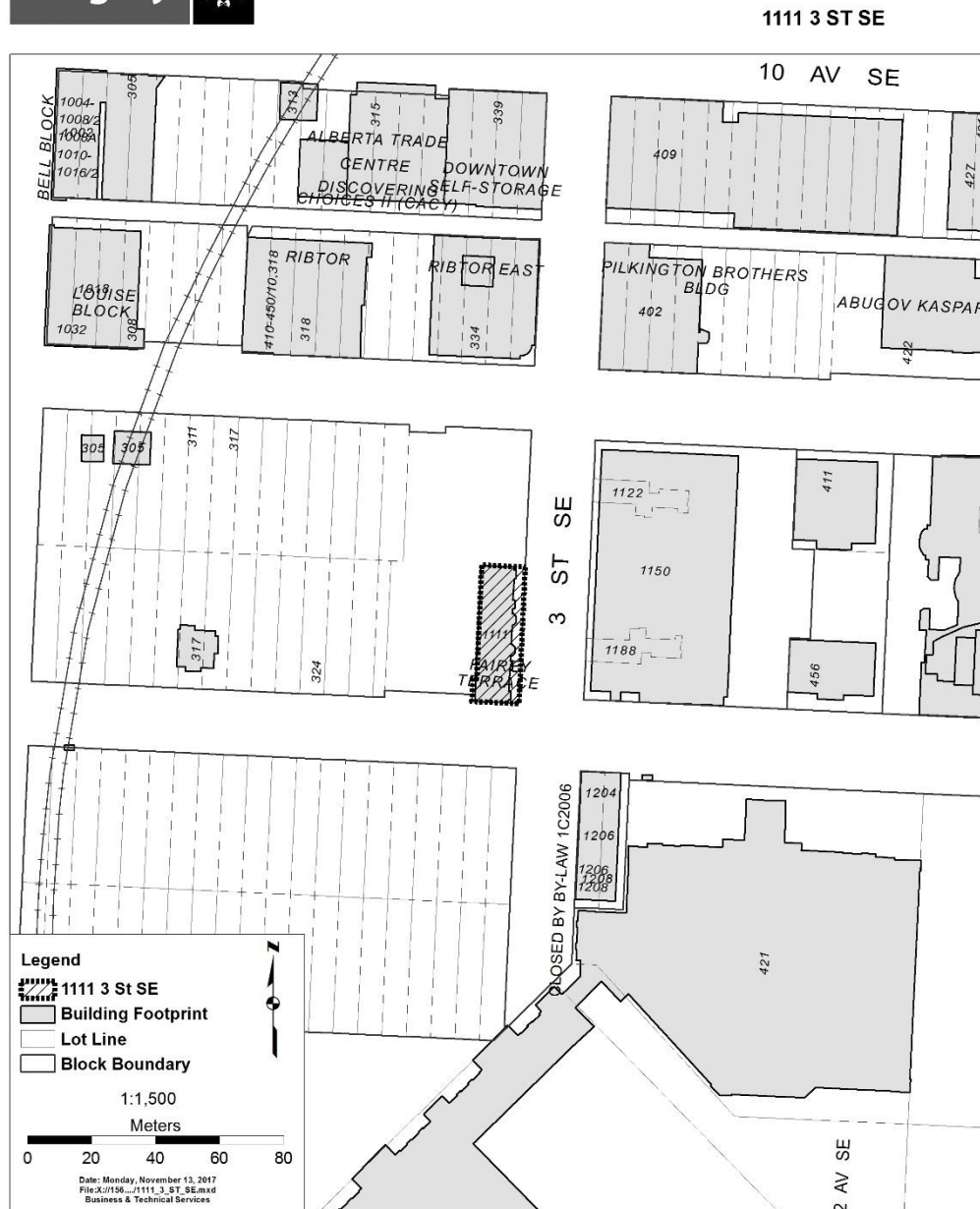
CITY CLERK

SIGNED ON _____

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SCHEDULE "A"



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SCHEDULE "B"

Description

The 1906 Fairey Terrace is an early two-storey, Classical Revival-style residential terrace apartment building of solid masonry construction. The six original units are paired around three prominent double entries with wide reconstructed porticos flanked by projecting two-storey bays, with semi-hexagonal bay windows for the centre units and square bays at the ends. The symmetrical red-brick façade also features a flat roof with shaped parapet and brick cornice, as well as a rock-faced sandstone foundation trim. The building is located between the busy 11th and 12th Avenue traffic corridors in the east part of Beltline formerly known as Victoria Park, one of Calgary's earliest inner city communities. It is situated across from the 1910 Dafoe Terrace and Stampede grounds to the south, and the warehouse district to the north.

Heritage Value

As a 1906 apartment built for professionals, and a community landmark, Fairey Terrace is symbolic of early Victoria Park, where a rich variety of building types developed to serve a wide range of social classes and land uses. Dating to Calgary's settlement, the subdivision was registered by the CPR in 1888. Once established as Calgary's regional distribution centre the CPR, with its rail yards located along Victoria Park's northern boundary, enabled a warehouse district to develop along 10th, 11th and 12th Avenues supporting associated commerce and light industry. To serve workers, merchants and professionals in the warehouses, rail yards and downtown, a range of residences from cottages to high-end apartments developed in the south part of the community.

The owner and developer was Calgary contractor and real estate developer Frank Fairey (ca1862-1926), who emigrated from England in 1884, and was working in Calgary by 1898, residing in Victoria Park. He worked with the F.W. Mapson & Co. property management firm established in 1903 with partners Frederick Mapson and Bertram Durrell, and their businesses were backed by Alberta Land Co., for which Oscar Devenish was secretary. He developed the Louise Block, named for his wife, and was an owner and possibly builder of the Carolina Apartments. In 1906, Fairey acquired a double corner lot on 3rd Street across from Victoria School.

The 6-unit row house has design value as a rare example of early terraced housing in Calgary. Although they were built in Canada from Colonial times (where they were called *rowhouses*) and popular in Ontario, they were controversial in Alberta and rare until the 1970s. Their shared party walls reduced land and building costs, but also meant reduced air, light and privacy; rents were high relative to an equivalent detached home in a good district. Only a few early Calgary terraces exist: Dafoe, High School and Alexandra Terraces, and Hamilton Apartments. Fairey Terrace's two-storey, 7-room units with fir woodwork and skylights, were designed for average-income professionals, clerks and shop keepers.

The building further possesses value for its Classical Revival Style architecture. Another advantage of terrace apartments is that their façades could be treated cohesively, typically with classical decoration, to present as a single façade which was grander than what the individual unit owners could afford. Unifying elements include the shaped parapet and uniform fenestration, as well as Romanesque-inspired corbelled brick cornices and rock-faced sandstone detailing. The units are paired around three impressive double entries with Georgian-inspired pedimented porticos (reconstructed), which are flanked by projecting two-storey, semi-hexagonal and square bays. By 1911, Victoria Park was fully developed, with streetcar service

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along 12th Avenue. Around 1913 Frank retired to Elbow Park but continued to own the terrace for the rest of his life. The apartments passed to Louise upon his death, continuing under Durrell's management through the mid-1940s. For the next three decades, Smolensky family members were the long-time owners. Merchant David Smolensky and his brother, Benjamin, an electrician and engineer, were sons of Rabbi Simon Smolensky, an important Calgary Jewish spiritual leader. During the same period, the rabbi and other Smolensky family members owned Dafoe Terrace, and the units for both were divided into progressively smaller suites, eventually tripling occupancy. Through the end of the Second World War most of Calgary's Jewish population lived east of Centre Street between the Bow River and 12th Avenue, including northeast Victoria Park, after which there was a gradual movement westward and into more prosperous suburbs. Since then, the building has been owned by developers, including the current long-time owner since 1981. It was recognized as a Provincial Historic Resource in 1987 and in 1999, was converted to commercial uses.

Character-Defining Elements

Key elements that define the heritage character of the Fairey Terrace include its:

- form, scale and massing as expressed by its two-storey, rectangular plan with long façade;
- six-unit residential terrace (row) house form, each unit with two bays;
- flat roof with brick parapet (shaped parapet with coping on front wall and corbelled brick cornice at base; stepped parapet on end walls with brick detail on top edge); brick chimney with brick detailing;
- solid masonry construction with solid masonry fire walls; tie rod anchors in the end walls; original red-brick cladding in stretcher bond pattern on front and side walls; sandstone trim and rock-faced sandstone foundation;
- additional Classical Revival Style details including: stacked square bays and semi-hexagonal bay windows; parapet gables with brick roundels in the peak; red-brick cladding with sandstone trim; flat roof with shaped parapet; symmetrical façade; flat-roofed wooden porticos over the three double entranceways, with pediments and entablatures supported on columns, each double entry with wide steps; use of rock-faced sandstone;
- original fenestration pattern on all façades; original window openings; two-storey stacked semi-hexagonal bay windows; tall vertical, double-hung, wooden-sash windows, main floor windows with transoms; sandstone lintels and lug sills; three sets of paired wooden entry doors, each door with glazed panel, sidelights, transom and sandstone lintel;
- location on front property line with very shallow landscaped front setback; and
- location across from Victoria School and Dafoe Terrace, and close to Stampede (formerly Victoria Park) exhibition grounds and warehouse district.

REGULATED PORTIONS

1.0 East Façade

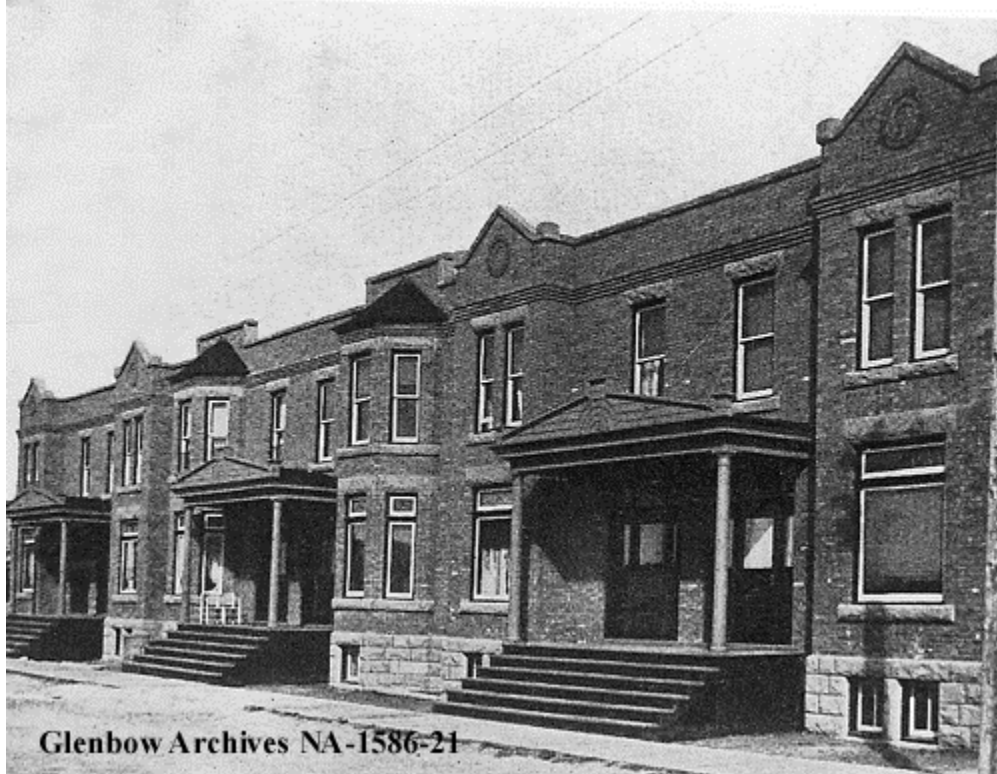
The following elements are regulated:

- The red brick exterior wall including corbelled cornices, parapets and roundel ornamentation laid in the parapets (Images 1.1, 1.2);
- The sandstone detailing comprising foundation, lintels and window sills (Images 1.1, 1.2);
- The fenestration /windows, and their frames and sashes (replacements) (Images 1.1, 1.2);
- The six doorways and their assemblies (replacements) (Images 1.1, 1.2, 1.3); and

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- The three open porches (replacements in kind) with classical wood supports wood-shingle pediments and tongue-and-groove ceilings; (Images 1.3).



(Image 1.1: Historic view of East Façade, ca. 1906 – Glenbow Archives NA-1586-21)



(Image 1.2: East Façade)

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(Image 1.3: Detail view of an East Façade porch and replacement doorway assemblies)

2.0 North Façade

The following elements are regulated:

- The red-brick exterior wall and parapet (Image 2.1).



(Image 2.1: North Façade)

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3.0 South Façade

The following elements are regulated:

- The red-brick exterior wall and parapet, and sandstone foundation (Image 3.1)



(Image 3.1 South Façade)

4.0 Form, Scale and Massing

The following elements are regulated:

- The building's two-storey, flat roof, rectangular and symmetrical form with projecting East façade window bays (Images 1.1, 1.2, 2.1, 3.1).

5.0 Structural Elements

The following elements are regulated:

- Those portions of the building constituting its structural framework and composition (to preclude facadism), including the West Wall and the flat roof.

6.0 Land

The Land is regulated as follows:

- The building's existing location and placement on the property; and
- any development of any portion of the property (as shown on attached Schedule "A") shall be undertaken in a manner that does not negatively impact the Regulated Portions of the Fairey Terrace or its historical, landmark character.

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