

BYLAW NUMBER 44M2017

**BEING A BYLAW OF THE CITY OF CALGARY
TO DESIGNATE THE ARNELL BLOCK AND
THE SMITH (COZZUBBO) RESIDENCE
AS MUNICIPAL HISTORIC RESOURCES

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 Arnell Block and the Smith (Cozzubbo) 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 Arnell Block and the Smith (Cozzubbo) Residence as Municipal Historic Resources”.

BUILDING AND LAND DESIGNATED AS A MUNICIPAL HISTORIC RESOURCE

2. The “Arnell Block and the Smith (Cozzubbo) Residence” as shown on attached Schedule “A” comprises:

The Arnell Block:

- a) A two-storey, red-brick, Commercial-style building dating from 1911;
- b) Located with a parcel address of 1126 Kensington Road NW, and a building address of 1122 Kensington Road NW, and legally described as Plan 5609J; Block D; Lots 5-10 EXCEPTING THEREOUT ALL MINES AND MINERALS (OUT OF LOTS 7, 8, AND 9); and

The Smith (Cozzubbo) Residence:

- a) A one-storey, red-brick, Edwardian cottage-style building dating from 1911;
- b) Located with a parcel address of 1126 Kensington Road NW, and a building address of 207 10A Street NW, and legally described as Plan 5609J; Block D; Lots 5-10 EXCEPTING THEREOUT ALL MINES AND MINERALS (OUT OF LOTS 7, 8, AND 9).

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3. The Arnell Block and the Smith (Cozzubbo) Residence are hereby designated as Municipal Historic Resources as defined in the *Act*.
4. The heritage value of the Arnell Block and the Smith (Cozzubbo) Residence are hereby described in the attached Schedule “B”.
5. The specific elements of the Arnell Block and the Smith (Cozzubbo) Residence 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 “C”.

PERMITTED REPAIRS AND REHABILITATION

6. a) The Regulated Portions of the Arnell Block and the Smith (Cozzubbo) Residence, as described or identified in Schedule “C” 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 “D”.
- b) All portions of the Arnell Block and the Smith (Cozzubbo) Residence, which are not described or identified as a Regulated Portion in Schedule “C” 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.

COMPENSATION

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

EXECUTION OF DOCUMENTS

8. 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

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

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10. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME THIS ____ DAY OF _____, 2017.

READ A SECOND TIME THIS ____ DAY OF _____, 2017.

READ A THIRD TIME THIS ____ DAY OF _____, 2017.

MAYOR
SIGNED THIS ____ DAY OF _____, 2017.

CITY CLERK
SIGNED THIS ____ DAY OF _____, 2017.

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SCHEDULE "A"



Arnell Block and Smith (Cozzubbo) Residence



SCHEDULE "B"

ARNELL (SMITH) BLOCK

Description

The Smith Block, later known as the Hillhurst Block and Arnell Block, is a two-story, red-brick, Edwardian Commercial-style building located prominently on the corner of Kensington Road and 10A Street NW in the community of Hillhurst, Calgary.

Heritage Value

The Smith Block stands as a reminder of the early development phase of Hillhurst which began with the construction of the Louise Bridge built in 1906, (replaced in 1921) and the annexation of Hillhurst to the city in 1907. In 1911 Englishman John Smith built this mixed-use commercial building, along with a red-brick Edwardian cottage and a third, 1.5-storey, wood-frame structure directly to the north of the commercial building.

The Smith Block also recalls the early high-street character of Kensington Road, resulting from the street's role as a streetcar route from 1909-50. The Smith Block is an integral part of the nearby stock of other early commercial and institutional buildings including the Carscallen (1911), Hayden (1912), Irwin (1912) Blocks, the King George Masonic Hall (1926) & the Plaza Theatre (1928).

The commercial activities of the Smith Block contributed to the character of Hillhurst's commercial core. The businesses operating out of the Smith Block's divided commercial ground floor initially included a grocery from 1911-1914, and a real estate office from 1911-13. Subsequently, the building housed the Self-Serve Grocery Store and the Hillhurst Confectionary and Ice Cream Parlour, both owned by Salvatore and Rossaria Cozzubbo- among the first Italian immigrants in what was otherwise a largely British community. The ice cream parlour operated from 1921 until into the 1940's and subsequent businesses replacing the grocery store included a cobbler and a meat shop. By virtue of such commercial activity, it would have been an area retail focal point within this immigrant working-class community of labourers, mechanics, carpenters and others.

The Smith Block is representative of the Edwardian Commercial-style architecture in Hillhurst. It features a red-brick exterior, a wraparound storefront with large display windows and cornice and simple, straightforward proportions and detailing. Originally a recessed entry allowed access into each of the ground floor's commercial units, although the entry is now partially enclosed. The interior of the building is notable for its elaborately embossed tin ceilings and cornices on the ground floor.

Character-Defining Elements

The character-defining elements of the Smith Block include but are not limited to its:

- Two-storey rectangle form;
- Flat roof with straight brick parapets and cornice;
- Red-brick-clad façades;
- Wraparound storefront with symmetrical large plate-glass display, recessed entry and secondary cornice;
- Fenestration with arched windows (symmetrical on second floor);
- Elaborately embossed tin ceiling and cornices on ground floor interior; and
- Placement of the building on the property with no front set back.

SMITH (COZZUBBO) RESIDENCE

Description

The Smith (Cozzubbo) Residence, built in 1911, is a one-storey, red-brick, Edwardian Cottage-style building located at 207 10 A St NW; it is part of the larger parcel of 1126 Kensington Rd NW. The building now forms the northerly part of the Kensington Pub.

Heritage Value

The red-brick Smith (Cozzubbo) Residence was built in 1911 for John Smith, an English immigrant who, in the same year, also developed the two-storey, red-brick Smith (Arnell) Block on Kensington Road immediately to the south. Also in 1911 on the same lot between these two buildings, Smith constructed a third building, a one-and-one-half storey wood-frame residence, which later became a duplex and now forms part of the Kensington Pub. Smith died in 1911 though his widow Alma retained the property until 1922 and occupied the wood-frame residence between the two brick buildings.

The heritage value of the Smith (Cozzubbo) Residence stems from its Edwardian Cottage-style architecture, of which it is a high-quality example. The cottage-style residence is distinguished by its red-brick exterior (over a wood frame), diminutive scale, hipped roof, and symmetrical appearance. The red-brick finish of the cottage is uncommon in the community, distinguishing it from most houses in the area which were completely wood construction. While modest in size, the brick veneer exterior imbues the cottage with a high quality of finish.

Built just four years after the settlement of Hillhurst was annexed to become part of Calgary, the Smith (Cozzubbo) Residence also represents the early development phase of the community. The area was a distinctly working-class suburb comprising residents hailing from elsewhere in English-speaking Canada, or the British Isles that built and occupied modest but attractive houses, such as the Smith Residence. Early occupants of the house included carpenters, a teamster, salesmen and a tailor, all of British descent thus reflecting the community's early demographics. In 1924 the property was purchased by Salvatore and Rossaria Cozzubbo, who operated the Hillhurst Confectionery and Ice Cream Parlour in the Smith (Arnell) Block. Mrs. Cozzubbo occupied the house until 1952, twenty years after the death of her husband in 1932.

The house today is a landmark in the community being part of the well-known and highly prominent Kensington Pub, a neighbourhood institution. The balance of the Kensington Pub is the 1911 wood-frame residence (duplex) also built by John Smith. Although that portion of the pub features a highly-distinctive and attractive mock-Tudor style exterior on a historic building those finishes are not historic and date to only the 1990s. The house has a high level of visibility and prominence due to this association with the Kensington Pub and because of its placement near the busy commercial intersection of Kensington Rd and 10A St. NW.

Character-Defining Elements

The character-defining elements of the Smith (Cozzubbo) Residence include but are not limited to its:

- One-storey, rectangular form with hipped roof;
- Wood-frame construction with red-brick veneer exterior cladding;
- Symmetrical fenestration with segmental-arch window and doorway openings;
- Original placement on the property with no setback.

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SCHEDULE "C"

REGULATED PORTIONS

1.0 South Façade – Arnell Block

1.1

- a) The red-brick façade (Photos 1.1, 1.2);
- b) The second-storey fenestration with segmental-arched windows (Photos 1.1, 1.2);
- c) First-storey storefront elements comprising the large display-window openings, central recessed entry bay and its pressed-metal ceiling, and the pressed-metal storefront cornice (Photos 1.1, 1.2, 1.3, 1.4).



(Photo 1.1: Oblique view of the south (and east) façade)

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(Photo 1.2: 1985 photo showing south façade, including the historical appearance of the storefront, the corbelled roofline cornice, and brick window sills— courtesy Province of Alberta Heritage Survey Program 11-138 1985 P1)



(Photo 1.3: A portion of the pressed-metal storefront cornice)



(Photo 1.4: A portion of the pressed metal ceiling in the central recessed entry bay)

2.0 East Façade – Arnell Block

2.1

- a) The red-brick façade (Photos 2.1, 2.2);
- b) The first- and second-storey fenestration with segmental-arched windows (Photos 2.1, 2.2);
- c) A wraparound portion of the first-storey storefront comprising a long and narrow display-window opening and the pressed-metal storefront cornice (Photos 2.1, 2.2).



(Photo 2.1: East façade)



(Photo 2.2: 1985 photo showing an oblique view of the east façade – courtesy Province of Alberta Heritage Survey Program 11-138 1985 P2)

3.0 North Façade – Arnell Block

3.1

- a) The red-brick façade (Photo 3.1);
- b) The second-storey fenestration with segmental-arched windows (Photo 3.1).



(Photo 3.1: North façade, oblique view)

4.0 West Façade – Arnell Block

4.1

- a) The red-brick façade (Photo 4.1);



(Photo 4.1: West façade)

5.0 Interior Elements – Arnell Block

5.1

- a) The pressed-metal ceiling (and cornice mouldings) of the first-storey interior (Photo 5.1).



(Photo 5.1: Example of the pressed metal ceiling and cornice mouldings of the first-storey interior)

6.0 Form, Scale and Massing – Arnell Block

6.1

- a) The two-storey, flat roof, and rectangular form, scale and massing of the building.

7.0 Structural Integrity and Framework – Arnell Block

7.1

- a) The solid brick construction of the building's outer walls and original internal structural integrity and framework of the building (regulated with intent to preclude façadism).

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8.0 East Façade – Smith (Cozzubbo) Residence

8.1

- a) The red-brick façade (above and not including the foundation) (Photo 8.1);
- b) The fenestration comprising segmental-arched windows and central doorway (Photo 8.1).



(Photo 8.1: East façade)

9.0 North Façade – Smith (Cozzubbo) Residence

9.1

- a) The red-brick façade (above and not including the foundation) (Photo 9.1);
- b) The fenestration comprising segmental-arched windows and central doorway (Photo 9.1).



(Photo 9.1: North façade)

10.0 Interior – Smith (Cozzubbo) Residence

10.1

- a) The westerly brick wall and its two segmental arched openings (formerly the exterior West façade wall) (Photos 10.1, 10.2).



(Photo 10.1: The westerly brick wall – formerly the exterior west façade)



(Photo 10.2: The westerly brick wall – formerly the exterior west façade)

11.0 Form, Scale and Massing – Smith (Cozzubbo) Residence

11.1

- a) The one-storey, hipped roof (east, north and west slopes – south slope is not extant), and rectangular form, scale and massing of the building (Photos 8.1, 9.1).

12.0 Contextual Elements - Arnell Block and Smith (Cozzubbo) Residence

12.1

- a) The undeveloped air space directly above the Arnell Block and the Smith (Cozzubbo) Residence (Photos 1.1, 8.1);
- b) The current (original) location of the Arnell Block and the Smith (Cozzubbo) Residence (see Schedule “A”).

SCHEDULE "D"

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