

PROPOSED

ITEM #6.2.2
PUD2017-0048
ATTACHMENT 1

BYLAW NUMBER 3M2018

BEING A BYLAW OF THE CITY OF CALGARY TO DESIGNATE THE NIMMONS RESIDENCE 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 Nimmons 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 Nimmons Residence as a Municipal Historic Resource”.

BUILDING AND LAND DESIGNATED AS A MUNICIPAL HISTORIC RESOURCE

2. The building known as the Nimmons Residence, located at 1827 14 ST S.W., and the land on which the building is located being legally described as Plan 1610440; Block 1; Lot 23 as shown in the attached Schedule “A” (the “Historic Resource”), are hereby designated as a Municipal Historic Resource.
3. The specific elements of the Historic Resource possessing heritage value are hereafter referred to as the Regulated Portions (the “Regulated Portions”). The Regulated Portions are 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 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

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“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) Prior to any relocation of the Nimmons Residence within the property, a report from a qualified engineer or other similarly qualified professional detailing the construction management plan associated with relocating the building or any redevelopment of the property shall be required at the Development Permit stage. The heritage building may be moved to temporary locations in association with redevelopment of the property. The final location of the Nimmons Residence at the conclusion of redevelopment must as specified in Schedule “B”, section 7.0.

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.

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

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

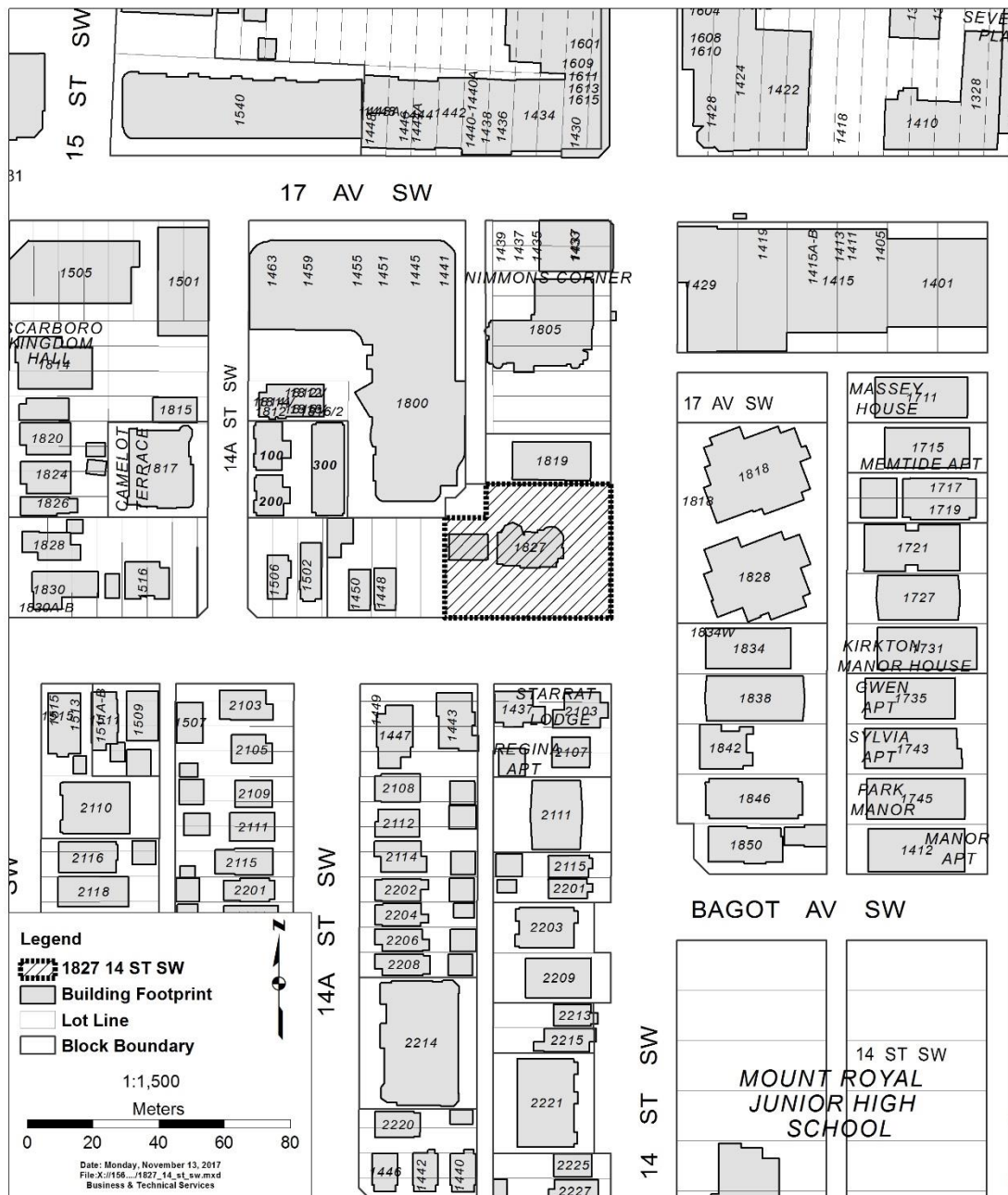
CITY CLERK

SIGNED ON _____

SCHEDULE "A"



1827 14 ST SW



SCHEDULE "B"

Description

The Nimmons Residence is a two-storey Queen Anne Revival-style house built about 1898 and the associated 0.1934-hectare (0.48-acre) property. The rectangular red-brick building has a hipped and cross-gable roof, polygonal corner tower, and a broad, wrap-around veranda. The property is situated in the inner-city community of Bankview, and comprises a prominent, elevated corner location at 14th Street and 19th Avenue, S.W.

Heritage Value

The Nimmons Residence possesses symbolic value for its associations with Calgary's golden age of ranching (c1886-1906), an activity which was vital to the city's settlement. The 3-D Bar Ranch was established near Calgary in the mid 1880s when Isabella and William Nimmons purchased a half-section of land from the Hudson's Bay Company. The price of \$8 per acre was very high for the time, but the land's proximity to Calgary markets was advantageous for ranching, lifestyle and real estate. The ranch extended from 17th Avenue to 26th Avenue, and from 14th Street to near Crowchild Trail. The resource, the Nimmons second ranch house (the first at 1813 14th St. was demolished in 1953), permitted views of their herd of Shorthorns grazing near present day 17th Avenue, and of the Jackson and Riley ranch houses. It is a rare surviving ranch house in Calgary and its open grounds and wide setbacks are what remain of the original ranch.

The Nimmons Residence is significant for its association with its builders and first owners William Nimmons (c1826-1919) and wife Isabella (c1851-1936). They are important for their role as pioneer ranchers, for the contribution of William's quarry and brickworks to Calgary's early construction and for his role in the city's urban development. After his marriage to Scottish-born Isabella (nee Munneck) in 1883, William emigrated from England to raise his family and establish a ranch outside Calgary's city limits. William had lived in North America prior to their marriage and his imprisonment by Louis Riel while surveying in 1869 did not deter him. Isabella showed equal fortitude, giving birth to Isabella, her second child and one of the first non-native children born in Calgary, within six weeks of arrival. William and youngest son Albert worked as ranchers and farmers, Albert later competing in Calgary's first Stampede. Nimmons established a quarry and brickworks on the northwest part of his estate. His quarry, managed by James Oliver, supplied sandstone for the Lougheed House, Carnegie Library, and many early schools. He also operated greenhouses on the estate.

The Nimmons Residence holds symbolic meaning for the Bankview and Richmond/Knob Hill neighbourhoods as the first house in the area and because the lands - surveyed for William in 1905 and annexed in 1907 - eventually became Bankview and part of Richmond/Knob Hill. William acted as real estate agent for his lots, working from the Nimmons & McCloy office on 8th Avenue and later from the Isabella Block, aka Nimmons Corner at 1431 17th Avenue, which he built in 1911. Despite losing it to the City for back taxes for a period in the 1930 and 40s the Nimmons family and descendants lived in the house through the 1980s and owned it until the 21st century.

The construction of the Nimmons Residence is significant for the early use of red brick (of 14,842 dwellings in Alberta by 1901 only 97 used brick), even more unusual since buff-colour was most common in 1890s Calgary. The resource is notable because the brick comes from his brickworks and the sandstone for the lintels, sills and foundations came from his quarry.

The Nimmons Residence possesses stylistic value as one of the finest examples of the Queen Anne Revival-style architecture in Calgary. Characteristically, it has a hipped roof with cross gables, an asymmetrical façade, polygonal corner tower, and numerous small stain glass windows. The classical detailing expressed in the broad wraparound veranda associate the Victorian house with the 'free classic' variant of the style.

The resource is a community landmark due to its prominent location on a large corner property on a main traffic artery. There are significant views of the city from the resource. According to youngest daughter, Kate McCloy, the ranch house was built "on a hilltop so mother could look out the windows and see the great sweep of the prairie and the village of Calgary in the distance".

Character-Defining Elements

The character-defining elements include, but are not limited to its:

- Two-storey, rectangular plan with irregularities, including a polygonal corner tower
- Hipped roof with lower cross gables; polygonal tower roof; numerous, short, wooden finials; closed, wooden tongue-and-groove soffits; tall, corbelled, red-brick chimneys;
- Wood-frame construction with red-brick cladding in stretcher bond; rock-faced sandstone foundation and detailing (sills, lintels); wood-shingle gable cladding with mock half timbering;
- Fenestration, with one-over-one, wooden-sash windows; fixed-sash leaded, stained and 'jewelled' windows; a four-pane window with a stained and patterned upper sash; some four-pane, wooden storm sashes; square-sided bay / oriel window with wooden tongue-and-groove panelled finish;
- An elaborate and classically detailed, open, curved, wrap-around veranda and balcony of wood construction with single-bellied balusters, Tuscan columns, pedimented entry, wood shingle-clad base and wooden tongue-and-groove ceiling;
- Main doorway assembly with panelled sidelights containing oval-shaped leaded and bevelled glass lights, and a panelled oak door with bevelled oval glazing
- Interior features including extant elements of the original layout such as the side-hall plan, large first-storey rooms; open staircase with turned balusters and panelled, square newels; wood door and window casings some with cornices or corner blocks, and baseboards; panelled wood doors and hardware; softwood flooring; and
- Contextual features including the elevated and prominent location of the property along a primary street; original placement of the house on the property; the large (as of 1934) size of the property; the extremely significant street setbacks of the house in each direction; unobscured views of the house from multiple directions; view from the property to downtown.

REGULATED PORTIONS

1.0 East Façade

- The red-brick exterior walls laid in stretcher bond (Images #1.1, #1.2);
- Doorway assembly with panelled oak door with oval-shaped bevelled glazing and panelled, oak sidelights with oval-shaped, leaded and bevelled glazing; rock-faced sandstone lintel and threshold (Image #1.2);
- Fenestration, with 1-over-1 wooden sash windows with 4-pane wooden storm sashes; smaller, fixed-sash leaded and stained glass window; rock-faced sandstone lintels and sills (Images #1.0, #1.1, #1.3, #1.4, #1.5);

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- Open, full-width, wraparound veranda and balcony of wood construction with classical, Tuscan-style columns, single-bellied balusters, pedimented entrance tongue-and-groove ceiling, and wood-shingle-clad base (Images #1.0, #1.1, #1.6);
- Polygonal corner turret (Images #1.0, #1.1); and
- Wood-shingle-clad gable with mock-half timbering detail (Images #1.0, #1.1).



(Image #1.0 – Historic (1912) view of East and South Facades; courtesy Glenbow Archives)

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(Image #1.1 – East façade of the Nimmons Residence)



(Image #1.2 – Main entrance, showing doorway assembly)

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(Image #1.3 – Example of a 1-over-1 wooden-sash window common to all façades; sandstone lintel above the window opening and sill below)



(Image #1.4 – Example of a window with 4-pane wooden storm sash)



(Image #1.5 – Example of one of the smaller leaded and stained glass windows)



(Image #1.6 – Detail view of the veranda, showing balustrade, Tuscan-style column and wooden tongue-and-groove ceiling)

2.0 South Façade

- The red-brick exterior walls laid in stretcher bond (Image #2.0);
- 25-30" of an irregularly coursed, rock-faced sandstone foundation and its six window openings;
- Fenestration, with 1-over-1 wooden sash windows and wooden 1-over-1 and 4-pane storm sashes; smaller, fixed-sash leaded, stained glass window; rock-faced sandstone lintels and sills (Images #2.0, #1.3, #1.4, #1.5);
- Bay (oriel) window clad in wood with multiple tongue-and-groove panels and a hipped roof (Image #2.1); and
- Wood-shingle-clad gable with mock-half timbering detail. (Image #2.0).

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(Image #2.0 – South façade of the Nimmons Residence)



(Image #2.1 – Wood-panelled bay (oriel) window)

3.0 North Façade

- The red-brick exterior walls laid in stretcher bond (Images #3.0, #3.1);
- 25-30” of an irregularly coursed, rock-faced sandstone foundation and its two window openings (Images #3.0, #3.1);
- Fenestration, with 1-over-1 wooden sash windows with 4-pane wooden storm sashes; smaller, fixed-sash leaded, stained glass window with ‘jeweled’ insets; large wood-sash window with patterned and stained glass upper sash over a single pane; single sash rock-faced sandstone lintels and sills (Images #3.1, #3.3, #1.3, #1.4, #1.5);
- Those portions of the building enclosed within the modern addition which were originally exterior elements, including the red-brick walls laid in stretcher bond, original window openings and their associated sandstone lintels and sills (Image #3.2);
- The open, wraparound veranda and balcony of wood construction with classical, Tuscan-style columns, single-bellied balusters, tongue-and-groove ceiling, and wood-shingle-clad base (Image #3.4);
- Eastern polygonal corner turret with polygonal roof (Image #3.1); and
- Wood-shingle-clad gable with mock-half timbering detail (Image #3.1).

Note - The large, wood-frame polygonal corner turret at the north-west corner of the building is of modern design and is Non-regulated.

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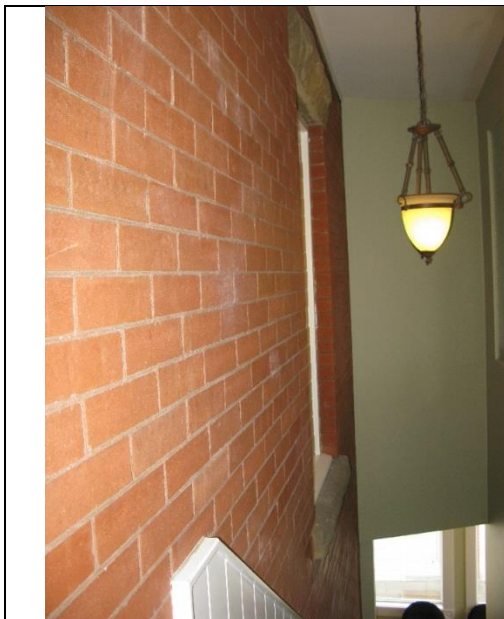
(Image #3.0 – North façade of the Nimmons Residence; photo includes modern turret addition at northwest corner of the building which is Non-regulated)

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(Image #3.1 – Portion of north façade of the Nimmons Residence)



(Image #3.2 – Portion of north façade now enclosed within the modern addition)



(Image #3.3 – Large north façade window with decoratively patterned upper sash)

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4.0 West Façade

- The red-brick exterior walls laid in stretcher bond (Image #4.0);
- 25- 30" of an irregularly coursed, rock-faced sandstone foundation;
- Fenestration, with 1-over-1 wooden sash windows; rock-faced sandstone lintels and sills (Image #4.0);
- Those portions of the building enclosed within the modern porch and turret addition, which were originally exterior elements, including the red-brick walls laid in stretcher bond, original window and door openings and their associated sandstone lintels and sills (Image #4.1);
- Second-storey doorway with transom and rock-faced sandstone lintel (Image #4.0); and
- Wood-shingle-clad gable with mock-half timbering detail (Image #4.0).

Note - The large, wood-frame polygonal corner turret at the northwest corner of the building and the enclosed rear porch, partial veranda and second-storey balcony are all of modern design and are Non-regulated.



(Image #4.0 – Portion of west façade of the Nimmons Residence)



(Image #4.1 – Portion of west façade now enclosed within modern rear porch addition)

5.0 Roof Elements

- The hipped roof with lower cross gables with wooden tongue-and-groove soffits and short, turned, wooden roofline finials (Images #1.0, #1.1, #2.0, #3.0, #3.1, #4.0);
- Polygonal turret roof at north-east corner of the building (Images #1.0, #1.1); and
- Tall, red-brick chimney with corbelled cap at southwest corner of the building (Image #2.0).

Note – The shed-roof dormers are not original, and are Non-regulated.

6.0 Interior

- The original window casings throughout (Images #6.0-6.2); and
- Main staircase placement and newels and balustrades (Image #6.3).

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Image #6.0 – Example of the window casings in the primary (public) rooms of the house



Image #6.1 – Example of the window and door casings in the secondary rooms of the house



Image #6.2 – Example of a portion of the window casings used throughout the house



Image #6.3 – The main staircase balustrade

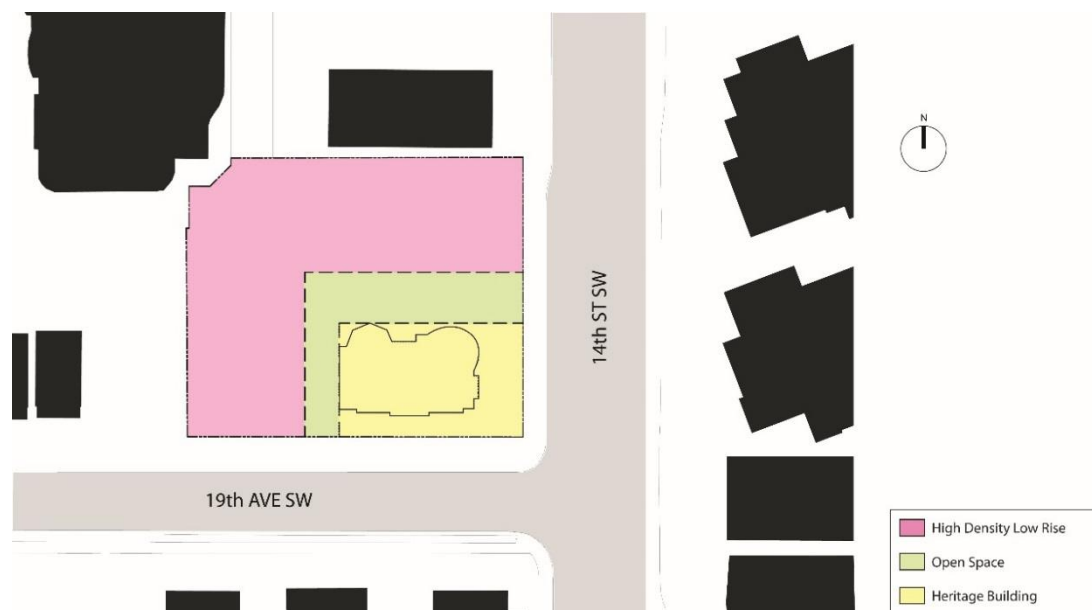
7.0 Lands and Context

If the heritage building is not moved:

- The placement of the heritage building in its original location in the centre of the parcel (as shown in Schedule "A");
- The existing directional orientations of each façade;
- 4.5m of setbacks (open space) to the west of the heritage building; 7.4m of setbacks (open space) to the north and to the south of the heritage building; and the portions of the land between the heritage building and the property line at 14 Street SW; and
- Not to preclude subsurface development, only the surface of the Nimmons Residence land containing the heritage building, and the surface of the surrounding land within the setbacks (open space) as described above.

If the heritage building is permanently moved:

- The placement of the heritage building on the southeast portion of the property (Image #7.0);
- The existing directional orientations of each façade;
- Not to preclude subsurface development, only the surface of the Nimmons Residence land containing the heritage building and surrounding land to the setbacks (open space) to the north and the west, and to 14th Street to the east, and 19th Avenue to the south (Image# 7.0); and
- Setbacks (open space) between the heritage building and future new building: A minimum 4.5-metre setback (open space) between the westerly edge of the heritage building and any future new building; a minimum 7.4-metre setback (open space) between the northerly edge of the heritage building and any future new building; open character of the said future setbacks (open space) with the intent to preclude additional structural development and construction on these portions of the property that would negatively affect the open space and the heritage character of it, and views to the heritage building (Image #7.0).



(Image #7.0 – Conceptual drawing for illustrative purposes, showing the historic house moved to the southeast corner of the property, the associated setback, and area for a potential new development associated with future redevelopment of the property, indicated as “High Density Low Rise”)

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