

PROPOSED

Item #6.2.1
PUD2018-0259
Attachment 1

BYLAW NUMBER 21M2018

BEING A BYLAW OF THE CITY OF CALGARY TO DESIGNATE THE MOXAM APARTMENTS 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 Moxam Apartments 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 Moxam Apartments as a Municipal Historic Resource”.

BUILDING AND LAND DESIGNATED AS A MUNICIPAL HISTORIC RESOURCE

2. The building known as the Moxam Apartments, located at 721 13 AV S.W., and the land on which the building is located being legally described as PLAN A1 BLOCK 91 THE EASTERLY 6 FEET 3 INCHES OF LOT 9 AND ALL OF LOTS 10, 11 AND THE WEST HALF OF LOT 12 (the “Historic Resource”), as shown in the attached Schedule “A”, 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”.

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- 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.

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 passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

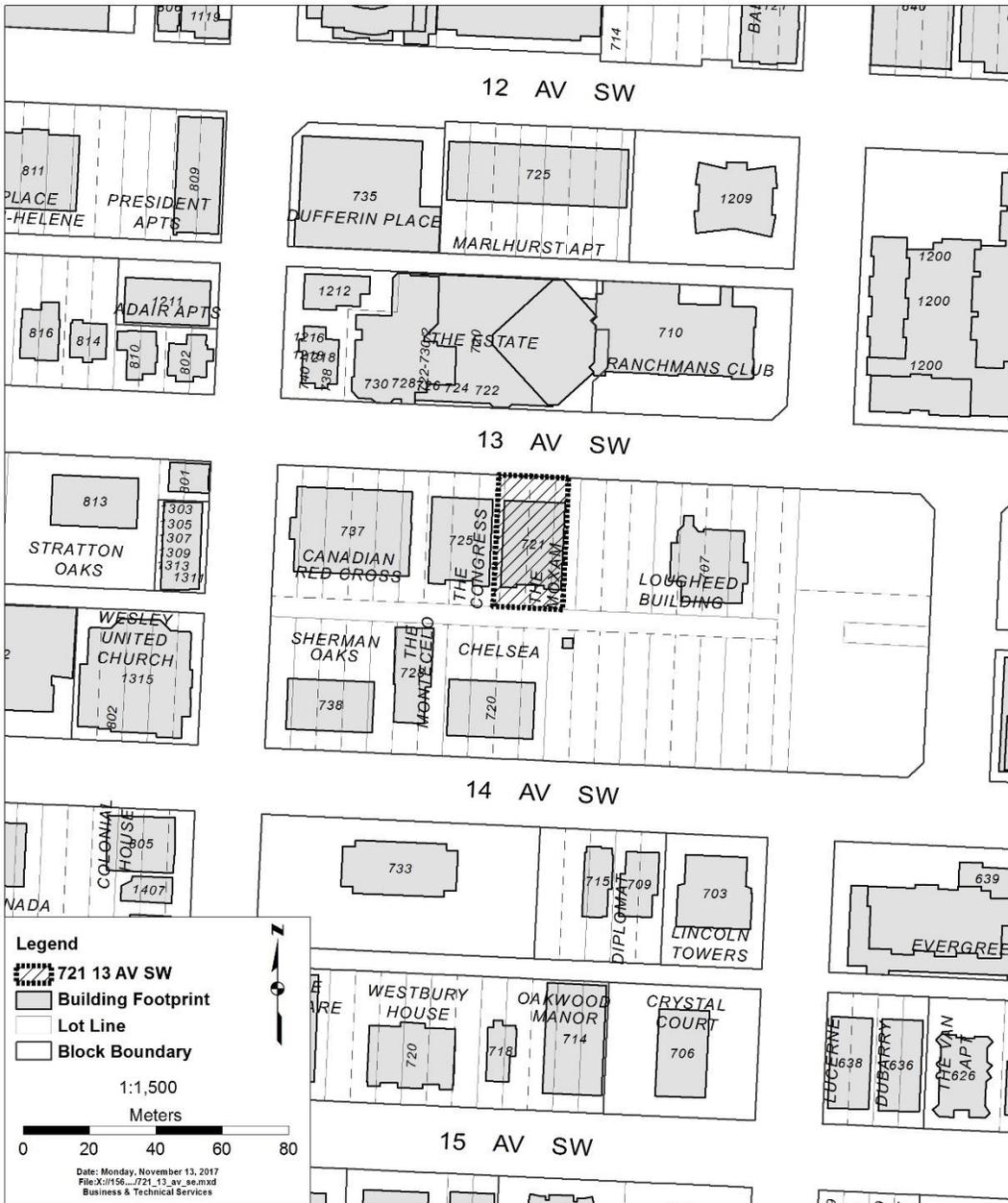
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SCHEDULE "A"



721 13 AV SW



SCHEDULE "B"

Description of the Historic Place

The Moxam Apartments is a three-storey, Classical Revival-style building constructed 1911-12. The building is distinguished by its buff-coloured brick exterior and its pairing with an identical, adjacent, apartment building, the Houlton House (Congress) Apartments. The Moxam Apartments are located in the Beltline community and contribute to the historical, upscale, residential character of the area.

Heritage Value of the Place

The Moxam Apartments were constructed 1911-12 by John A. Moxam, owner of the Moxam Realty and Construction Company. Moxam was a significant and prolific Winnipeg realtor and contractor who expanded his business to Calgary at about the same time the Moxam Apartments were developed. Moxam was intimately familiar with apartment house development in Winnipeg, where he is claimed to have developed more apartment buildings than any other developer at the time.

With the financial backing of Senator James Lougheed, who resided immediately to the east, Moxam developed the building as one of Calgary's finest apartment residences. James J. O'Gara, an important local architect was commissioned to design the building – as well as the identical, adjacent Houlton House (later Congress) Apartments, which was built by Moxam but commissioned by real-estate developer Sydney Houlton. Prior to the first World War O'Gara made a name for himself in Calgary designing several fine apartment houses, including the Marlborough, Connaught, and Argyle Apartments, as well as beautiful residences and public buildings. In 1912, upon completion of his namesake building, Moxam sold it to a London-based syndicate, but resided in the building until about 1914. Other initial residents included members of the managerial and professional classes including superintendents, accountants, and a physician. In the late 1930s Edgar Lougheed and family moved into the building after the Lougheeds lost control of their adjacent mansion, 'Beaulieu'. Other members of the Lougheed family also resided here - Norman in 1936, and Mary in 1932.

The development of the Moxam and Houlton House (Congress) Apartments produced two of Calgary's most handsome and high-class apartment residences, with the buildings being among the best examples in the city of Classical Revival style architecture. Each features a high-quality, buff-coloured brick exterior; sandstone detailing; a substantial cornice; quoining; and symmetrical appearance. Originally an elegant portico and balconies faced the building, adding to the character.

Other elements of the building's design that mark its high quality include verandas and balconies for all suites; excellent sunlight and air provision; wide interior corridors; unusually spacious suites; and a secondary entrance to each unit for trades-people and deliveries. Each of the 12 units contained six-rooms, including two bedrooms, foyer and dining room – notable since most apartment houses in Calgary at the time contained only bachelor or one-bedroom suites.

The Moxam Apartments also serves to recall the area's status as a choice residential neighbourhood at the time of its construction. Within the city's original exclusive residential area of 12 – 14 Avenues, the Moxam Apartments exemplifies and contributed to the attractive early character of this part of the Beltline community. Prior to the development of Mount Royal, this

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portion of the Beltline was occupied by other impressive apartment houses and numerous substantial residences. Only a small number of these impressive structures remain due to rapid re-development of the area in the 1950s and later, making the Moxam Apartments an important, integral reminder of the area's earlier history and character.

Due to the Moxam's dignified architecture, distinctive buff-coloured brick exterior, pairing with the Houlton House (Congress) Apartments, and its contribution to the collective historic character of the streetscape (along with extant contemporaries like the Lougheed House, the Birkenshaw Residence and the Ranchmen's Club), the Moxam Apartments is a valuable landmark in the community.

Character-Defining Elements

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

- rectangular, three-storey, flat-roof form; u-shaped plan;
- buff-and grey-colored brick exteriors, laid to form quoins (at building corners) foundation level brickwork relief consisting of horizontal bands;
- sandstone lintels, sills, stringcourses and doorway surrounds;
- pressed-metal cornice in block-modillion and dentil design;
- regular, symmetrical fenestration with large rectangular openings;
- the original three-storey portico with entablature with block-modillions and dentils, classic corbels and corner columns, with ionic order capitals, set on buff colored brick clad pedestals; second-storey balcony with classic corbels and railing;
- the main central entrance with wood doorway assembly; second and third-storey portico doorway assemblies with transom lights and sidelights
- wooden rear covered porch and side verandas within covered light wells; and
- spacious setbacks to the street.

Interior elements:

- those portions of the original configuration relating to the original 12-unit, 6-room plan;
- original finishes within the units such as hardwood floors, wooden doors and mouldings, fireplaces with bracketed mantle and tile-clad chimneypieces, cast iron radiators, claw-foot tubs, and kitchen cabinetry;
- wide interior corridors with open staircase (plain wood balustrades); entrance foyer and secondary (trades) entrances to each of the original 12 units.

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REGULATED PORTIONS

1.0 North Façade

The following elements are regulated:

- a) The buff colored brick exterior wall including quoins (at building corners), foundation level brickwork relief consisting of horizontal bands (Images 1.1, 1.4, 1.5);
- b) The sandstone detailing comprising lintels, sills, stringcourses and doorway surround (Images 1.1, 1.2, 1.3, 1.4, 1.5);
- c) The pressed-metal cornice in block-modillion and dentil design (Images 1.1, 1.2, 1.5); and
- d) The symmetrical, mainly uniform-sized, fenestration; the main central entrance with wood doorway assembly (Images 1.1, 1.4, 1.5).

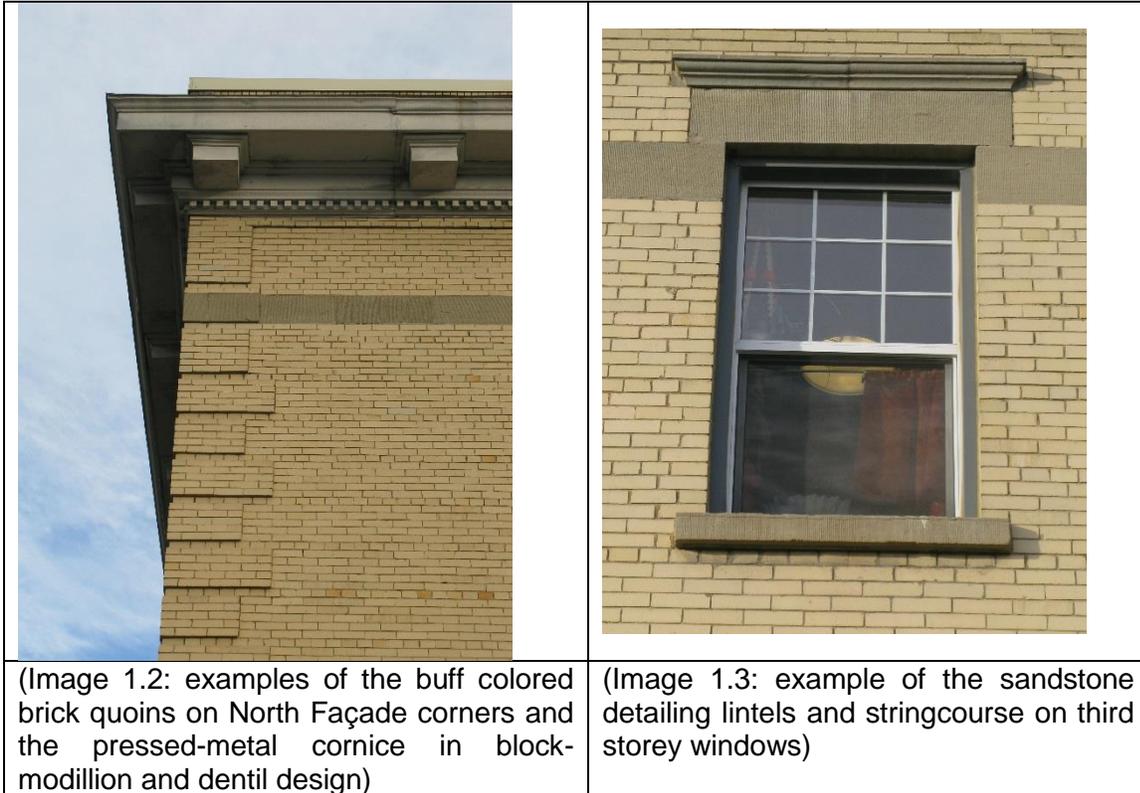
Note: a return to an original configuration/ appearance is not precluded (Image 1.5).



(Image 1.1: North Façade)

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(Image 1.4: The sandstone “blocked” doorway surround intersected by sandstone stringcourse and foundation level brickwork relief in horizontal bands. Portion of the second storey balcony with classic corbels remains)

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(Image 1.5: Historic view of North Façade showing its original portico configuration, nd. – Copyright Calgary Public Library aj_1257)

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2.0 East Façade

The following elements are regulated:

- a) The buff colored brick exterior wall including quoins (at building corners), foundation level brickwork relief consisting of horizontal bands (Images 2.1, 2.2, 1.2);
- b) The sandstone detailing comprising lintels, sills, and stringcourses (Images 2.1, 2.2, 1.2, 1.3);
- c) The pressed-metal cornice in block-modillion and dentil design (Images 2.1, 2.2, 1.2);
- d) The symmetrical, mainly uniform-sized, fenestration (Images 2.1, 2.2); and
- e) The inset-open wooden verandas within covered light well; stairs from grade to third floor (Images 2.1, 2.2).



(Image 2.1: East Façade)

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(Image 2.2: View of the inset-open wooden verandas within covered light well)

3.0 South Façade

The following elements are regulated:

- a) The grey and buff (at corners) colored brick exterior wall (Image 3.1);
- b) The end-return portions of the pressed-metal cornice (Image 3.1);
- c) The fenestration and door openings on recessed wall (Images 3.1, 3.2); and
- d) The inset-open three storey wooden porch with stairs from grade to third floor (Images 3.1, 3.2).

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(Image 3.1: South Façade)



(Image 3.2: South Façade fenestration and the inset-open three storey wooden porch with stairs from grade to third floor)

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4.0 West Façade

The following elements are regulated:

- a) The buff colored brick exterior wall including quoins (at building corners), foundation level brickwork relief consisting of horizontal bands (Images 4.1, 1.2);
- b) The sandstone detailing comprising lintels, sills, and stringcourses (Images 4.1, 1.2, 1.3);
- c) The pressed-metal cornice in block-modillion and dentil design (Images 4.1, 1.2);
- d) The symmetrical, mainly uniform-sized, fenestration (Image 4.1); and
- e) The inset-open wooden verandas within covered light well; stairs from grade to third floor (Image 4.1, 2.2).



(Image 4.1: oblique view of West Façade looking north)

5.0 Form, Scale and Massing

The following elements are regulated:

- a) The building's three-storey, flat roof, rectangular and symmetrical form (Images 1.1, 1.5, 2.1, 2.2, 3.1, 3.2, 4.1).

6.0 Land

The Land is regulated as follows:

- a) The building's existing location and placement on the property (as shown on attached Schedule "A").

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*.

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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