

BYLAW NUMBER 30M2014

**BEING A BYLAW OF THE CITY OF CALGARY
TO DESIGNATE THE EDWORTHY RESIDENCE,
HOMESTEAD LANDS AND QUARRIES AS A
MUNICIPAL HISTORIC RESOURCE

WHEREAS the *Historical Resources Act*, R.S.A. 2000 c. H-9, as amended (the “Act”) permits the Council of The City of Calgary to designate real property as a Municipal Historic Resource whose preservation the Council considers to be in the public interest because of their heritage value;

AND WHEREAS the Owner(s) of the Edworthy Residence, Homestead Lands and Quarries has 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 Edworthy Residence, Homestead Lands and Quarries as a Municipal Historic Resource”.

BUILDING AND LAND DESIGNATED AS A MUNICIPAL HISTORIC RESOURCE

2. The “Edworthy Residence, Homestead Lands and Quarries” comprises:
 - a) A vernacular residential building with portions dating from 1883 and 1896;
 - b) 883,117.89 square-meters (218.22acres) of land covering four separate parcels of land shown on attached Schedule “A” and described as follows:

- I. First parcel

Municipal address: 5050 Spruce Dr SW

Legal description:

First

First:

Meridian 5 Range 2 Township 24 Section 24

That portion of the north west quarter which lies to the south west of the Bow River as shown on a township plan approved at Ottawa 31 May 1912 and to the north east of the railway as shown on Plan RY 10 excepting thereout all mines and minerals

Secondly:

Meridian 5 Range 2 Township 24 Section 24

That portion of the north west quarter which lies to the south of the Bow River as shown Plan RY 10 and to the west of subdivisions as shown on plans 4941 HC, 310 JK, and 1472 HU excepting thereout:

- A) that portion of the north west quarter as described in transfer registered as 3558 W and certificate of title #L.C.92 containing 0.085 hectares (0.21 Acres) more or less
- B) the south west Calgary by-pass as shown on plan 2082 JK containing 0.910 Hectares (2.25 Acres) more or less

excepting thereout all mines and minerals and the right to work the same

Second

Meridian 5 Range 2 Township 24 Section 24

That portion of the north east quarter which lies to the south west of the Bow River as shown on a township plan approved 3 December 1891 and to the north east of the railway on Plan RY 10 containing 1.004 Hectares (2.48 Acres) more or less excepting thereout all mines and minerals and the right to work the same

Third

Meridian 5 Range 2 Township 24 Section 24

That portion of the south west quarter which lies to the south of the railway as shown on Plan RY 10 and to the west of subdivisions as shown on Plans 4941 HC, 310 JK, and 1472 HU excepting thereout:

- A) Lots 33 and 34 in Block 30 as shown on Plan 1452 JK containing 0.316 hectares (0.78 Acres) more or less
- B) the south west Calgary by-pass as shown on plan 2082 JK containing 4.76 Hectares (11.76 Acres) more or less
- C) that portion of said quarter section as described in transfer 5139 JC and certificate of title #137M234

D)	<u>Plan</u>	<u>Number</u>	<u>Hectares</u>	<u>Acres</u>
	Roadway	3421 JK	0.874	2.16

excepting thereout all mines and minerals and the right to work the same

II. Second parcel

Municipal address: 80 Wildwood Drive SW

Legal description:

Plan 7986GW Block 11

Public Reserve containing 11.82 Acres more or less excepting thereout all mines and minerals

III. Third parcel

Municipal address: 150 Wildwood Drive SW

Legal description:

Plan 975HC Block 26

Excepting thereout all mines and minerals

Area: 3.55 Hectares (8.78 Acres) more or less

IV. Fourth parcel

Municipal address: 256 Wildwood Drive SW

Legal description:

Plan 4941HC Block 36

Excepting thereout all mines and minerals

Area: 11.1 Hectares (27.36 Acres) more or less

3. The “Edworthy Residence, Homestead Lands and Quarries” are designated as a Municipal Historic Resource as defined in the *Act*.
4. The heritage value of the Edworthy Residence, Homestead Lands and Quarries is described in the attached Schedule “B”.
5. The specific elements of the Edworthy Residence, Homestead Lands and Quarries 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 (“Regulated Portions”).

PERMITTED REPAIRS AND REHABILITATION

6.
 - a) The Regulated Portions of the Edworthy Residence, Homestead Lands and Quarries 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 the City of Calgary Council, or the heritage planner appointed by the City of Calgary 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, (“Standards and Guidelines”), as referenced and summarized in the attached Schedule “C”.
 - b) All portions of the Edworthy Residence, Homestead Lands and Quarries which are not specifically described or identified as a Regulated Portion are hereby known as the Non-Regulated Portions (“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 or repair does not negatively impact the Regulated Portions, and that all the other permits required to do such work have been obtained.
7.
 - a) Any changes to the Edworthy Residence, Homestead Lands and Quarries that require a building permit or a development permit also require the approval of the City of Calgary Council, or the heritage planner appointed by the City of Calgary Council as the Approving Authority for the purposes of administration of Section 26 of the *Act*. Any such changes must be done in accordance with the terms of the Standards and Guidelines.
 - b) Changes to the Edworthy Residence, Homestead Lands and Quarries that do not require a building permit or development permit are not subject to the Standards and Guidelines.

8. This Bylaw does not apply to those lands covered by the cross-hatch as shown in Schedule "A".

COMPENSATION

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

EXECUTION OF DOCUMENTS

10. 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

11. The schedules to this Bylaw form a part of it.
12. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME THIS 31ST DAY OF MARCH, 2014.

READ A SECOND TIME, AS AMENDED, THIS 22ND DAY OF JULY, 2014.

READ A THIRD TIME, AS AMENDED, THIS 22ND DAY OF JULY, 2014.

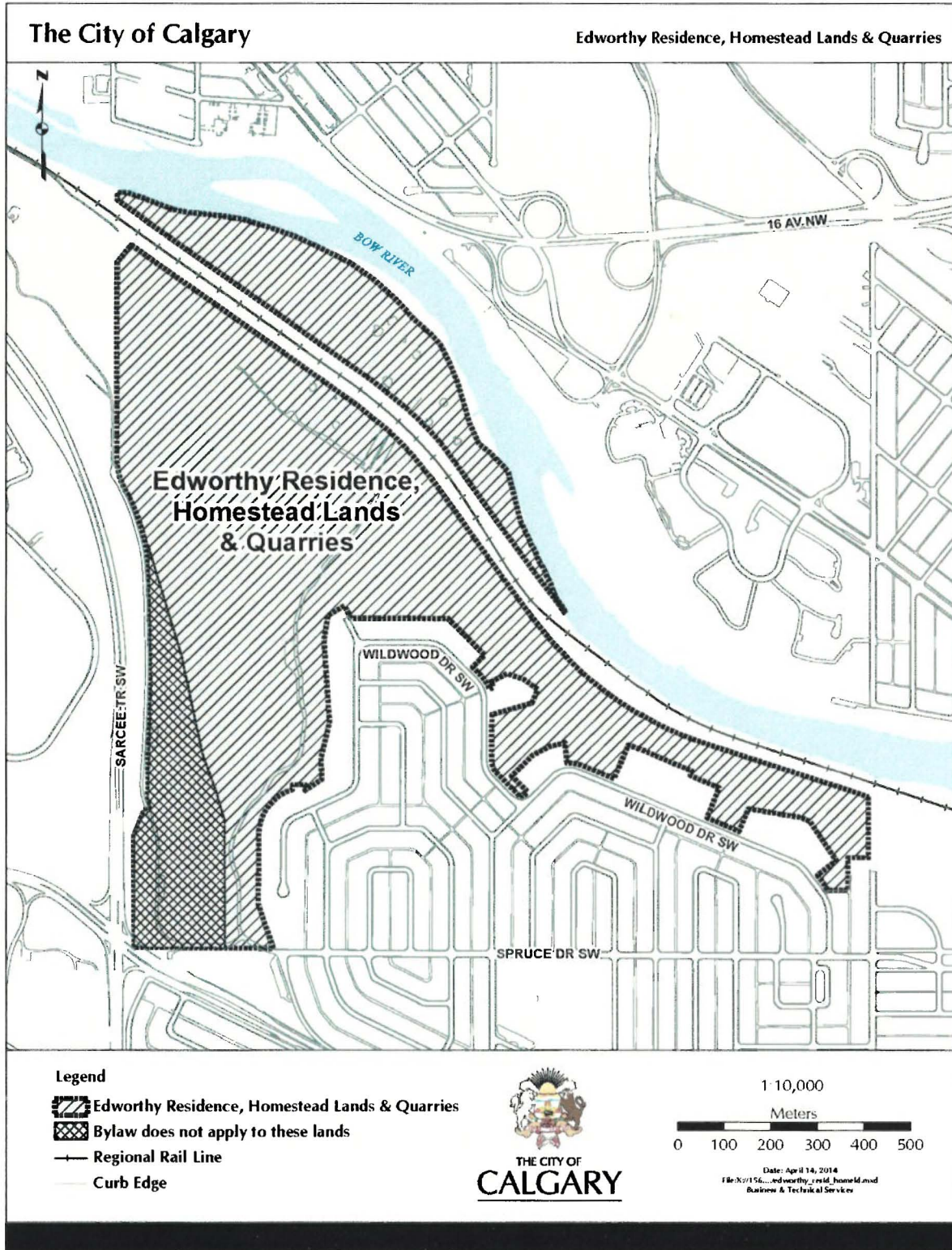


MAYOR
SIGNED THIS 26TH DAY OF AUGUST, 2014.



CITY CLERK
SIGNED THIS 26TH DAY OF AUGUST, 2014.

SCHEDULE "A" TO THE BYLAW TO DESIGNATE THE EDWORTHY RESIDENCE, HOMESTEAD LANDS AND QUARRIES AS A MUNICIPAL HISTORIC RESOURCE



SCHEDULE “B” TO THE BYLAW TO DESIGNATE THE EDWORTHY RESIDENCE, HOMESTEAD LANDS AND QUARRIES AS A MUNICIPAL HISTORIC RESOURCE

Description

The Edworthy Residence, Homestead Lands and Quarries span over 200 acres a portion of which is now the publicly accessible Edworthy Park. The land is bounded by the Bow River on the north, Sarcee Trail on the west and Wildwood subdivision on the east and south. The land comprises the river plain, a deep coulee extending south to north and the wooded escarpment and an upland terrace of the Plateau below Sarcee Trail. These land elements originally supported and still contain all of the remains of the elements of the activity of the Edworthy homestead: the residence, the former sandstone quarries, the original yard site and the fields, gardens, orchards, barnyard, roads, trails and irrigation works of the agricultural operations.

Heritage Value

Thomas Edworthy was a well known pioneer, major land holder, commercial agriculturist and industrialist in Calgary. He was among the earliest of pioneers in the town and area. He was well connected with prominent members of early settlement society through his commercial activities.

The Edworthy homestead land was settled at the beginning of Calgary’s pioneer era in 1885 and is a rare surviving example of a pioneer homestead in Calgary. It is representative of the agricultural activities associated with the farms and commercial gardens that surrounded and defined Calgary in the early pioneer era. The upland was used for livestock ranching and cultivating hay fields. The lower escarpment and river plain was used for grain crops and market gardens. There are existing remnants of two irrigation systems. The irrigation systems supplied water to the home and barnyard site from a spring on the escarpment and the second, to the cropland and orchard trees on the river plain, from a river bank water bank intake, sluice and ditches. This technology indicates a committed approach to agricultural production. The commercial farm and its crops, notably potatoes, were important to the supply of food for the citizens of Calgary in the settlement era.

The Edworthy residence exemplifies the additive manner in which many early structures in Alberta were constructed using local and salvaged material and basic construction techniques. Its form and design are derived, not from an architect or stylistic trends, but rather reflect this process. A portion of the Edworthy residence is the oldest verified log structure in Calgary, built in 1883, before Thomas Edworthy acquired legal title to the land in 1891. Edworthy built the two storey section built in 1896 using standard framing techniques. With the majority of this residence built prior to the twentieth century it represents Calgary’s earliest examples of Vernacular residential buildings.

The Edworthy homestead land is also associated with sandstone quarrying which was one of the most important commercial ventures in Calgary’s early history. The use of sandstone as a primary building material characterized Calgary from the 1880s through the 1909-13 boom, leading to Calgary being called “Sandstone City”. Stone from the Edworthy quarries was used in many historically prominent buildings in Calgary, including the Norman Block, Pat Burns mansion and the McKay house. Thomas Edworthy operated three sandstone quarries on the property. The largest quarry extended over some 15 acres on both sides of the main coulee, the others on the escarpment below. The quarry works were substantial with derricks to lift the stone and mechanized wagons on graded roads to carry the cut stone to the railway on the river flat below. The quarry operations by the Edworthy family ended with Thomas’ death in 1904,

with the quarries leased to and operated thereafter by others and known as Bowbank Sandstone Quarries until 1914.

Thomas' son, George Edward Edworthy, extended the family's prominence as a leader in civic and business affairs. He served as the Canadian manager of United Grain Growers, president of the Calgary Stampede and a director on many foundations and boards. He also carried on the agricultural activities and lived in the homestead house from 1952-62.

The City of Calgary purchased the land in 1962 leading to the land becoming a park bearing the family name and to the preservation of the historical activities on the land. While agricultural activities have ceased, the yard site, fields and spaces enclosed by shelterbelts and orchards remain in the original configurations. The residence was added to the province's Historic Resource Register in 1987. It has sentimental value for Calgarians as a unique and treasured play space and serves as a symbol of Calgary's earliest roots. The prominent hill, coulee and rows of shelter belt trees are visible from the north side of the Bow River and above from the south and west.

Character-defining Elements

Key elements that define the heritage character include:

- The natural topography of the escarpment and coulees that accommodated quarrying of the land;
- The pattern of the upland hay field set in remnants of native grassland;
- The yard site spring and water supply system including the storage vessel, sandstone reservoir, constructed water ways and pond;
- The original configuration and defined spaces of the yard site, barnyard and agricultural fields;
- The three sandstone quarry sites originally operated by Thomas Edworthy including the exposed sandstone, drill marks, rubble piles and excavations for the derrick footings;
- The roadways and trails associated with the agricultural and quarrying activities;
- The layout and spaces of the fields, gardens, orchard on the river plain defined by the trees and shrubs planted by George Edworthy Sr;
- The river plain trees: including native White spruce, hybrid poplars, Siberian and other crab apples, and shrubs: caragana commonly planted for field shelter, lilac and honeysuckle - planted by George Edworthy Sr. on the river plain;
- The earthwork ditch remnants of the river plain irrigation system;
- The yard site trees and shrubs: including willows, fruit trees and a hybrid poplar tree planted by the Edworthy family;
- The original 1883 one-storey log cabin built of Douglas fir logs; and

- The rectangular two-storey pitched roof wood frame 1896 addition; with bevelled wood siding and accent scalloped shingles at gable ends; two bay windows of which the front is topped with a balcony.

SCHEDULE “C” TO THE BYLAW TO DESIGNATE THE EDWORTHY RESIDENCE, HOMESTEAD LANDS AND QUARRIES AS A MUNICIPAL HISTORIC RESOURCE

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 conserved.

The Standards

Definitions of the terms in italics below are set forth in 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 from:

City of Calgary	Parks Canada National Office
Planning, Development and Assessment	25 Eddy Street
Department	Gatineau, Quebec
P.O. Box 2100, Str. M, #8117	Canada
Calgary, Alberta, T2P 2M5	K1A 0M5