

May 30, 2012

To: Members,
Regina Planning Commission

Re: Removal of 1869 Rae Street from the Heritage Holding Bylaw

**RECOMMENDATION OF THE MUNICIPAL HERITAGE ADVISORY COMMITTEE-
MAY 7, 2012**

RECOMMENDATION

1. That Bylaw No. 8912 of the City of Regina, commonly known as the Heritage Holding Bylaw, is amended to remove Item 4.28 (the Jolly Residence located at 1869 Rae Street) from Schedule A.
2. That the City Solicitor be instructed to prepare the necessary bylaw amendment.
3. That this report be forwarded to the May 30, 2012 Regina Planning Commission meeting and the June 11, 2012 City Council meeting.

MUNICIPAL HERITAGE ADVISORY COMMITTEE – MAY 14, 2012

The Committee adopted a resolution to concur in the recommendation contained in the report.

Donald Black, May P Chan, Ray Plosker, David McLennan, Joseph Ralko, Ingrid Thiessen, Victor Thomas, and Robert Truszkowski were present during consideration of this report by the Municipal Heritage Advisory Committee.

The Municipal Heritage Advisory Committee at its meeting held on May 14, 2012, considered the following report from the Administration:

RECOMMENDATION

1. That Bylaw No. 8912 of the City of Regina, commonly known as the Heritage Holding Bylaw, is amended to remove Item 4.28 (the Jolly Residence located at 1869 Rae Street) from Schedule A.
2. That the City Solicitor be instructed to prepare the necessary bylaw amendment.
3. That this report be forwarded to the May 30, 2012 Regina Planning Commission meeting and the June 11, 2012 City Council meeting.

CONCLUSION

The Administration has received a request from the owner to remove the property at 1869 Rae Street from Schedule A of Bylaw No. 8912, commonly known as the Heritage Holding Bylaw. The Administration has discussed the possible designation of the property with the owner and has advised of the availability of incentives for designated heritage properties. However, the applicant is intent on demolishing the building and redeveloping the property. Due to the loss of its architectural integrity and its condition, the Administration supports the request to remove the subject property from the Heritage Holding Bylaw.

However, if City Council wishes to proceed with designation of the subject property as Municipal Heritage Property in accordance with *The Heritage Property Act*, then the City's notice of intention to pass a bylaw to that effect would need to be issued.

BACKGROUND

The Administration has received a request to remove the property at 1869 Rae Street from the Heritage Holding Bylaw. The Bylaw provides a valuable record of the development and change that has occurred in Regina. The subject property has been listed under Schedule A of this Bylaw since 1989. Prior to that, the property was listed on the City of Regina Heritage Inventory.

The City has adopted a number of policies and guidelines which affect properties that are listed under the Heritage Holding Bylaw. The Bylaw contains provisions that enable the Administration to deny any permit for alteration or demolition of a listed property for not more than 60 days. Essentially, it provides the City with an opportunity to further examine the heritage value of a listed property, to explore potential demolition alternatives with the owner, and to conclusively determine if designation is warranted.

Section 8.2 of Part A (Policy Plan) of *Regina Development Plan Bylaw No. 7877* contains a policy that any proposed demolitions or alterations to properties protected under the Heritage Holding Bylaw shall be forwarded to the Municipal Heritage Advisory Committee for review.

DISCUSSION

The Jolly Residence at 1869 Rae Street is located in the Cathedral Area Neighbourhood of Regina. Refer to the context map in Appendix A, aerial photograph in Appendix B, and both the photos and City of Regina Inventory form in Appendix C. The building is a two-storey, wood-framed house. It was built in 1907 for Edward A. Jolly, druggist and stationer, who lived here until 1915. According to the Walking Tours prepared by the City of Regina, Jolly moved to Regina from Ontario in 1905. By 1910, he had established a chain of three drug and stationery stores. After 1929, he focused on his pharmacy at 11th Avenue and Rose Street and continued to work six-day weeks until his death in 1965, at the age of 86.

A later owner of the property was John Fairley, who lived here from 1920 to 1925. As a reporter for the Regina Province newspaper, he covered many historical events, including the 1912 tornado and the Regina Riot in 1935. His wife was one of the first registered nurses in the city.

The Jolly Residence features an unusual cantilever bay window and has some aesthetic value for its design with classical detailing and proportions. Its contribution to the streetscape on the east side of the 1800 block of Rae Street is also of value. The property is compatible with the

dominant early 20th century residential character of the general area and, in particular, this block of Rae Street. The building is not a landmark as it is not particularly conspicuous or familiar.

A heritage survey of the Cathedral Area was conducted by David Powell, Landscape Architect, for the City of Regina in 2002. According to the survey information, exterior alterations had been made to the exterior cladding and main entry. New stucco had been added to the exterior of the second storey by 2002. At the time of the survey, the alterations were considered to be minor and the character had been retained. However, according to a recent structural inspection the foundation is in poor condition. For more information, refer to the owner's letter to the City of Regina and Structural Inspection prepared by Walker Projects Inc. provided in Appendix D.

The owner has no interest in retaining the existing building and wishes to pursue a new multi-family residential development, for which application has not yet been made. The owner's letter states his intentions for the property. A sketch illustrating a conceptual design for the proposed development is enclosed with the letter. The owner plans to include the properties immediately to the north and south of the 1869 Rae Street in the proposed development. Refer to the photo of the adjacent properties provided in Appendix C.1 (Figure 2).

Due to the loss of its architectural integrity and its condition, the Administration supports the request to remove the 1869 Rae Street from the Heritage Holding Bylaw. If City Council concurs in the recommendation to remove the property from Schedule A of the Heritage Holding Bylaw, the Administration would not deny an application for a demolition permit. However, if Council wishes to proceed with designation of the property as a Municipal Heritage Property in accordance with *The Heritage Property Act*, then the Administration will be required to issue notice of Council's intention to pass a bylaw to that effect.

RECOMMENDATION IMPLICATIONS

Financial Implications

None with respect to this report.

Environmental Implications

Life cycle assessments indicate that retaining and rehabilitating buildings is more environmentally friendly than new construction, especially in cases where a building is replaced entirely and the old structure is sent to the landfill. While the proposed demolition of the subject building does not correspond to the City's broader objective of promoting environmentally sustainable development, a new residential development has been contemplated and it could represent a productive re-use of the site at an appropriate scale.

Strategic Implications

One Strategic Priority of Council's vision is to Manage Growth and Community Development. While the loss of the subject building does not fulfill the related program objectives of providing affordable housing and conserving heritage buildings, the retention of the building in its current poor condition would not support the vision of a well-conserved heritage infrastructure.

Other Implications

None with respect to this report.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS

Heritage Regina was notified of the request to remove the property from the Heritage Holding Bylaw and has provided the following response:

Heritage Regina notes from your letter of April 4 that the Jolly Residence has been protected under the Heritage Holding Bylaw since 1989, but also that it was determined in a subsequent heritage survey in 2002 that some changes had been made to the exterior cladding and the main entry, and that new stucco had been added to the exterior of the second story. (We might note as an aside that if there had been stucco on the exterior of the Jolly Residence previous to this, it was most likely not part of the original cladding of a house built in 1907.)

In our opinion these alterations have diminished the original heritage character of the Jolly Residence, particularly when in its current condition it is compared to other houses in the Cathedral Area built in 1907 which also now enjoy the protection of the Heritage Holding Bylaw: the Cullum Residence (2702 Victoria Avenue), the MacMath Residence (1848 Retallack Street) the Ruttan Residence (1852 Retallack Street), and the Watson Residence (1903 Cameron Street).

As you will know, two other fine 1907 houses in the Cathedral Area and Centre Square neighbourhoods —the Woods Residence (1862 Retallack Street) and the Gollnick Residence (2305 Cornwall Street)—have been designated as Municipal Heritage Properties.

Restoration of the Jolly Residence to bring it up to the standard of these other houses would be welcomed. But we also note from the applicant's letter that there are foundation problems that would need to be addressed at some considerable cost, and which might compromise the structural integrity of the house if the work was undertaken.

Heritage Regina would therefore not object to the removal of the Jolly Residence from Schedule A of the Heritage Holding Bylaw.

The Cathedral Area Community Association was notified of the request to remove the property from the Heritage Holding Bylaw and has provided the following response:

The CACA regrets the demolition of these properties and the damage their loss will do to our neighbourhood's unique character. We have consulted with Heritage Regina and they have indicated there are structural issues that may prevent full restoration of this site. We also recognize how desperate Regina's housing situation is and appreciate the value of increasing the residential density in this area of the city, so we will not be opposing this request.

That said, we would encourage and actively participate in an effort with the City to take a more earnest approach to heritage preservation and would like to see the maintenance of our heritage-worthy properties better policed so that we will not have to continue to watch this steady deterioration of Regina's architecture.

The Architectural Heritage Society of Saskatchewan was notified of the request to remove the property from the Heritage Holding Bylaw but did not provide a written statement before the completion of this report. The Cathedral Area Community Association, Heritage Regina and the Architectural Heritage Society of Saskatchewan will be provided with a copy of this report.

If City Council wishes to proceed with designation of the subject property in accordance with *The Heritage Property Act*, then the City's notice of intention to pass a bylaw to that effect would need to be:

- Served upon the property owner and the provincial registrar of heritage properties;
- Registered against the title to the property at the provincial land registry; and
- Published in a least one issue of the *Leader-Post*.

DELEGATED AUTHORITY

City Council approval is required to amend Schedule A of the Heritage Holding Bylaw No. 8912. Alternatively and pursuant to section 11 of *The Heritage Property Act*, the authority to designate Municipal Heritage Property, by bylaw, also rests with City Council.

MUNICIPAL HERITAGE ADVISORY COMMITTEE



Todd Blyth, Secretary