



Bylaw No. 9656

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Office Consolidation

A BYLAW OF THE CITY OF REGINA TO DESIGNATE AN AREA OF THE CITY SURROUNDING VICTORIA PARK AS A MUNICIPAL HERITAGE CONSERVATION DISTRICT

Bylaw No. 9656

Including Amendments to November 26, 2018

This Bylaw has been consolidated under the authority of the City Clerk. It represents proof, in absence of evidence to the contrary of:

- a) the original bylaw and of all bylaws amending it; and**
- b) the fact of passage of the original and all amending bylaws.**

AMENDMENTS

DATE PASSED

Bylaw No. 10014

August 24, 1998

Bylaw No. 10080

March 8, 1999

Bylaw No. 10269

January 22, 2001

Bylaw No. 2009-40

June 22, 2009

Bylaw No. 2018-60

November 26, 2018

BYLAW NO. 9656

A BYLAW OF THE CITY OF REGINA
TO DESIGNATE AN AREA OF THE CITY
SURROUNDING VICTORIA PARK AS A
MUNICIPAL HERITAGE CONSERVATION DISTRICT

WHEREAS sections 11 and 12 of The Heritage Property Act authorizes the Council to enact a bylaw to designate as a Municipal Heritage Conservation District an area of the City that contains heritage property; and

WHEREAS the Council has determined that certain land and premises surrounding Victoria Park be designated as The Victoria Park Municipal Heritage Conservation District; and

WHEREAS the Council has, not less than thirty (30) days prior to consideration of this bylaw, caused a Notice of Intention to Designate to be:

- a. served on the owners of the lands and premises within the district;
- b. served on the Registrar of Heritage property;
- c. published in the Leader Post, a newspaper with general circulation in the municipality; and

WHEREAS the Council has, not less than thirty (30) days prior to consideration of this bylaw, caused a Heritage Conservation District Notice to be registered on the Certificate of Title for each real property within the district in the Land Titles Office for the Regina Land Registration District; and

AND WHEREAS this Bylaw was the subject of a hearing conducted by the Saskatchewan Heritage Property Review Board following an objection to inclusion of a certain property within the proposed Heritage Conservation District;

THE COUNCIL OF THE CITY OF REGINA HEREBY ENACTS AS FOLLOWS:

1. This Bylaw may be cited as The Victoria Park Heritage Conservation District Bylaw, 1994.
2. The property bearing the civic addresses:
 - 1) Deleted. (#10014, s. 2, 1998)
 - 2) 1775 to 1778, 1800 to 1881, and 1901 to 1975 Scarth Street excluding the Willoughby & Duncan Building, having a civic address of 1839-51 Scarth Street excluding the Armstrong, Smyth & Dowswell Building, having a civic address of 1834 Scarth Street;
 - 3) 2025 to 2125 and 2340 Victoria Avenue;

- 4) 1855, 1870 and 1930 Lorne Street;
- 5) 2170 to 2184, 2220 and 2311 12th Avenue; and
- 6) 1863 Cornwall Street; and

the boundary of which properties is shown on Schedule A is designated as the Victoria Park Municipal Heritage Conservation District.
(#10080, s. 2, 1999; #10269, s. 2, 2001)

3. The legal description of the properties included within the area designated as the Victoria Park Municipal Heritage Conservation District pursuant to section 2 is as follows:

All the Lots and Blocks in Regina, Saskatchewan described as follows:

Firstly: Block T and V, Plan 80R07450;

- Secondly:
- a) Lots 8 and 9, and 14 to 20 inclusive, Block 306;
 - b) Lots 17 to 40 inclusive and the most southerly 1 foot in perpendicular width throughout of Lot 16, all in Block 307;
 - c) Lots 12 to 25 inclusive, Block 308;
 - d) Lots 21 to 23 inclusive and the most southerly 20 feet of Lots 24, all in Block 309;
 - e) Lot 2 and Lots 19 to 32 inclusive, Block 344;
 - f) Lots 1 to 20 inclusive, Block 345;
 - g) Lots 1 to 10 inclusive, Block 367;

all shown on Plan Old No. 33;

Thirdly: Lots 1 to 10 inclusive, Block 366, Plan K4469.
(#10014, s. 3, 1998; #10080, s. 3, 1999)

4. The Victoria Park Heritage Conservation District created pursuant to section 2 of this Bylaw is designated for the following reasons:
 - a) Victoria Park dates back to the founding of Regina, having been set aside as public open space in the original townsite plan;
 - b) The 1800 Block Scarth Street contains the highest concentration of early commercial architecture in Regina;
 - c) Many of the buildings in the District date from before World War One;
 - d) In 1914, Regina's commercial, financial and professional core was located in the District;
 - e) Many of the buildings in the District were designed by prominent local architects, for example: F. Champman Clemesha, Storey and Van

Egmond, and Francis Portnall.

5. The City Clerk is authorized to serve:
 - a) on the owners of all properties within the district a Notice of Designation;
and
 - b) on the Registrar of Heritage Property, a certified copy of this Bylaw.
6. The document attached hereto as Schedule B, entitled Guidelines for the Victoria Park Heritage Conservation District is incorporated into and forms part of this Bylaw.
7. This Bylaw comes into force and effect on its passage.

READ A FIRST TIME THIS 27TH DAY OF MAY 1996.

READ A SECOND TIME THIS 27TH DAY OF MAY 1996.

READ A THIRD TIME AND PASSED THIS 27TH DAY OF MAY 1996.

(SGD.) D.R. ARCHER
Mayor

(SGD.) R.M. MARKEWICH
City Clerk

(SEAL)

CERTIFIED A TRUE COPY

City Clerk

A COPY OF THE MAP MAY BE OBTAINED FROM THE CITY CLERK'S OFFICE

(IT IS FOUND IN THE PDF VERSION – SCHEDULE A)

SCHEDULE B

GUIDELINES

for the

VICTORIA PARK

HERITAGE CONSERVATION DISTRICT

1994

Guidelines for the Victoria Park Heritage Conservation District

1.0 OBJECTIVES

The objectives of these Guidelines are to:

1. preserve and promote the distinctive heritage and character of the area surrounding Victoria Park and the Scarth Street Mall by facilitating the rehabilitation of the predominantly pre-World War I heritage buildings and encouraging the redevelopment of properties in keeping with the character of the adjacent heritage buildings, and
2. enhance the streetscapes of the Victoria Park area with regard to landscape, lighting and signage to create a pedestrian-oriented environment.

Guidelines are established for the alteration and maintenance of existing properties, including buildings, structures and landscapes. New development shall be compatible with the established heritage character of its immediate surroundings and the Victoria Park area in general.

2.0 DEFINITIONS

The following definitions apply in interpreting these Guidelines:

Act - means The Heritage Property Act as amended

Advisory Committee - means the Regina Planning Commission
(#2018-60, s. 28, 2018)

Alter - as defined by The Act

Council - means the Council of the City of Regina

Development Officer - means the Director of Planning and Building

Heritage Property - means a designated Heritage Property whether Municipal, Provincial or Federal

Maintenance - means actions undertaken to prevent the deterioration of a building or structure including functional adaptations required for modification of building systems, or to improve the quality of the exterior finish of the building or structure, but does not include any design change or replacement

Municipal Heritage Property - means any real property designated by Council, by bylaw, as municipal heritage property under the provisions of Section 11(1)a of the Act and shall also include any heritage property protected by Provincial or Federal legislation

Potential Heritage Property - means a property identified on Schedule "A" to the City's Heritage Holding Bylaw No. 8912.

Review Board - means the Saskatchewan Heritage Property Review Board

3.0 ADMINISTRATION

3.1 APPLICATION OF THE GUIDELINES

- 3.1.1 That portion of the City of Regina shown on Map 1 which forms part of these Guidelines is hereby established, by bylaw, as a Heritage Conservation District to be known as the "Victoria Park Heritage Conservation District".
- 3.1.2 The Guidelines shall apply to the area established under Section 3.1.1.
- 3.1.3 No person shall erect, alter or demolish the external portions of any building or structure in the area without a heritage conservation permit approved in accordance with the provisions of these Guidelines.
- 3.1.4 Notwithstanding Section 3.1.3, a heritage conservation permit shall not be required for maintenance, as defined in these Guidelines, of the exterior of a building or structure.

3.2 APPLICATION FOR A HERITAGE CONSERVATION PERMIT

- 3.2.1 An application for a heritage conservation permit shall be filed with the Development Officer.
- 3.2.2 An application for a heritage conservation permit shall be evaluated on the basis of compliance with these Guidelines, with the applicable policies of the City of Regina's Development Plan and the regulations of the Zoning Bylaw.
- 3.2.3 An application shall be made by the owner or an agent on behalf of the owner of the property for which the development is proposed in the form prescribed in Appendix 'A' of these Guidelines and, if required by the Development Officer, shall be accompanied by supporting material which shall include:
 - (a) in the case of an existing building or structure, site plans and specifications which describe and illustrate in detail any proposed demolition, removal or other alterations to such building or structure and appurtenances thereto, including additions, deletions, design changes, replacements, and repairs (excluding maintenance as defined in these Guidelines) and any proposed changes to the existing open spaces, landscaping and other site details. The applicant shall provide a streetscape context elevation drawing if required by the Development Officer.
 - (b) in the case of new construction, site plans and specifications of the proposed building or structure and appurtenance thereto including details relating to the site such as landscaping and open spaces. The applicant shall provide a streetscape context elevation drawing if required by the Development Officer.
- 3.2.4 Applications for total demolition shall include plans for the redevelopment of the site affected.

3.2.5 Where the Development Officer finds an application to be in accordance with these Guidelines, the Development Officer may issue a permit at his/her discretion. The Development Officer may refer an application to the Regina Planning Commission and shall give notice to the applicant of the date, place and time of the meeting that the application will be considered by the Regina Planning Commission in order that the applicant may make representation on the application.

(#2018-60, s. 28, 2018)

3.2.6 Upon approval of the application the Development Officer or his/her designate shall issue a heritage conservation permit for the property, under the terms and conditions specified in the approval.

3.2.7 No development under a heritage conservation permit shall commence without a building permit, where required, and a development permit first being obtained.

3.3 PUBLIC NOTIFICATION

3.3.1 The Development Officer may advertise the application in The Leader Post and/or post public notification signage on property affected by the heritage conservation permit application if the project is deemed to have a significant impact on the affected building and/or on the Victoria Park Heritage Conservation District. The sign shall indicate the purpose of the application and shall indicate where additional information may be obtained.

(#2009-40, s. 40, 2009)

4.0 GUIDELINES

The Victoria Park Heritage Conservation District has an impressive collection of older public and commercial buildings. New buildings in the district should be designed in such a manner that they are compatible with these heritage properties, it being understood that the purpose of these guidelines is not to limit the development density which would otherwise be permitted. The following guidelines shall be considered:

4.1 SCALE AND PROPORTION

4.1.1 Where new development is proposed adjacent to a Municipal Heritage Property or potential heritage property the new building should relate to the design elements of the heritage buildings in a way which enhances the existing heritage character.

4.1.2 New buildings which incorporate or are adjacent to a heritage building should respect the form of the heritage building.

4.1.3 Where a "podium plus tower" design is used, the facade of the podium portion of the new development should be set back from that of a heritage building. Where such an overall setback is not possible and both old and new facades are on the same or nearly the same plane, a physical architectural separation, such as a recess, may be needed to distinguish the two facades.

- 4.1.4 The tower portion of a new development which includes or is adjacent to a heritage building should be set back from the line of the facade of the heritage building to allow the heritage building to appear to be standing independently to the greatest extent possible, and to avoid the heritage building being dominated by the tower when viewed from pedestrian level.
- 4.1.5 An addition to an original building should incorporate a roof design which is similar or compatible to the roof of the existing building, and should use window and door proportions and spacing which are similar or compatible to those of the existing building.
- 4.1.6 Careful consideration should be given to the placement of mechanical equipment in order to maintain the visual integrity of the architectural characteristics that are appropriate to the Victoria Park Heritage Conservation District.

4.2 GENERAL GUIDELINES FOR REHABILITATION OF HERITAGE PROPERTIES OR POTENTIAL HERITAGE PROPERTIES

- 4.2.1 Whenever possible, the use proposed for the buildings should be compatible with the existing building such that only minimal changes are required to the building.
- 4.2.2 Re-creation of the original character of the buildings should always be a priority. The removal or alteration of any historical materials or features should be avoided whenever possible.
- 4.2.3 Design alterations which are not based on historical fact or which predate the period in which the building was originally constructed or are a later design character should be discouraged.
- 4.2.4 Distinctive stylistic features and examples of skilled craftsmanship should be preserved and treated sensitively.
- 4.2.5 Deteriorated architectural features should be repaired rather than replaced whenever possible. When replacement is necessary, the new material should match the original as to composition, colour, texture and design. The repair or replacement of architectural features should be based on historical or pictorial evidence.
- 4.2.6 In all cases, surface cleaning should be undertaken with the gentlest means available. Sandblasting, in particular, damages historic buildings and should not be undertaken without thorough testing prior to use on a building.

4.3 GENERAL GUIDELINES FOR RENOVATION OF OTHER PROPERTIES

- 4.3.1 Renovation of properties which are not heritage or potential heritage properties should be effected so that the renovation design relates to and respects the design elements of neighbouring heritage or potential heritage properties.

4.4 BUILDING MATERIALS

- 4.4.1 When new development is proposed adjacent to a Municipal Heritage Property or potential heritage property, the new building should incorporate building materials that are compatible with that of the subject heritage property(ies) with regard to type, colour and texture.

4.5 LANDSCAPING AND LIGHTING

- 4.5.1 Landscaping of the Scarth Street Mall and 1900 Block of Scarth Street shall be as per the revitalization plans previously approved by Council.
- 4.5.2 Landscaping and the design plan of Victoria Park shall be as per the intent of the Victoria Park Master Plan previously approved by Council.
- 4.5.3 New street furniture, including light standards, benches, garbage receptacles and transit shelters, shall be designed to complement the heritage character of the Heritage Conservation District.
- 4.5.4 When required, new street lighting shall be located to enhance the pedestrian environment.

4.6 SIGNS AND AWNINGS

- 4.6.1 Signs should be designed to complement the building to which they will be attached with regard to the size, typeface, graphics and materials used for the sign.
- 4.6.2 No sign should be of a size or situated in such a manner as to conceal any significant architectural features of the building.
- 4.6.3 When redevelopment of a site has occurred, the new signs shall be designed to be generally compatible with regard to size, typeface, graphics and materials used for other signs in the Heritage Conservation District.
- 4.6.4 Signs shall be limited to the identification of the business carried out on the premises. Off-premise advertising is not appropriate.
- 4.6.5 Portable signs as defined in Zoning Bylaw No. 9250 are prohibited.
- 4.6.6 Indirect lighting and neon tube are preferred to back-lit fluorescent sign illumination. When back-lit fluorescent signs are used:
- only the lettering should be lit;
 - the background of the sign should be a dark or subdued colour that blends in with the building; and
 - light intensity should not conflict with pedestrian-level street lighting.
- 4.6.7 The size and shape of awnings should be compatible with the sizes and shapes of windows and other architectural features.
- 4.6.8 The colours of the awnings should be compatible with the colour of the building.
- 4.6.9 Awnings should be installed within masonry openings so that they do not obscure

details in the masonry or distort the architectural features of the building.

5.0 EXISTING MUNICIPAL HERITAGE PROPERTY WITHIN THE VICTORIA PARK HERITAGE CONSERVATION DISTRICT

- 5.1 With respect to Municipal Heritage Property, the above Guidelines will be used to consider the appropriateness of the alteration or demolition of all or any external portion of such a building or structure and any change to the existing signage and/or landscaping.

APPENDIX 'A'

APPLICATION FOR VICTORIA PARK HERITAGE CONSERVATION DISTRICT PERMIT

FOR OFFICE USE ONLY
APPLICATION NO.
LAND USE

1. APPLICANT: _____

Name _____
Address _____
Telephone: Home _____ Office _____
Fax: _____
2. LOCATION OF SUBJECT PROPERTY:
 - i) Legal Description: _____
Lot(s) _____
Block _____
Plan No. _____
 - ii) Civic Address: _____
3. APPLICANT'S INTEREST IN THE PROPERTY:
 Owner
 Tenant
 Option to Buy] _____ Provide letter of authorization
from owner to apply for development.
4. PRESENT ZONING OF PROPERTY:
5. PRESENT USE OF BUILDINGS AND PROPERTY: (be specific)
6. PROPOSED USE OF BUILDINGS AND PROPERTY: _____
(State exactly what you propose to do.)

7. IF REQUIRED BY THE DEVELOPMENT OFFICER, ATTACH 5 COPIES OF PLANS WHICH CONTAIN THE FOLLOWING INFORMATION AS NECESSARY:

- a) Location of the building(s) on site.
- b) Dimensions of all buildings, setbacks, and property lines (in metric).
- c) Drawn to scale (in metric units).
- d) Indicate any streets or lanes bordering on the property.
- e) Floor plan and dimensions of each floor, and street facing/flanking elevation plans indicating height.
- f) Materials used and architectural details.
- g) A landscape plan.
- h) Illustration of proposed signs.
- i) Provide North arrow.
- j) Elevation plans of buildings on adjacent properties showing all significant architectural details.

A streetscape elevation drawing may also be required by the Development Officer.

8. ~~PROVIDE HISTORY OF THE SITE, AND INCLUDE AVAILABLE HISTORIC PHOTOGRAPHIC MATERIAL AND PLANS:~~

Date of Construction:
Date of Photograph(s):
Site History (or attachment):

9. SITE PHOTOGRAPHS:

All applications must include exterior photographs, as detailed below:

-
- ~~- All street facades (straight on views).~~
 - ~~- All accessible corners (showing two sides in each~~

photograph).

- Details of any areas where repairs or replacements are necessary.
- General view of overall property, showing the structure in relation to the surrounding properties.

10. PROJECT IMPACT:

Please indicate how the project will conform to the Victoria Park Heritage Conservation District Guidelines:

11. SUBMIT THIS FORM TOGETHER WITH ALL ATTACHMENTS TO:

**Director of Planning and Building
9th Floor, City Hall
P.O. Box 1790
Regina, Saskatchewan
S4P 3C8**

Signature of Applicant

Signature of Owner
(If different from Applicant)

Date