



**BYLAW NO.009-2022  
OF THE TOWN OF SMOKY LAKE  
IN THE PROVINCE OF ALBERTA**

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**A BYLAW OF THE TOWN OF SMOKY LAKE IN THE PROVINCE OF ALBERTA FOR THE PURPOSE  
OF DESIGNATING THE SMOKY LAKE CN STATION AS A MUNICIPAL HISTORIC RESOURCE.**

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**WHEREAS** Section 26 and 27 of the Alberta *Historical Resources Act*, R.S.A. 2000, c. H-9, as amended, permits the Municipal Council of a municipality to designate any heritage resource within a municipality whose preservation it considers to be in the public interest as a Municipal Historic Resource, upon giving notice to the Owner of the Resource in accordance with the Historic Resources Act.

**AND WHEREAS** the Council of the Town of Smoky Lake has determined that the property legally described as:

***RAILWAY RIGHT OF WAY WITHIN TOWNSHIP 59 RANGE 17 WEST OF THE FOURTH  
MERIDIAN COMPRISING PARTS OF SECTION SW-22 (AREA 1), 0.164 HECTARES, 04.05  
ACRES MORE OR LESS  
Plan 902 3395, Area 1  
Civic Address: 155 West Railway Drive, Smoky Lake***

is a site of architectural, historical, cultural, environmental, archeological, paleontological, aesthetic and/or scientific value;

**AND WHEREAS** not less than sixty (60) days after notifying the resource owner of this bylaw, the Council of the Town of Smoky Lake may by bylaw designate any historic resource within the municipality whose preservation it considers to be in the public interest, together with any land in or on which it is located that may be specified in the bylaw, as a Municipal Historic Resource. A Council that designates an historic resource as a Municipal Historic Resource shall:

- a) cause a copy of the bylaw to be served on the owner of the historic resource and on the owner of any land that will be subject to the bylaw; and
- b) if the bylaw relates to or includes any land, cause a certified copy of the bylaw to be registered at the land titles office.

**NOW THEREFORE** that the Council of the Town of Smoky Lake in the Province of Alberta, having complied with the Historical Resources Act, and duly assembled, hereby enacts as follows:

1. The property known as the **Smoky Lake CN Station**, located on lands legally described as Plan 902 3395, Area 1 (0.164 Hectares, 04.05 Acres more or less) is hereby designated a Municipal Historic Resource with the Town as described in **Schedule “A”**.
2. Council wishes to protect and preserve the original character of the **Smoky Lake CN Station**, while encouraging changes that will make the related buildings and structures functional. The Historic Resource shall not be removed, destroyed, disturbed, altered, rehabilitated, repaired, or otherwise permanently affected, other than in accordance with the terms outline in **Schedule “B”**.
3. The administration of this bylaw shall be under the management and control of the Development Authority of the Town of Smoky Lake.
4. This bylaw shall come into effect after third and final reading.

READ a FIRST time this 12<sup>th</sup> Day of December 2022.

READ a SECOND time this 12<sup>th</sup> Day of December 2022.

READ a THIRD and FINAL time with the UNANIMOUS CONSENT OF ALL COUNCILLORS this 12<sup>th</sup> Day of December 2022.

***Original Signed***

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Amy Cherniwchan  
Mayor

***Original Signed***

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Dawn Phillips  
Chief Administrative Officer

## SCHEDULE "A"

This Statement of Significance forms Schedule "A" to Bylaw 009-20-22 and provides a *Description of the Historic Place*, explains the *Heritage Value* of the building, and identifies, by written description and photographs, those *Character Defining Elements* of the **Smoky Lake CN Station** which are regulated by the "General Guidelines for Conservation" (Schedule "B") and must be preserved (the "Regulated Character Defining Elements").

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### STATEMENT OF SIGNIFICANCE

#### CN STATION

**Plan 902 3395, Area 1, 0.164 Hectares, 04.05 Acres More or Less**

#### Description of Heritage Place

The Canadian Northern Railway Station is a two-story structure adjacent to the abandoned railway right-of-way in the town of Smoky Lake, Alberta. The building was constructed in 1919 as a standard third-class station plan 100-72. It features a hipped roof over the main station area, two gabled dormers on the front and back, and a low-pitched roof over the baggage area with a very wide eave and brackets extending along the platform all clad in stucco with green wood trim.

#### Heritage Value

Municipal heritage value of the Canadian Northern Railway station, later Canadian National is associated with its symbolic value as an emblem of the role of railways in opening the province to settlement and agriculture. Historical Significance lies in its provision of structural evidence of the village and later town having a focus on both passenger and freight rail transport in and out of the community from 1919 into the 80's and is a landmark in the community of Smoky Lake. Heritage value also lies in its architectural significance as an example of a standard third-class railway station common throughout rural western Canada during the twentieth century and is the only one of Plan 100-72 left standing in Alberta.

#### Character Defining Elements

Key elements that define the building's character are listed below.

##### Exterior:

- Mass, form, scale and style of standard third class freight and accommodation plan
- Stucco cladding (standard practice when Canadian National took over in 1936)
- Green and gold exterior wood trim
- Cedar shingles
- Steep hipped roof over main station area, low pitched gable roof over baggage area
- Very wide open-bracketed eaves (provided shelter) along platform
- Corbelled brick chimney
- Square centrally located bay
- Gabled wall dormers on front and back elevations
- Fenestration pattern and style including nine pane over one double hung sash
- Original door styles of five panel interior doors and two freight doors in the baggage room

Interior:

- Tongue-in-groove wood flooring in main station area
- Rough lumber floor in baggage room
- Original staircase with curved wood railing
- Period style baseboards, door, and window moldings most of which remain original.

**Photographic Detail**



**Exterior looking South – Source: Munisight**



**Exterior looking Northwest – Source: Kyle Schole**

## SCHEDULE "B"

This is Schedule "B" to Bylaw 009-2022 and identifies the "General Guidelines for Conservation" for the Smoky Lake CN Station.

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### GENERAL GUIDELINES FOR CONSERVATION

#### 1. Approval of Development Alterations

As per Section 26 (6) of the Alberta Historical Resources Act, notwithstanding any other Act, no person shall destroy, disturb, alter, restore, or repair a Historic Resource or remove any historic object from a Historic Resource that has been designated under this Section, without the written approval from Council or a person appointed by Council for that purpose.

Council appoints an approving Authority to protect the integrity of this municipal heritage resource to whom the Applicant shall submit a Heritage Resource Intervention Permit Application for any proposed restoration/changes to the structure. Any development or alterations affecting the Smoky Lake CN Station shall respect and conserve the heritage value and character defining elements identified in the Statement of Significance, in accordance with the below General Guidelines for Conservation and as recommended in the Standards and Guidelines for the Conservation of Historic Places.

#### 2. Compatible Uses

Wherever possible, the use of the Municipal Historic Resource shall be compatible with the existing building such that minimal changes are required to the building. The use of the Municipal Historic Resource for its original purpose is desirable.

#### 3. Original Character

The original distinctive qualities and character of the building as designated by the Municipal Historic Resource Bylaw should be preserved. The removal or alteration of any historical materials or features shall be avoided whenever possible.

#### 4. The Historic Period

The Municipal Historic Resource should be recognized as a product of its own time. Alterations which are not based on historical fact or which recreate an earlier or later idiom shall be discouraged.

#### 5. Witness to Change

Changes to the Municipal Historic Resource may have occurred over time. These alterations are evidence of the history and development of the building. Because this evolution may have acquired significance in its own right, alterations to the original building should be recognized and respected where indicated.

#### 6. Repair and Replacement

Deteriorated architectural features shall be repaired rather than replaced wherever possible. Where replacement is necessary, the new material should match the original as to composition, colour, texture, design, etc. The repair or replacement of architectural features shall be based on a sound knowledge of the original characteristics of the features. Such knowledge shall be based on historical or pictorial evidence and not upon conjecture.

## **7. Style and Craftsmanship**

Distinctive stylistic features and examples of skilled craftsmanship that have been designated by the Municipal Historic Resource Bylaw shall be preserved and treated sensitively.

## **8. Cleaning**

In all cases, surface cleaning shall be undertaken with the gentlest means available. Sandblasting in particular, but also other cleaning methods, damage historic integrity and should not be undertaken without thorough testing prior to use on a building. Sandblasting is not recommended on brick, stone or wood. In all instances, it should be ascertained that a building exterior is really in need of cleaning prior to undertaking the work.

## **9. Reversibility of Improvements**

When the introduction of new elements or materials is necessary to stabilize or preserve a municipally designated Historic Resource, alterations shall be undertaken such that the new materials, should they fail, may be removed at a later date without damage to the original fabric of the Municipal Historic Resource. Where this is not possible (i.e. use of epoxy), only those methods and materials that have been thoroughly tested and found satisfactory in situ shall be used.

## **10. Recording**

Prior to undertaking any alterations, particularly in cases where alterations may threaten the building fabric (underpinning and moving structures), the Applicant shall compile a complete record of the architectural features of the Municipal Historic Resource. Measured drawings and photographs of details may prove invaluable if major features are damaged or lost during the subsequent repair work.

## **11. Original Construction Details**

In some historic structures, poor construction details or inappropriate materials resulted in rapid deterioration of certain building elements. In these instances, accurate restoration of the original detail will inevitably result in the failure of the element. Therefore, restoration of the resource should be undertaken in such a fashion as to duplicate the original appearance as closely as possible while using details based on sound construction practice.

## **12. Enforcement**

This Bylaw may be enforced, and the contravention of any provisions contained herein restrained, by the Court of Queen's Bench of Alberta upon action brought by Council, whether or not any penalty has been imposed for contravention. If the Development Authority finds that a person is in contravention of this Bylaw, the Development Authority may, by written order, require the person responsible for the contravention to remedy it if the circumstances so require. The order may:

- (a) direct a person to stop doing something, or to change the way in which the person is doing it;
- (b) direct a person to take any action or measures necessary to remedy the contravention of the Bylaw, including the removal or demolition of a structure or part of a structure that has been erected or placed in contravention of the Bylaw, and, if necessary, to prevent a re-occurrence of the contravention;

- (c) state a time within which the person must comply with the directions;
- (d) state that if the person does not comply with the directions within a specified time, the municipality will take the action or measure at the expense of the person.

**13. Improvements**

Prior to undertaking any improvements, an Application for a Heritage Resource Intervention Permit must be submitted to Town of Smoky Lake. The Application shall include phasing of alterations where necessary due to program or budget restrictions. The type and timing of both short and long term maintenance work should also be included.

**14. Codes**

At no time should the life and safety of occupants of a Municipal Historic Resource be deemed of lesser importance than the preservation of the original fabric of the Municipal Historic Resource. The required life and safety standards are those required by the current Alberta Building Code. However, notwithstanding these Code requirements, where the essential character of the structure is threatened by changes for Code reasons, every effort shall be made to achieve an equivalent safety standard by alternate means so as to minimize the impact on the historic fabric.

**15. Signs**

As a general rule, signs should be limited to signs that were originally present on the building. In instances where new use or interpretive functions dictate the use of additional signs, these new elements should be integrated into the general design of the project. The size, typeface, graphics and materials should be chosen to suit the period of the Municipal Historic Resource, wherever possible. All signs must conform to the Town of Smoky Lake Land Use Bylaw.

**16. Claims**

All covenants, undertakings, obligations, and conditions set out in this Bylaw shall constitute covenants running with the Lands and the Town may register a Caveat at the Land Titles Office against the Lands to protect its interest under this Bylaw. The Town of Smoky Lake may grant a postponement of the caveat as to any of the land in development. The Town of Smoky Lake will discharge the caveat promptly upon the acceptance of the various matters required to be performed by the Developer under this Bylaw.

The Developer shall indemnify and save harmless the Town from any and all losses, costs, damages, actions, cause of actions, suits, claims and demands resulting from anything done or omitted to be done by the Developer in pursuance or purported pursuance of this Bylaw.

**17. Consent**

This bylaw is hereby agreed to by the Registered Owner of the Certificate of Title. Furthermore, the Registered Owner consents to having this bylaw registered by way of a caveat on said Certificate of Title.

***Original Signed***  
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Amy Cherniwchan  
Mayor

***Original Signed***  
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Dawn Phillips  
Chief Administrative Officer