

A BYLAW OF THE MUNICIPALITY OF THE TOWN OF SMOKY LAKE IN THE PROVINCE OF ALBERTA BEING A BYLAW OF THE TOWN OF SMOKY LAKE TO DESIGNATE THE KEEN HOUSE AS A MUNICIPAL HISTORIC RESOURCE.

WHEREAS Section 26 of the *Historical Resources Act*, R.S.A. 2000, c. H-9, (the "Act") 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, Council may by bylaw designate that part of the municipality as a Municipal Historic Resource and prohibit or regulate and control the use and development of land and the demolition, removal, construction, or reconstruction of buildings within that Municipal Historic Resource;

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

Civic Address: 333 White Earth Street, Smoky Lake, AB

Land Title No. 992 328 464

Legal Location: Lot 4; Block 9; Plan 803CL

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.

AND WHEREAS Notice having been given on August 12, 2021;

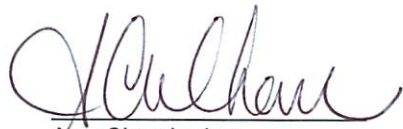
NOW THEREFORE that the Council of the Town of Smoky Lake in the Province of Alberta, having complied with the Historical Resources Act, and duly assembled, hereby enacts as follows:

1. The property known as the Keen House located on lands legally described as **Lot 4; Block 9; Plan 803CL** (0.0594 hectares; 0.147 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 Keen House, 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** IN COUNCIL THIS 15th day of February, AD 2022.

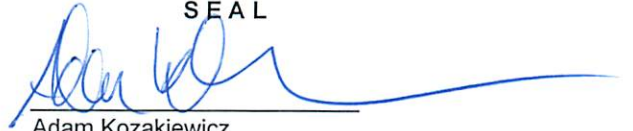
READ A **SECOND TIME** IN COUNCIL THIS 15th day of February, AD 2022.

READ A **THIRD AND FINAL TIME** IN COUNCIL THIS 15th day of February, AD 2022.



Amy Cherniwchan
Mayor

SEAL



Adam Kozakiewicz
Chief Administrative Officer

SCHEDULE 'A'
STATEMENT OF SIGNIFICANCE
KEEN HOUSE

Description of Heritage Place

The Keen House is a one-and-a-half-storey residence built in 1931. It is stucco clad and has a high gable roof with front and rear shed dormers, and an enclosed porch on the front. It is situated on a triangular corner lot on the edge of the downtown commercial district in an older residential area.

Heritage Value

The house is significant as it relates to the theme of urban development; for its associations with Dr. Isadore Goresky and the Methodist Mission; for its construction design; and for its value as a landmark within the community.

By 1910, the area around what is now called Smoky Lake was becoming well populated with settlers, primarily from eastern Europe. In 1915, following the announcement that a railway line would be built through the district, some businesses were started; a few years later, the completion of the line sparked a building boom. Dr. Isadore Goresky had this house built in 1931. At the time, he was employed at several schools in the Smoky Lake area and was principal of the Smoky Lake School, a post he held from 1926 to 1935. He was also a Member of the Legislative Assembly. In 1932, the Women's Methodist Mission Society, Kolokreeka branch, purchased the house from Goresky. Various community workers resided at this Methodist Mission House for 27 years.

This residence is an excellent example of craftsman style architecture. The high-pitched roof with large central dormers, the single hung windows and the interior wooden features such as mouldings and pillars indicate the high level of workmanship and attention to detail that was invested in homes of this period.

The Keen House is valued as a landmark in the community: it was the residence of a prominent citizen, Dr Isadore Goresky, who was involved in education, provincial politics, and many other organizations in the community; and it was a residence for community workers belonging to the Methodist Mission Society.

Character-defining Elements

Exterior:

- High gable roof
- Stucco-clad exterior
- Shed dormers on front and rear
- Enclosed porch with off-façade entry from side steps

Interior:

- Two small sitting rooms divided by a half wall
- Hardwood flooring
- Wainscoting
- Columns and pilasters between two main floor rooms- architrave, treillage
- Doric column (plain capital with fluted shaft) and railing on stairway
- Moulded trim around door casings and windows
- Flat, single light transom on second floor above bedroom door

Sources: Smoky Lake and District Cultural and Heritage Society, *Our Legacy: History of Smoky Lake and Area*, 1983, 197-200, 452-61.

Photographic Detail



Above/below: Front elevation view from McDougall Drive



Below left: rear elevation view / Below right: interior



Below: Interior



Below: Interior



Below Left/Right: Munisite Ortho Map & arial view showing location of Keen House at 333 White Earth Street, Smoky Lake, Alberta



SCHEDULE 'B'
STATEMENT OF SIGNIFICANCE

This is Schedule identifies the "General Guidelines for Conservation" for the Keen House.

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 Bellis Firehall 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 the 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. Smoky Lake may grant a postponement of the caveat as to any of the land in development. 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 No. 992328464.

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

EDWARD KEEN
OWNER

SHIRLEY KEEN
OWNER