



**BYLAW NO.02-2025
OF THE TOWN OF SMOKY LAKE
IN THE PROVINCE OF ALBERTA**

**A BYLAW OF THE TOWN OF SMOKY LAKE IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE
OF DESIGNATING THE HOLY ASCENSION UKRAINIAN ORTHODOX CHURCH AS A MUNICIPAL
HISTORIC RESOURCE**

WHEREAS, sections 26 and 27 of the Historical Resources Act, Revised Statutes of Alberta 2000, Chapter H-9, as amended, permits the council of a municipality to designate any heritage resources within the 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:

PLAN 803CL BLOCK 8 LOT X CONTAINING 0.579 (1.43 ACRES) MORE OR LESS

EXCEPTING THEREOUT:

A) PLAN 7622287 – SUBDIVISION 0.146 HECTARES 0.36 (ACRES) MORE OR LESS

B) PLAN 2120538 – SUBDIVISION 0.130 HECTARES 0.32 (ACRES) MORE OR LESS

EXCEPTING THEREOUT ALL MINES AND MINERALS

Civic Address: 3 White Earth St, Smoky Lake, AB

is a site of architectural, historical, cultural, environmental, archaeological, 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 delegates a 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;
- b) and 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 Holy Ascension Ukrainian Orthodox Church, located on lands legally described as Plan 803CL Block 8 Lot X Containing 0.579 (1.43 Acres) More Or Less Excepting Thereout: A) Plan 7622287 – Subdivision 0.146 Hectares 0.36 (Acres) More Or Less B) Plan 2120538 – Subdivision 0.130 Hectares 0.32 (Acres) More Or Less Excepting Thereout All Mines And Minerals is hereby designated a Municipal Historic Resource with the Town as described in **Schedule “A”**.
1. Council wishes to protect and preserve the original character of the Holy Ascension Ukrainian Orthodox Church while encouraging changes that will make the related buildings and structures more functional. The Historic Resource shall not be removed, destroyed, disturbed, altered, rehabilitated, repaired, or otherwise permanently affected, other than in accordance with the terms outlined in **Schedule “B”**.
2. The administration of this bylaw shall be under the management and control of the Development Authority of the Town of Smoky Lake.
3. This bylaw shall come into effect after third and final reading.

60-DAY NOTICE having been given this 12 day of December 2024.

READ a FIRST time this 24 day of February 2025.

READ a SECOND time this 24 day of February 2025.

READ a THIRD and FINAL time with the UNANIMOUS CONSENT OF ALL COUNCILLORS this 24 day of February 2025.

Original Signed

Amy Cherniwchan
Mayor

Original Signed

Dawn Phillips
Chief Administrative Officer

SCHEDULE “A”

This Statement of Significance forms Schedule “A” to Bylaw 02-2025 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 Holy Ascension Ukrainian Orthodox Church which are regulated by the General Guidelines for Conservation (Schedule “B”) and must be preserved.

**STATEMENT OF SIGNIFICANCE
HOLY ASCENSION UKRAINIAN ORTHODOX CHURCH
ALSO KNOWN AS THE UKRAINIAN ORTHODOX CHURCH OF THE ASCENSION OF JESUS
CHRIST**

**PLAN 803CL BLOCK 8 LOT X CONTAINING 0.579 (1.43 ACRES) MORE OR LESS EXCEPTING
THEREOUT: A) PLAN 7622287 – SUBDIVISION 0.146 HECTARES 0.36 (ACRES) MORE OR LESS
B) PLAN 2120538 – SUBDIVISION 0.130 HECTARES 0.32 (ACRES) MORE OR LESS EXCEPTING
THEREOUT ALL MINES AND MINERALS**

Description of Heritage Place

The church is located in Smoky Lake on a corner dividing the business and residential areas of town. Constructed in 1928 on a one-story cruciform plan, it has a medium gabled roof featuring metal, copper-coloured Byzantine-style (onion-shaped) domes.

Heritage Value

Holy Ascension is significant for its association with the provincial historic themes of spiritual life and rural development. Its municipal historic value lies in its association with the Ukrainian Orthodox Church, design and construction method, and status as a religious landmark in the region.

The church's architecture is in keeping with the traditional Byzantine church style. It is a wood-frame stucco-clad structure built on a cruciform plan. It has small onion-shaped domes on octagonal drums and a prominent central dome, each supporting a wrought-iron cross. The roof structure relates to the arrangement of interior spaces. A large, rounded central section reaching out to the ceiling leads to the central dome. In front of the altar is an iconostasis comprised of decorative royal doors, pilaster mouldings, and painted icons. The windows are arched and have stained glass. A stand containing the church bell is in front of the building.

The first Ukrainian priest came in 1924, and services were held in homes over the next few years. By 1926, the congregation had increased to thirty-two (32) families who collectively planned the church's construction. With the parishioners giving their time and energy, the church was completed two years later, with the first holy liturgy held in November 1928. The following service held in the church was the wedding of Olga Rosichuk and Konstantine Romaniuk. Church bells, icons, and other interior elements were added several years later. A local carpenter, Stephan Tkatch, crafted the woodwork, including the carving of the royal doors of the iconostasis, while George Gavinchuk, the Smoky Lake CN Station Master, built the pews.

Character Defining Elements

The key elements that define the exterior of the building's character are the:

- a) form and mass;
- b) cruciform plan;
- c) two cupolas with onion-shaped domes at the edge of each transept roof;
- d) large central dome;
- e) iron crosses as finials on domes;
- f) placement and size of the wood, as well as single-hung, multi-paned windows;
- g) front entry bell arch head with an onion-shaped bell tower over the center of the nave;
- h) and double-sashed windows with the upper sashed being a half-round.

Photographic Detail



Exterior looking Northeast – Source: Smoky Lake Regional Heritage Board

Character Defining Elements

The key elements that define the interior of the building's character are the:

- a) original tongue-in-groove wood flooring;
- b) way the ceiling opens to a dome over the central nave;
- c) elaborately carved alter;
- d) carved iconostasis with royal doors and traditionally painted icons;
- e) painted wood clad walls;
- f) choir loft and stairs;
- g) wood slat octagonal dome;
- h) and stained-glass windows featuring a semicircular sash.

Photographic Detail



Interior – Source: Smoky Lake Heritage Board

SCHEDULE “B”

This is Schedule “B” to bylaw 02-2025 and identifies the General Guidelines for Conservation for the Holy Ascension Ukrainian Orthodox Church.

GENERAL GUIDELINES FOR CONSERVATION

1. Approval of Development Alterations

As per section 26 (6) of the 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 of Council or a person appointed by Council for that purpose.

Council shall appoint an approving authority to protect the integrity of this Municipal Historic Resource and to whom the applicant shall submit a Heritage Resource Intervention Permit Application for any proposed restoration and/or changes to the structure. Any development or alterations affecting the Holy Ascension Ukrainian Orthodox Church 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 so that minimal changes are required. It is desirable to use the Municipal Historic Resource for its original purpose.

3. Original Character

The building's original distinctive qualities and character should be preserved as designated by the Municipal Historic Resource Bylaw. Any removal or alteration of 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 not based on historical fact or that 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 building's history and development. Because this evolution may have acquired significance in its own right, modifications to the original structure 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 in 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 designated by the Municipal Historic Resource Bylaw are 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, damages historic integrity and should only be undertaken with 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 necessitates 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., the 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

Poor construction details or inappropriate materials can rapidly deteriorate certain building elements in some historic structures. In these instances, accurate restoration of the original detail will inevitably result in the element's failure. 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 the King'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) establish a timeframe within which the person must comply with the directions;
- d) and state that if the person does not comply with the directions within a specified time, the municipality will take 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. It must also include the type and timing of both short and long-term maintenance work.

14. Codes

At no time shall the life and safety of occupants of a Municipal Historic Resource be deemed of lesser importance than preserving the original fabric of the Municipal Historic Resource. The required life and safety standards are those mandated 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. 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 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

Amy Cherniwchan
Mayor

Original Signed

Dawn Phillips
Chief Administrative Officer