

**SMOKY LAKE COUNTY  
IN THE PROVINCE OF ALBERTA  
BYLAW 1262-14**

A BYLAW OF SMOKY LAKE COUNTY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF DESIGNATING THE CHAHOR CHURCH AND BELL TOWER AS A MUNICIPAL HISTORIC RESOURCE.

**WHEREAS** Section 26 and 27 of the 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 Smoky Lake County has determined that the property legally described as:

**Chahor Church and Bell Tower  
Pt. of NE 9-60-18-W4M  
1.579 hectares (3.90 acres more or less)**

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

**AND WHEREAS** not less than sixty (60) days prior to consideration of this bylaw, the Council of Smoky Lake County 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 Smoky Lake County in the Province of Alberta, having complied with the Historical Resources Act, and duly assembled, hereby enacts as follows:

1. The property known as Chahor Church and Bell Tower located on lands legally described as Pt. of NE 9-60-18-W4M excepting thereout all mines and minerals, area 1.579 Hectares (3.90 Acres more or less) is hereby designated a Municipal Historic Resource with the County as described in Schedule "A".
2. Council wishes that the original character of Chahor Church and Bell Tower be protected and preserved while encouraging changes that will make the related buildings and structures functional, at no cost to the County. 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 Smoky Lake County.
4. This bylaw shall come into effect after third and final reading.

TITLE # 204N148

READ A **FIRST TIME** IN COUNCIL THIS 28<sup>TH</sup> DAY OF MAY, AD 2015.

READ A **SECOND TIME** IN COUNCIL THIS 28<sup>TH</sup> DAY OF MAY, AD 2015.

READ A **THIRD AND FINAL TIME** IN COUNCIL THIS 28<sup>TH</sup> DAY OF MAY, AD 2015.

  
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Ron Bobocel  
Reeve

*seal*

**SEAL**

  
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Cory Ollikka  
Chief Administrative Officer

**SCHEDULE "A"**

This Statement of Significance forms Schedule "A" to Bylaw 1262-14 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 Chahor Church and Bell Tower which are regulated by the "General Guidelines for Conservation" (Schedule "B") and must be preserved (the "Regulated Character Defining Elements").

**STATEMENT OF SIGNIFICANCE**

**Chahor Church and Bell Tower  
(otherwise known as Chahor Church)  
Pt. of NE 9-60-18-W4M  
1.579 hectares (3.90 acres more or less)**

**Description of Historic Place**

The Chahor Church (Russo-Greek Orthodox Church of Saints Peter and Paul) is a 1½-storey church, with a cruciform plan, and a central octagonal dome over the nave. Built in 1920, it is located at 60176 Range Road 183, approximately 9 kilometres north of Warspite. It is on the opposite corner from the Highland Hall, and is adjacent to a bell tower and a cemetery and situated on a hill. The Chahor Church and Bell Tower is a 1½-storey tower with a square plan, a high hipped roof, and pyramidal roof on top. The site includes the church and bell tower.

**Heritage Value**

The Chahor Church and Bell Tower is significant for their association with the provincial theme of Spiritual Life. They contain municipal value for their association with settlement and religious practices; for its design and construction; and as a prominent landmark within the region.

The Church provided the newly settled community with the ability to celebrate and worship the beliefs they brought with them from Eastern Europe. The Chahor Church is a testament to the community's capacity and determination to maintain continuity with the religious rituals and traditions they knew so well in their native homeland.

There is also heritage value in the design and construction of the Church and Bell Tower. The cruciform plan is typical orthodox style. The simplicity in construction is representative of the simple tools, and methods used by local volunteer labourers. The Church was constructed using designs and techniques brought to the area by settlers who cherished memories of their native village churches, as can be seen in the octagonal dome, the lantern, the round-wheel windows, and the metal crosses that adorn the gable roof and the central dome. Alterations from their native designs were determined by location and climate, and availability of local building materials. The Church's original superstructure cover is currently clad with vinyl siding.

The Chahor Church also contains heritage value as a prominent landmark in the district. The Church and Bell Tower are located on a slight rise on the diagonal corner across from the Barich (Highland) Hall. There are currently several services still held each year, and the Church continues to represent the significance and role of the Church within the region, and its ability to strengthen sense of community, religious belief and social development.

**Character Defining Elements**

Exterior of Church

- Form, massing and scale
- Cruciform plan shape with a hipped roof and an octagonal-dome with an octagonal metal domed roof lantern
- Two, round, wheel-windows on the sides of the dome
- Front storm porch with wood doors
- Metal cross finial on top of the roof lantern and on the ends of the main gable roof
- Wood shingles on the roof
- Location adjacent to the cemetery and opposite of Highland Hall

Interior of Church

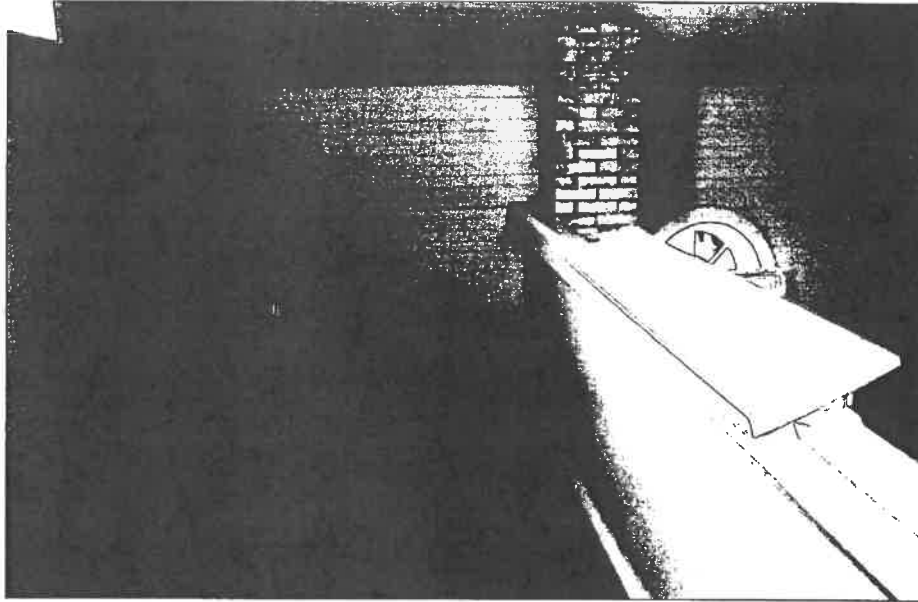
- Log construction covered on the interior wood slats
- Nave and sanctuary (including prothesis, room/table where offerings are prepared) separated by iconostasis with royal door in centre and two side doors
- Inside dome with hand-painted décor
- Candle chandelier hung from dome
- Iconostasis with banners and icons painted by artists who specifically studied the Eastern European style
- Six-winged angel raised and lowered by a rope.

Bellhouse

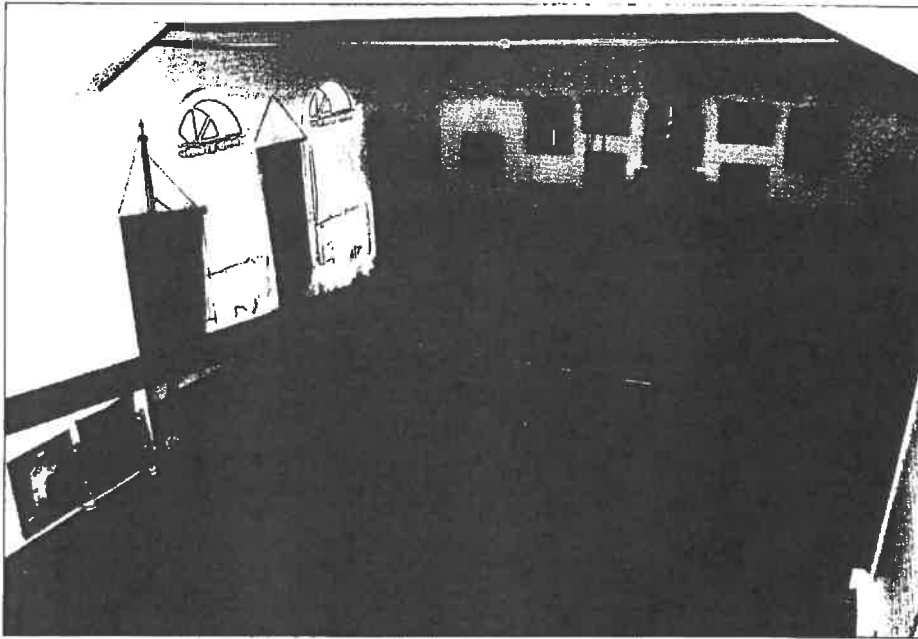
- Bellhouse with original bell
- Stairway that drops from the ceiling, giving access to the bellhouse
- 1½-storey bell tower with a square plan, a high-hipped roof and a pyramidal roof

Photographic Detail

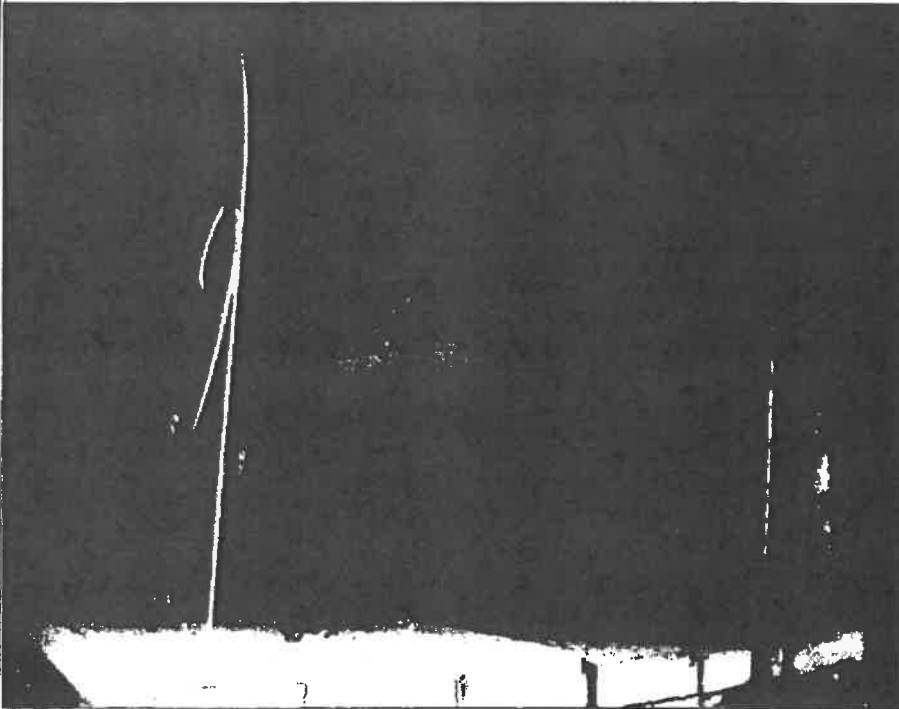




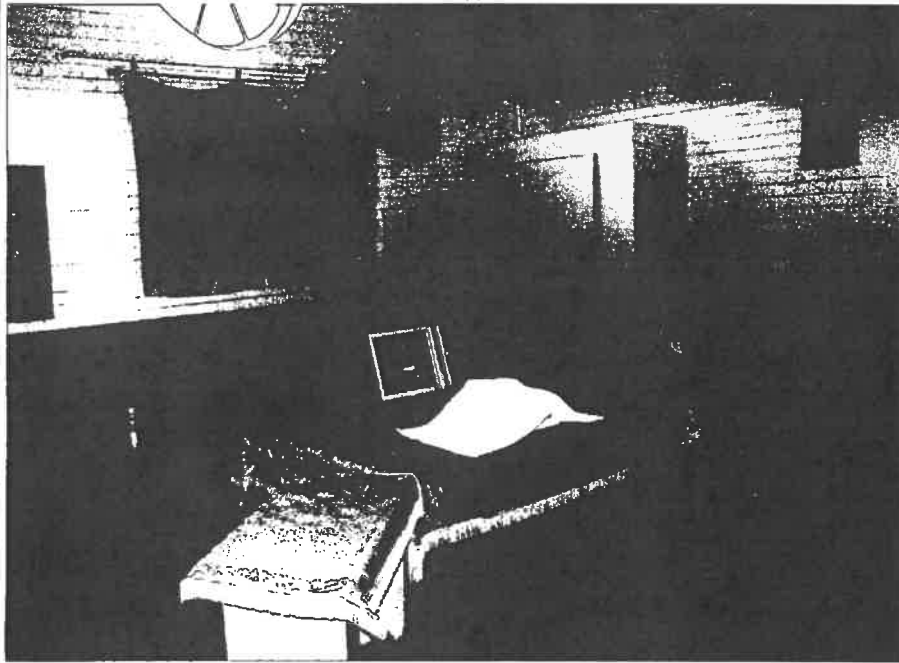
Chahor Balcony



Chahor Church-interior showing nave and iconostasis



Chahor Church Bell in upper floor of bellhouse



Chahor Church-Sanctuary or altar with altar table and various items such as holy pictures, cross, banner, incense, and the Prothesis (where offerings are prepared) on the north side of the church.

**SCHEDULE "B"**

This is Schedule "B" to Bylaw 1262-14 and identifies the "General Guidelines for Conservation" for Chahor Church and Bell Tower.

**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 Chahor Church and Bell Tower 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 Smoky Lake County. 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 Smoky Lake County 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 County may register a Caveat at the Land Titles Office against the Lands to protect its interest under this Bylaw. Smoky Lake County may grant a postponement of the caveat as to any of the land in development. Smoky Lake County 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 County 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 Owners as registered as a Caveat on the Certificate of Title 204N148: The Russo-Greek Orthodox Parish, of St. Peter and St. Paul.



Mary Ann Boychuk  
Russo-Greek Catholic Orthodox Parish of St. Peter and St. Paul