



Title: Designation of Municipal Historic Resources		Policy No.: 15-01
Section: 61	Code: P-I	Page No.: 1 of 23 <i>E</i>

Legislation Reference:	Alberta Historical Resources Act, Smoky Lake County Bylaw 1236-11 Smoky Lake County Regional Heritage Board
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Purpose:	To provide standardized criteria for evaluating historic resources and to outline the procedures and requirements for designating an historic resource as a Municipal Historic Resource as defined under Section 26 of the Historical Resources Act, R.S.A. 2000, c. H-9.
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Policy Statement and Guidelines:
<p>1. STATEMENT:</p> <p>1.1 The Designation of Municipal Historic Resources Policy is intended to encourage the recognition, designation, protection and rehabilitation of historic resources within Smoky Lake County.</p> <p>1.2 The Designation of Municipal Historic Resources Policy provides guidance to Council, administration and property owners as a precondition to the Designation Bylaw applicable to each designated resource.</p> <p>1.3 The Designation of Municipal Historic Resources Policy facilitates the maintenance and preservation of Municipal Historic Resources by establishing the process and conditions for the issuance of a Heritage Resource Intervention Permit.</p> <p>2. OBJECTIVE:</p> <p>2.1 Smoky Lake County receives requests to designate historic resources as Municipal Historic Resources. The County wishes to have a policy that formalizes the procedures for processing such requests.</p> <p>2.2 Smoky Lake County wishes to have a policy that formalizes the procedures for issuing Heritage Resource Intervention Permits.</p> <p>3. DEFINITIONS:</p> <p>For Interpretation purpose:</p> <p>3.1 Character-Defining Elements: the materials, forms, location, spatial configurations, uses and cultural associations or meanings that contribute to the heritage value of an historic place, which must be retained to preserve its heritage value.</p> <p>3.2 Designation Bylaw: A bylaw passed by Council designating an historic resource as a Municipal Historic Resource. A Designation Bylaw must include the legal description of the property that is to be designated and a declaration that the property is being designated as a Municipal Historic Resource pursuant to the <i>Historical Resources Act</i>.</p>

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Policy Statement and Guidelines:

- 3.3 **Heritage Resource Intervention Permit:** A Heritage Resource Intervention Permit is required when interventions are proposed to a building or site that has been designated as a Municipal Historic Resource. Interventions include, but are not limited to, construction, additions, alterations, demolition, cosmetic changes and signage.
- 3.4 **Heritage Survey:** A heritage survey gathers and records information associated with the physical remains of the past to identify, document and understand potential historic resources in a community. A heritage survey lays the foundation for continued heritage protection, promotes public awareness and fosters grassroots support for heritage preservation, and offers municipalities a planning tool for managing and preserving historic sites.
- 3.5 **Heritage Value:** The aesthetic, historic, scientific, cultural, social or spiritual importance or significance for past, present or future generations. The heritage value of an historic place is embodied in its character-defining materials, forms, location, spatial configurations, uses and cultural associations or meanings.
- 3.6 **Historic Resource:** An historic resource is any work of nature or humans that is primarily of value for its palaeontological, archeological, prehistoric, historic, cultural, natural, scientific or aesthetic interest, including, but not limited to, a palaeontological, archeological, prehistoric, historic or natural site, structure, or object.
- 3.7 **Historic Site:** An historic site is any site that includes, or is comprised of, an historic resource of immovable nature or that cannot be disassociated from its context without destroying some or all of its value as an historic resource.
- 3.8 **Municipal Historic Resource:** A Municipal Historic Resource is an historic resource that is designated by bylaw and protected from unsympathetic alteration or destruction pursuant to the conditions of the *Historical Resources Act*.
- 3.9 **Notice of Intention to Designate:** A Notice of Intention to Designate is a motion passed by Council stipulating that a written notice of intention to designate an historic resource as a Municipal Historic Resource shall be served on the owner of said resource. The Notice shall contain the legal description of the property and a declaration stating Council's intention to designate the property as a Municipal Historic Resource pursuant to the *Historical Resources Act*.
- 3.10 **Smoky Lake Region Inventory of Historic Places:** The Smoky Lake Region Inventory of Historic Places is a register of historic assets within Smoky Lake County, the Villages of Waskatenau and Viina, and the Hamlets of Bellis, Spedden and Warspite. Resources must be listed in the Inventory before they can be considered for designation as a Municipal Historic Resource.
- 3.11 **Statement of Significance:** A Statement of Significance is a succinct description of an historic resource that includes a brief description of the historic place, identifies the key heritage values of the resource and highlights the resource's character-defining elements.

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Policy Statement and Guidelines:

4. GUIDELINES:

- 4.1 Upon recommendation from the Smoky Lake County Regional Heritage Board, Smoky Lake County Council may decide to designate an historic resource as a Municipal Historic Resource if it deems the resource to be of significant historic value and whose preservation it considers to be in the public interest.
- 4.2 When an historic resource is designated as a Municipal Historic Resource, ownership will be retained by the landowner. However, the landowner will have agreed that there are now limitations and restrictions on how the resource can be altered.

5. PROCEDURES:

- 5.1 Application forms for Municipal Historic Resource Designation can be obtained from the Smoky Lake County Regional Heritage Board, the Smoky Lake County office or online at www.smokylakecounty.ab.ca (**Schedule "A" – Application for Municipal Historic Resource Designation**)
- 5.2 Before a historic resource may be considered for designation as a Municipal Historic Resource, a Statement of Significance must first be completed, and the resource listed on the Smoky Lake Region Inventory of Historic Places. A Preliminary Heritage Site Identification form must be completed before a resource can be considered for inclusion on the Inventory (**Schedule "B" – Preliminary Heritage Site Identification Form**)
- 5.3 Nominations for designation and/or placement on the Smoky Lake Region Inventory of Historic Places shall be made upon the request of the resource owner, and submitted to the Smoky Lake County Regional Heritage Board for comment.
- 5.4 If recommended by the Smoky Lake County Regional Heritage Board, an application for Municipal Historic Resource Designation will be submitted to the County. The Development Authority will prepare a Request for Decision for Council's consideration, including a draft Designating Bylaw.
- 5.5 If Council deems the historic resource to be worthy of designation, Council shall pass a motion issuing a Notice of Intention to Designate, pursuant to Section 26 of the *Historical Resources Act*. (**Schedule "C" – Notice of Intention to Designate**)
- 5.6 The Notice of Intention to Designate must be served on the resource owner a minimum of sixty (60) days before the consideration of a designation bylaw. During this period the owner of said resource shall not destroy, disturb, alter, restore or repair said resource.
- 5.7 Following the 60 day notification period, Council may consider a Designation Bylaw for said resource. Council may also decide to revoke a Notice of Intention to Designate if it deems protection of the resource is not in the public interest.

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Policy Statement and Guidelines:	
5.8	A Designation Bylaw must be passed within one hundred and twenty (120) days of the serving of the Notice of Intention to Designate. Failure to pass a Designation Bylaw during this period will render the Notice of Intention to Designate invalid.
5.9	Pursuant to Section 26 of the <i>Historical Resources Act</i> , a Designation Bylaw must contain the legal description of the property and a declaration that said property is being designated as a Municipal Historic Resource pursuant to the <i>Historical Resources Act</i> . (<u>Schedule "D" – Sample Designation Bylaw</u>)
5.10	Prior to passing a Designation Bylaw, a written agreement must be entered into between Smoky Lake County and the resource owner, waiving the right to receive compensation for any loss of economic value, perceived or real, as the result of designation. (<u>Schedule "E" – Municipal Historic Resource Compensation Waiver Form</u>) A Designation Bylaw will only be considered if the resource owner has waived his or her right to compensation for loss of economic value as a result of designation and has signed a Municipal Historic Resource Compensation Waiver attesting the same.
5.11	Once a Designation Bylaw has been passed by Council, a copy of said Bylaw, including any and all schedules, shall be signed by the owner and registered at the appropriate Land Titles Office against the title of the designated property.
5.12	A certified true copy of the Designation Bylaw shall be provided to the owner of the designated property.
5.13	Upon designation, a Municipal Historic Resource shall be nominated by the County to be placed on the Alberta Register of Historic Places.
5.14	County Council reserves the right to repeal a Designation Bylaw at any time for any reason it deems necessary. Council must pass a bylaw repealing the Designation Bylaw and must serve said repealing bylaw on the owner of the designated resource. The County must also discharge the Designation Bylaw from the land titles registry.
5.15	Upon designation, any alteration, restoration, repair, disturbance, removal, addition or destruction of a Municipal Historic Resource shall require written permission from the Development Authority in the form of a Heritage Resource Intervention Permit. (<u>Schedule "F" – Application for Heritage Resource Intervention Permit</u>)

	Date	Resolution Number
Approved	June 26, 2015	
Amended		
Amended		

SMOKY LAKE COUNTY REGIONAL HERITAGE BOARD Application For Municipal Historic Resource Designation

Box 310, Smoky Lake, Alberta T0A 3C0

Roll #

Date

Name of Resource

Municipality Municipal Address:

Short Legal Description: Plan: Block: Lot:

Long Legal Description LSD/Pt. Section Township Range W4

Please attach:

- Current Certificate of Title
- Recent photographs of the exterior of Site (ensure date and location is indicated on the back of photo)
- Recent photographs of the interior of Site (ensure date and location is indicated on the back of photo)
- Historic photographs of the Site (ensure date and location is indicated on the back of photo)

NOTE: All photographs attached to this application remain the property of the municipality.

The information provided on this form was recorded by:

Name

Address

Postal Code Telephone 1 Telephone 2 Date

Site Owner

Address

Postal Code Telephone

Does the Owner support the possible designation of the Site? Yes No

Does the Owner give permission to the municipality and it's heritage contractor (if applicable) to enter the property, for the sole purpose of documentation and evaluation of the structure? Yes No

Comments

Owner's Signature _____ Date

The personal information on this form is protected under the authority of Section 33(c) of the Alberta Freedom of Information and Protection of Privacy Act SA 2000. The information will be used to process this application for the purpose of having a property considered as a Historic Resource. This document is a public document and is available for public viewing if requested and as a result your name and address may be included on reports and available to public. The municipality WILL NOT use your personal information for unrelated purposes, without your expressed consent.

No. of structures	
Type of structures	
Type of construction (log, frame, brick, etc.)	
Present Condition	
Roof	
Siding	
Windows and frames	
Foundation	
What was the date of construction? Estimated or Actual?	
What was (were) the original uses(s) of the structure?	
What was the nature and date of any later addition?	
What is the architectural significance of this site or structure?	
What is the name of the architect, if one was involved?	
What is the name of the builder?	
Does the architect or builder have any special prominence in the community?	
Is there something notable about the method of construction or the building materials used?	
Is the structure on its original site? If it has been moved, when and why?	
In what condition is the building? What alterations have been made in the cause of maintenance or renovation, and when?	
If it is in a town or village, does the building fit in with	

~ Smoky Lake County Regional Heritage Board ~

the age, types, and styles of others on the street, or in the neighbourhood? If it is in a rural area, does it fit in with the local environment?	
What is the historical significance of this site and / or structure? Was this site associated with major patterns in economic, social, political , cultural or any other broad development?	
Is it a particular visible landmark in the area?	
What is the present use of the site or structure?	
What is the proposed use of the site or structure?	
Are there any plans for restoration / rehabilitation of this site or structure?	
Have there been any important event(s) associated with this site or structure? If so, provide an account of it.	
Is there something unique or excellent about the artist design and craftsmanship of the site or structure?	
Why do you feel the preservation of this resource is in the public interest?	
List sources of information and names with contact information of people we can contact for further information.	

~ Smoky Lake County Regional Heritage Board ~

SMOKY LAKE COUNTY REGIONAL HERITAGE BOARD

Preliminary Heritage Site Identification

Requested By: Date:

Contact Information:

Name(s) of Site:

Land Location:

Current Owner:

Previous Owner:

Construction Date: Approximate Actual

Builder / Architect:

Additions or Alterations to Original Building

History

Special Exterior Features

Special Interior Features

Additional Information

Do you have any photographs, documents, blueprints, etc. to show us?

Do you have any additional information about other buildings in the Smoky Lake Region?

Submit or drop off at:

Smoky Lake County Regional Heritage Board, Box 310, 4612 McDougall Drive, Smoky Lake, Alberta T0A 3C0

NOTICE OF INTENTION TO DESIGNATE

[Redacted]

AS A MUNICIPAL HISTORIC RESOURCE

ALBERTA HISTORIC RESOURCES ACT
Section 26 H.R.A., R.S.A. 1980, c.H-8, as amended

TO:

[Redacted]

Notice is hereby given that following at least sixty (60) days from the date of serving of this Notice, on

Council Meeting Date: [Redacted]

the Municipal Council of the [Redacted]

intends to pass a Bylaw that the site legally described as:

Short Legal Description: Plan: [Redacted] Block: [Redacted] Lot: [Redacted]

Long Legal Description: Municipal Address: [Redacted]

[Redacted]

Excepting thereout all mines and minerals,

Containing the building(s), known as:

[Redacted]

located on the site be designated a **MUNICIPAL HISTORIC RESOURCE** under Section 26 of the Historical Resources Act, as amended from time to time.

AND TAKE FURTHER NOTICE THAT the Municipal Council of the [Redacted]

has appointed the Chief Administrative Officer to implement matters arising from the issuance of the Notice of Intention to Designate a Municipal Historic Resource.

DATED this [Redacted] day of [Redacted], 201 [Redacted]

Attachments:

- Location Map
- Photographs
- Statement of Significance

Chief Administrative Officer

**SMOKY LAKE COUNTY
IN THE PROVINCE OF ALBERTA
BYLAW XXXX-XX**

**A BYLAW OF SMOKY LAKE COUNTY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF
DESIGNATING THE (NAME OF RESOURCE) 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:

**(NAME OF HISTORIC RESOURCE)
(LEGAL DESCRIPTION)
XXX hectares (XXX 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 (NAME OF RESOURCE) located on lands legally described as (LEGAL DESCRIPTION) excepting thereout all mines and minerals, area (XXX) Hectares ((XXX) Acres more or less) is hereby designated a Municipal Historic Resource within the County as described in Schedule "A".
2. Council wishes that the original character of (NAME OF RESOURCE) 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.

READ A **FIRST TIME** IN COUNCIL THIS XXTH DAY OF XXXXX, AD 20XX.

(NAME)
Reeve

S E A L

(NAME)
Chief Administrative Officer

READ A **SECOND TIME** IN COUNCIL THIS ____ DAY OF _____, AD 20XX.
READ A **THIRD AND FINAL TIME** IN COUNCIL THIS ____ DAY OF _____, AD 20XX.

(NAME)
Reeve

S E A L

(NAME)
Chief Administrative Officer

SCHEDULE "A"

This Statement of Significance forms Schedule "A" to Bylaw XXXX-XX 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 (NAME OF RESOURCE) which are regulated by the "General Guidelines for Conservation" (Schedule "B") and must be preserved (the "Regulated Character Defining Elements").

STATEMENT OF SIGNIFICANCE

(NAME OF RESOURCE)

(LEGAL DESCRIPTION)

XXX hectares (XXX acres more or less)

**(INSERT THE STATEMENT OF SIGNIFICANCE FOR THE RESOURCE TO BE DESIGNATED,
INCLUDING A DESCRIPTION OF THE HISTORIC RESOURCE, ITS HERITAGE VALUE AND
THE RESOURCE'S CHARACTER DEFINING ELEMENTS)**

Photographic Detail

**(ADD PHOTOGRAPHS THAT SHOW THE CHARACTER DEFINING ELEMENTS OF THE RESOURCE
TO BE PRESERVED)**

SCHEDULE "B"

This is Schedule "B" to Bylaw XXXX-XX and identifies the "General Guidelines for Conservation" for (NAME OF RESOURCE)

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 XXX XXX XXX: (INSERT NAME OF MUNICIPAL HISTORIC RESOURCE)

(NAME OF LANDOWNER)

(ORGANIZATION – IF APPLICABLE)

(SIGNATURE)



Municipal Historic Resource Compensation Waiver Form

Box 310
4612 McDougall Drive
Smoky Lake, AB T0A 3C0
Ph: 656-3730 Fax: 656-3768

MUNICIPAL HISTORIC RESOURCE WAIVER

I/We _____ understand that Smoky Lake County is applying to have the _____ designated as a Municipal Historic Resource.

In order for Smoky Lake County to proceed with the application, I/We agree to waive the following clauses of the *Historical Resources Act*.

Compensation

28(1) If a bylaw under section 26 or 27 decreases the economic value of a building, structure or land that is within the area designated by the bylaw, the council shall by bylaw provide the owner of that building, structure or land with compensation for the decrease in economic value.

(2) If the council and the owner cannot agree on the compensation payable under subsection (1), the owner or the council may apply to the Land Compensation Board established under the *Expropriation Act* to determine the amount of compensation payable by the council to the owner for the decrease in economic value.

(3) When an application is made to the Land Compensation Board pursuant to subsection (2), the *Expropriation Act* and the regulations made under it respecting the determination of compensation, hearings and procedures, including interest, costs and appeals, apply to the application with all necessary modifications.

(4) The council may, with the agreement of the owner, provide the compensation under subsection (1) by grant, tax relief or any other means.

For greater certainty, I/We expressly waive all rights to claim compensation from Smoky Lake County for any cause whether rising in common law, equity or by statute, because of the County's designation of the property described above as a Municipal Historic Resource.

Owner's signature _____ Date _____

Owner's signature _____ Date _____

Witness' signature _____ Date _____

HERITAGE RESOURCE INTERVENTION PERMIT

1. A Heritage Intervention Permit is required to undertake changes to properties because of their historic or architectural significance under the Alberta *Historical Resources Act*. Municipal governments in Alberta are responsible for safeguarding the heritage values of these properties. Section 26(6) of the Act requires that "no person shall destroy, disturb, alter, restore, or repair a historic resource that has been designated...without the written approval of the Council or a person appointed by the Council for this purpose."
2. The purpose of a Heritage Intervention Permit is to ensure that the proposed changes to a designated Historic Resource do not alter the property in such a way that the reasons for designation are diminished.
3. A Heritage Intervention Permit is required when interventions are proposed to a Municipal Heritage Resource, including: construction, additions, alterations, demolition, new colors, new windows, lighting, brick work, signs and all applicable exteriors including roofs.
4. There is **no fee** for a Heritage Resource Intervention Permit.
5. Applicants are requested to confirm their plans with the Municipality to determine if a Development Permit and/or a Building Permit are required. It should also be noted that a Heritage Resource Intervention Permit **does not** supersede the requirements of the Alberta Building Code, the Municipal Government Act or the municipality's Land Use Bylaw.
6. It is suggested that the Applicant consult with a Heritage Board Member or Heritage Planner when making plans to submit an Application for Heritage Resource Intervention Permit, as they may offer some suggestions or advise on appropriate methods of treatment or intervention.
7. All Applications for Heritage Resource Intervention Permit will be evaluated by the Smoky Lake Heritage Board and / or a Heritage Planner and a recommendation will be presented to the Municipality's Development Officer for final decision.
8. The requirements to complete a Application for Heritage Resource Intervention Permit are:
 - Copy of Designation Bylaw, with Statement of Significance (obtain from municipality)
 - Concept drawing (e.g. image of structure or finished sign)
 - Detailed dimensioned drawings of proposed "work", (structure or sign)
 - Site plan detailing the location of the structure or sign, to scale, in relation to other structures
 - Historical documentation / photographs to support proposed intervention
 - Photographs of existing building, side elevations, finishes, architectural details, streetscape or landscape
 - Description of materials to be used for proposed intervention
 - IF PAINTING: Samples of heritage colors with manufacturer, name, number and finish for each
 - IF SIGNAGE: Sample font, name and size of lettering, and sign mounting information
 - IF LIGHTING FIXTURE: Images and description of fixtures
9. During the evaluation of this Application, municipal staff, Heritage Board Member and / or Heritage Planner may find it necessary to enter the property, to view and photograph the Site that is subject to the Application. Failure to allow access onto the property may result in the Application being considered incomplete.

PART 1 - TO BE COMPLETED BY OWNER

Roll # _____

Permit # _____

Resource Name

Municipality

Municipal Address

Owner Information

Name

Address

City

Province

Postal Code

Phone Number

Legal Description

Plan

Block

Lot

LSD/Pt

Sec

Twp

Rng

W4

This Historic Resource is:

listed on Municipal Inventory

a Municipal Historic Resource

Designation Bylaw #

What kind of interventions / changes are being proposed to this Resource?

(Provide a brief summary of the proposed work)

Why are these specific interventions / changes being proposed to this Resource?

(Please check all that apply)

- To conserve the heritage value of the property
- To improve the functionality of the property
- To enable the adaptive re-use of the property
- Other

Provide a brief summary of the rationale for the proposed work.

Certification

I/We the Owner(s) of the subject property, and the Applicant of this subject Application, by signing the Application, agree to allow either municipal staff and/or Heritage Board Committee Member the right to enter onto my property, as necessary, to view and photograph the property for the Application. Failure to allow access onto the property may result in the Application being considered incomplete.

Date

Owner's Signature

Name

PART 2 - TO BE COMPLETED BY EVALUATOR

What conservation documents or other resources have been reviewed in evaluating the proposed work?

(Check all that apply)

- Municipal Heritage Management Plan
- Statement of Significance
- Standard and Guidelines for the Conservation of Historic Places in Canada*
- Designation Bylaw
- Proposed work plan / drawings
- Other *(please describe)*

Municipal governments are responsible for safeguarding the heritage values of these properties. What "heritage values" and / or "character-defining elements" of the Resource (described in the Statement of Significance), if any, would be impacted by the proposed work? How, specifically, would they be affected?

Heritage Values

Potential Impact on Heritage Values

Character-Defining Elements

Potential Impact on Character-Defining Elements

Applying the *Standards and Guidelines for the Conservation of Historic Places in Canada* helps to ensure that sound conservation principles are considered when reviewing potential changes to historic places. Please check whether the proposed work meets each standard.

General Standards for all projects - "Preservation"

1. Conserve the *heritage value* of a historic place. Do not remove, replace, or substantially alter its intact or repairable *character-defining elements*. Do not remove a part of a *historic place* if its current location is a *character-defining element*.
 - Yes No

2. Conserve changes to a *historic place* which, over time, have become *character-defining elements* in their own right.
 - Yes No

3. Conserve *heritage value* by adopting an approach calling for *minimal intervention*.
 - Yes No

4. Recognize each *historic place* as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other *historic places* or other properties or by combining features of the same property that never co-existed.
 - Yes No

5. Find a use for a *historic place* that requires minimal or no change to its *character-defining elements*.
- Yes No
6. Protect and, if necessary, stabilize a *historic place* until any subsequent *intervention* is under-taken. Protect and preserve archaeological resources in place. Where there is potential for disturbance or archaeological resources, take mitigation measures to limit damages and loss of information.
- Yes No
7. Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect *heritage value* when undertaking an intervention.
- Yes No
8. Maintain *character-defining elements* on an ongoing basis. Repair *character-defining elements* by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of *character-defining elements*, where there surviving prototypes.
- Yes No
9. Make any *intervention* needed to preserve *character-defining elements* physically and visually compatible with the *historic place*, and identifiable upon close inspection. Document any intervention for future reference.
- Yes No

Additional Standards relating to - "Rehabilitation"

10. Repair rather than replace *character-defining elements*. Where *character-defining elements* are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing the sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the *historic place*.
- Yes No
11. Conserve the heritage value and *character-defining elements* when creating any new additions to a historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.
- Yes No
12. Create any new additions or related construction so that the essential form and integrity of a *historic place* will not be impaired if the new work is removed in the future.
- Yes No

Additional Standards relating to - "Restoration"

13. Repair rather than replace *character-defining elements* from the restoration period. Where *character-defining elements* are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
- Yes No

APPLICATION DECISION

Based on the assessment of the work proposed, it is certified that the proposed work meets the Standards of Conservation described above, and does not negatively impact the heritage values and character-defining elements of the Historic Resource.

- No - Does **not** meet all the required Standards, work **not** permitted

Yes - Meets all the required Standards, work permitted

Permitted with
Conditions:

Recommendation Date

Final Decision Date

Heritage Evaluator

Designated Officer

Name

Name