

**SMOKY LAKE COUNTY
IN THE PROVINCE OF ALBERTA
BYLAW 1408-22**

A BYLAW OF SMOKY LAKE COUNTY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF
DESIGNATING THE APEDAILE HOMESTEAD AS A MUNICIPAL HISTORIC RESOURCE.

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 Smoky Lake County has determined that the property legally described as:

Land Title No. 782 013 931

NW-16-58-15-W4

EXCEPTING THEREOUT ALL MINES AND MINERALS

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 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 the **Apedaile Homestead**, located on lands legally described as NW-16-58-15-W4 (43.95 hectares; 108.6 Acres more or less) is hereby designated a Municipal Historic Resource with the County as described in **Schedule "A"**.
2. Council wishes to protect and preserve the original character of the **Apedaile Homestead**, 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 Smoky Lake County.
4. This bylaw shall come into effect after third and final reading.

60-DAY NOTICE HAVING BEEN GIVEN THIS 8th DAY OF March, AD 2022.

READ A FIRST TIME IN COUNCIL THIS 26TH DAY OF MAY, AD 2022.

READ A SECOND TIME IN COUNCIL THIS 26TH DAY OF MAY, AD 2022.

READ A THIRD AND FINAL TIME WITH UNANIMOUS CONSENT IN COUNCIL THIS 26TH DAY OF MAY, AD 2022.



Lorne Halisky
Reeve

SEAL



Gene Sobolewski
Chief Administrative Officer

SCHEDULE "A"

This Statement of Significance forms Schedule "A" to Bylaw 1408-22 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 **Apedaile Homestead** which are regulated by the "General Guidelines for Conservation" (Schedule "B") and must be preserved (the "Regulated Character Defining Elements").

STATEMENT OF SIGNIFICANCE

APEDAILE HOMESTEAD NW-16-58-15-W4 43.95 hectares; 108.6 Acres, more or less

Description of Heritage Place

The Apedaile Farmstead, formerly the Shapka Farmstead, consists of a collection of farm buildings three of which are included in the historic resource designation: a small pioneer house, circa 1910; a two story main residence, circa 1914; and a large barn, circa 1924. This collection of historic resources is located in the northeast corner of NW-16-58-15-W4M about 500 m north of the North Saskatchewan River. Other outbuildings include a pump house, a pig barn and a large log granary with adjustable bin sizes. Although not included in the historic designation, these other buildings speak to the nature of the mixed farming activities on this farmstead.

Heritage Value

The Apedaile farmstead is an excellent representation of Alberta's provincial heritage theme of Rural Settlement. Cultural, built, landscape and environmental aspects of heritage are all represented by the farmstead. Its design and construction demonstrate the rural Ukrainian style in general and the craftsmanship of the builder in particular. The placement of the homestead in a location with good water, drainage and shelter to the northwest also speaks to the foresight of the pioneers. The heritage value of the buildings has been enhanced by the extensive preservation and maintenance work undertaken by the Apedailes. The homestead also has heritage value due to its association with the Shapka pioneer family who were known for their progressive approach to farming and rural life and who consequently contributed to the local community.

The quarter section on which the farmstead is located was purchased by Steve Shapka in 1909 who began clearing the land with oxen constructing the original small home in 1910 homesteading alongside his wife Raifta (nee Cherniwchan). In that same year, he walked to Calgary to purchase the first horses in the district. The pioneer house is of simple exposed horizontal log construction. It was skillfully constructed as evidenced by the squared logs with dovetailed corners. The walls are secured with wooden pegs, heavy timber crossbeams and log rafters with obvious axe marks. This house was later used by the family as a summer kitchen. An attached peech (clay and brick oven) was removed after it ignited several fires. Eventually the building fell into disrepair, but it was restored by the Apedaile family in the 1990s and became a residence again.

The second and larger residence was built several years later in the Bukovyna-style, two 18x18 foot log structures, supported on heavy field stones, with an 8-foot galley kitchen between them. The floors float on log beams within the structures. A four-foot frame pony wall provides a half-story upstairs for bedrooms to accommodate the growing family and farm workers. The contemporary design also featured a dormer, a verandah with decorated posts and a large balcony from the largest second floor unfinished bedroom.

The large barn was constructed in about 1924, roughly ten years after the main residence with the help of Peter Cherniwchan, Raifta's brother. The barn with hay loft was constructed to house draft horses and to store feed for the Shapka's other livestock which came to include a small herd of milk cows, poultry, beef cattle, and pigs. As the farm became mechanized, horses were needed less and the barn was used for milking cows. The shed addition on the north side of the barn was built as a shop in 1962.

The tendency toward innovation was characteristic of the Shapkas; they always stayed abreast of local and international news and the latest technology. As the farm grew, they readily adopted farm equipment that was state-of-the-art for the period including one of the first steel-wheeled, steam-powered tractors. They were one of the first families to have a radio in the community; they had a gas-powered washing machine; and bought their first family car in 1927. By 1931, Steve and Raifta's son Peter was taking on more of the farm's responsibilities. He married Pearl in 1947 and fully took over the farming operations. The Shapka family was and are community builders and today remain very involved in Dickiebush Parish.

The site is valuable as it is representative of one of the oldest continuously occupied farmsteads in the County and demonstrates the development of a subsistence farm into a very successful mixed farming operation due to progressive and innovative pioneers and their descendants. The scale, simplicity of form, progressive design of the built heritage, and subsequent efforts of stewardship respect the cultural and environmental heritage founded by the pioneers.

Character Defining Elements

SUMMER HOUSE: (Circa 1910, repaired and restored circa 1995)

- Form and scale of small farm house
- Horizontal square exposed log superstructure with dovetailed corners except for rear frame wall
- Medium gable roof with projecting eaves and plain wood fascia
- Original vertical wood planks on exterior gables
- Four-paned fixed wood windows, replaced circa 1995.
- Wood foundation on concrete supports
- Four panel wooden door with nine-pane window storm door (both original from the larger house).
- Timber cross beams with axe marks, log rafters, some with scorch marks from former fires associated with the peech (clay oven)
- Interior wood planks cover the underside of the sandwich (insulated) roof to form the open ceiling.

MAIN RESIDENCE (Circa 1914, with the addition in 2000)

Exterior:

- Form, massing and style
- Bukovyna-style log (40x18 ft) with frame addition (24x20 ft + 28x8 ft closed porch to the North) typical of additions throughout the local area.
- Older part supported on spaced field stone; newer addition on concrete foundation and basement.
- High pitched undecorated gable roof with projecting eaves of wood fascia and soffit.
- Horizontal pegged and mudded log superstructure covered with clapboard siding and corner boards.
- Open verandah with original decorated posts on first floor, balcony on the second floor (rebuilt 2002).
- Three gable-roofed dormers with projecting eaves, one with doors to the upper balcony.
- Eight two-over-two double hung windows, plain slip sills on ground floor with original glass.
- Bank of six wood double-hung windows on north side of the porch mimicking the original porch (replaced).
- Two-over-two double-hung double-pane windows on the addition.

Interior:

- Original door and window trim in the original house: Matching finishing for the addition.
- Sand plaster finish on lower-level dining and living room walls.
- Original finished fir plank flooring on spruce in the living and dining rooms.
- Solid pine flooring in the addition.
- Painted fir plank ceiling and walls in the west bedroom.
- Spruce plank floors, painted in upstairs except for pine in the addition.
- Spruce ceiling and walls in the east bedroom, nailed with only one nail reflecting hard times.

BARN: (Circa 1924 and shop 1962)**Exterior:**

- Form and scale of one-and-a-half story barn with lean-two side wing.
- Gambrel roof with two cupolas and finials.
- Diamond shaped windows on both ends of loft.
- Two over three panes in two fixed windows on side wing.
- Projecting eaves with plain wood fascia and soffit.
- Exposed rafters in the loft and side wing.
- Shiplap siding and wooden corner boards.
- Sliding doors on front bay, swinging doors on side wing; all clad with wood planks.

Interior:

- Heavy post and beam construction
- Livestock stalls with hangers for harness.
- Walls of wood boards..
- Timber plank flooring.

Photographic Detail







SCHEDULE "B"

This is Schedule "B" to Bylaw 1408-22 and identifies the "General Guidelines for Conservation" for the Apedaile Homestead.

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 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.

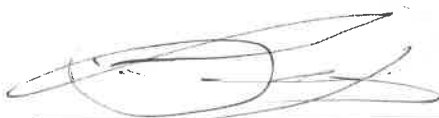
16. Claims

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 Registered Owner of the Certificate of Title No. 112 411 042. Furthermore, the Registered Owner consents to having this bylaw registered by way of a caveat on said Certificate of Title.



LEONARD PETRY APEDAILE
OWNER



ELLA MAY APEDAILE
OWNER