

TOWN OF HIGH RIVER
BYLAW 4489/2016

BEING A BYLAW OF THE TOWN OF HIGH RIVER IN THE PROVINCE OF ALBERTA TO DESIGNATE THE "KINNEAR RESIDENCE" AS A MUNICIPAL HISTORIC RESOURCE.

WHEREAS The *Historical Resources Act*, R.S.A 2000 c. H-9 as amended, (the 'Act'), permits the Council of the Town of High River to designate as a municipal historic resource real property, including land and buildings, features and structures upon the land, whose preservation the Council considers to be in the public interest because of their heritage value; and

WHEREAS The owner of this proposed municipal historic resource has been given sixty (60) days written notice of Council's intention to consider passing this Bylaw in accordance with the Act;

NOW THEREFORE The Town of High River, in the Province of Alberta, having complied with the Act, and duly assembled, hereby enacts as follows:

TITLE

1. This Bylaw may be cited as the Municipal Historic Designation of the building known as the "Kinnear Residence."

INTERPRETATION

2. In this Bylaw,
 - a. Any reference to a named Act is a reference to an Act of the Legislature of Alberta, as amended from time to time;
 - b. Any reference to a Town of High River staff position, department or committee is deemed to be to the current name that the staff position, department or committee is known by.

BUILDINGS DESIGNATED AS A MUNICIPAL HISTORIC RESOURCE

3. The building known as the "Kinnear Residence", municipally located at 820 Crescent Ave SE , in the Town of High River in the Province of Alberta, and on lands legally described as:

Plan 4694N
Block M
Lot 19 - 25

Excepting Thereout All Mines and Minerals

Is collectively known as the "Kinnear Residence".

4. The location of the property is visually represented in Schedule 'A', entitled "Map Showing the location of the Kinnear Residence".
5. The heritage value of the "Kinnear Residence" is hereby described in the attached Schedule 'B', entitled the "Kinnear Residence Statement of Significance".
6. The specific elements of the "Kinnear Residence" considered to possess heritage value are specifically described and identified in the attached Schedule 'C', entitled, "The Regulated Portions of the Kinnear Residence" and are hereby known as the "Regulated Portions".

7. The "Kinnear Residence" is hereby designated a Municipal Historic Resource as defined in the Act. Council may, in its sole discretion, revoke this designation at any time by repealing this Bylaw in accordance with the Act.
8. The Chief Administrative Officer or his appointed designate will have the authority to approve all requests for minor work to alter, restore or repair an historic resource in the Town of High River as per Section 26(6) of the Alberta Historical Resources Act, with Council retaining the final approval on requests to destroy or demolish an historic resource and on requests for major conservation or restoration work that require a building or development permit or other cases as deemed necessary.

REPAIRS AND REHABILITATION

9. No person shall destroy, disturb, alter, restore, repair or otherwise permanently affect the Regulated Portions unless that person has obtained the prior written approval of Council or the Chief Administrative Officer or his appointed designate, pursuant to section 8 of this Bylaw.
10. When considering any application under Section 9 of this Bylaw, Council, or the Chief Administrative Officer or his appointed designate, pursuant to Section 8 of this Bylaw, shall take into consideration the terms of the Parks Canada 2010 publication "Standards and Guidelines for the Conservation of Historic Places in Canada" (as replaced or amended from time to time).
11. All portions of the "Kinnear Residence" which are not specifically described or identified as character-defining elements in Schedule 'B' or as Regulated Portions in Schedule 'C', i.e. the "Non-Regulated Portions", may be altered, restored, repaired or otherwise permanently affected, provided that such action does not impact the Regulated Portions and that all permits or approvals required to do such work have been obtained from the authority having jurisdiction.
12. Any portion of the "Kinnear Residence" that encroaches onto any adjacent land, other than land owned by the Town of High River, shall be considered Non-Regulated Portions. Any portion of any building that encroaches onto the "Kinnear Residence" shall not be affected by this Bylaw.

COMPENSATION

13. No compensation is owing from the Town of High River to the owner of the "Kinnear Residence" as a result of this Municipal Historic Designation.
14. Compensation in the form of Alberta Historical Resources Foundation grant money is available to the owner of the "Kinnear Residence" if listed on the Alberta Register of Historic Places, provided that an application is submitted directly to the Province by the owner.

SCHEDULES

15. Schedules 'A', 'B' and 'C', as attached, form part of this Bylaw.

GENERAL

16. If any clause in this Bylaw is found to be invalid, it shall be severed from the remainder of the Bylaw and shall not invalidate the whole Bylaw.
17. This Bylaw comes into force when it receives third and final reading and is signed by the Mayor and the Chief Administrative Officer or designates.

READ A FIRST TIME THIS ____ DAY OF _____ A.D. 2016.

MAYOR/DEPUTY MAYOR

CHIEF ADMINISTRATIVE OFFICER

READ A SECOND TIME THIS _____ DAY OF _____ A.D. 2016

MAYOR/DEPUTY MAYOR

CHIEF ADMINISTRATIVE OFFICER

READ A THIRD AND FINAL TIME THIS ____ DAY OF ____ A.D. 2016

MAYOR/DEPUTY MAYOR

CHIEF ADMINISTRATIVE OFFICER