

Proposed repeal of a bylaw for a Municipal Historic Resource (Ward 5)

Report Purpose

To propose the repeal of Bylaw 29-2014 and to remove the designation of municipal historic resource from the "Harvey Stone Barn."

Recommendation

1. THAT Bylaw 27-2019, a bylaw to repeal Bylaw 29-2014, Municipal Historic Resource Designation Harvey Stone Barn, be given first reading;
2. THAT Bylaw 27-2019 be given second reading;
3. THAT Bylaw 27-2019 be considered for third reading;
4. THAT Bylaw 27-2019 be given third reading.

Our Prioritized Strategic Goals

Governance Requirement

Report

In March 2014, an application to designate Harvey Stone Barn as a Municipal Historic Resource was submitted by the property owners. The Heritage Advisory Committee reviewed the application and recommended that the property be designated. In accordance with Section 26 of the Alberta *Historical Resources Act*, R.S.A. 2000, c.H-9, a Notice of Intention to Designate was issued to the landowners for 60 days, prior to returning to Council with a request to approve the Municipal Historic Resource Bylaw. The applicants signed the Municipal Historic Resource Designation Compensation Waiver, acknowledging and agreeing that they voluntarily requested municipal heritage designation without expectation for compensation from Strathcona County. In July 2014, Council gave Bylaw 29-2014 three readings, designating the site known as Harvey Stone Barn as a Municipal Historic Resource.

A Bylaw to designate a property as a Municipal Historic Resource, in accordance with Section 26 of the Alberta *Historical Resources Act*, R.S.A. 2000, c.H-9, means that no person shall destroy, disturb, alter, restore or repair a historic resource, or remove any historic object from a historic resource, without the written approval of Council or a person appointed by Council.

As outlined in the Statement of Significance for the Harvey Stone Barn, it is considered municipally significant for the themes of agricultural development, and work and leisure in Strathcona County, as this barn was the location of a homestead where mixed farming took place. Harvey Stone Barn was likely a dairy barn and is architecturally significant for its gambrel roof with flared eaves design and stone construction.

On July 23, 2019, Council approved the motion "THAT Administration prepare a bylaw, for Council's consideration by the third quarter of 2019, to repeal Bylaw 29-2014 and to remove the designation of municipal historic resource from the "Harvey Stone Barn", subject to receipt of written confirmation from the owner that they wish to have the designation removed."

The landowners of the Harvey Stone Barn have submitted a request to repeal Bylaw 29-2014 due to the following reasons, as outlined in Enclosure 6: safety concerns; limited time, resources and funding; and difficulties insuring the barn.

In correspondence with the Province, it was reinforced that repealing a designation bylaw is rarely undertaken, and that the agreement the landowners entered into when providing consent to the designation is that they would maintain ongoing conservation of the barn. The Province recommended that the landowners explore grant opportunities through the Alberta Historical Resources Foundation, and that a conservation plan be completed prior to entertaining a repeal of the Bylaw.

Further, the Province encouraged that Strathcona County consider options to support the conservation of the historic barn as it is something the County has a vested interest in as part of the Municipal Historic Resource designation program. It was advised that if the County sets a precedent for removing historic designations, the Alberta Historical Resources Foundation will need to be made aware, as they may need to consider this in regard to future funding options.

Council and Committee History

July 23, 2019	Council approved the motion "THAT Administration prepare a bylaw, for Council's consideration by the third quarter of 2019, to repeal Bylaw 29-2014 and to remove the designation of municipal historic resource from the "Harvey Stone Barn", subject to receipt of written confirmation from the owner that they wish to have the designation removed."
July 8, 2014	Council adopted Bylaw 29-2014 A Bylaw of Strathcona County in the Province of Alberta, for the purpose of designating the site known as "Harvey Stone Barn" as a Municipal Historic Resource.
April 22, 2014	Council authorized issuance of a Notice of Intention to Designate Harvey Stone Barn as a Municipal Historic Resource.
March 11, 2014	Council received the Strathcona County Heritage Inventory Report.
May 10, 2011	Council approved Policy GOV-002-027: History and Heritage.
December 8, 2009	Council adopted the Community Heritage Legacy Framework.
November 25, 2008	Council approved the Heritage Resources Management Plan.

Other Impacts

Policy: GOV-002-027: History and Heritage

Legislative/Legal: The Alberta *Historical Resources Act* R.S.A. 2000, c.H-9 grants municipalities the ability to designate Municipal Historic Resources and remove the designation from Municipal Historic Resources.

Interdepartmental: Consultation with Recreation, Parks and Culture on the landowners request to repeal Bylaw 29-2014.

Master Plan/Framework: Strathcona County's Heritage Resources Management Plan, Community Heritage Legacy Framework

Communication Plan

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Letter to the owner. Update the Municipal Inventory of Historic Sites.

Enclosures

- 1 Bylaw 27-2019
- 2 Location Map
- 3 Rural Location Map
- 4 Air Photo
- 5 Bylaw 29-2014 Municipal Historic Resource Designation Harvey Stone Barn
- 6 Written request from the landowners to repeal Bylaw 29-2014