

**BYLAW NO. 245**  
**Being a Bylaw to designate the Crosby Home (Abegweit)**  
**as a Municipal Historic Resource**

WHEREAS the *Historical Resources Act*, R.S.A. 2000, c. H-9, as amended, permits the Council of a municipality to designate any heritage resource within the 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 *Historical Resources Act*; and

WHEREAS it is deemed in the public interest to designate the heritage resource located in the Town of Banff at 136 Bow Avenue known as the Crosby Home Abegweit (a Miq' maq word for Prince Edward Island meaning "cradle in the waves") as a Municipal Historic Resource; and

WHEREAS the owners of the Crosby Home have agreed to the terms and conditions of the compensation proposal set out in Schedule "C" as compensation for the designation of the Crosby Home as a Municipal Historic Resource;

NOW THEREFORE the Municipal Council of the Town of Banff, having complied with the *Historical Resources Act*, and duly assembled, hereby enacts as follows:

**1. HERITAGE RESOURCE DESIGNATED AS A MUNICIPAL HISTORIC RESOURCE**

The heritage resource known as the Crosby Home, specifically described in Schedule "A", which is located on the lands legally described as follows:

**Lot: 14 Dash 1 (14-1); Block: 'A'; Plan: 4181 JK**

**And**

**Lot: 13A; Block: 'A'; Plan: 9511257**

**2. PERMITTED REPAIRS AND ALTERATION**

Subject to section 3 hereof, the heritage resource hereby designated in section 1 as a Municipal Historic Resource shall not be removed, destroyed, disturbed, altered, rehabilitated, repaired or otherwise permanently affected, other than in accordance with the terms of Schedule "B" attached.

**3. ADMINISTRATOR**

The Manager of the Town of Banff Planning and Development Department is hereby appointed to administer the implementation of any matters arising from the matters set out in Schedule "B".

**4. COMPENSATION**

Compensation shall be paid to the registered owners of the Crosby Home herein designated a Municipal Historic Resource in the manner, at the times and in the amounts set out in Schedule "C".

This bylaw comes into effect upon the date of final passing and signature.

READ a first time this 9<sup>th</sup> day of January, A.D. 2006;

READ a second time this 9<sup>th</sup> day of January, A.D. 2006;

READ a third time and finally passed this 9<sup>th</sup> day of January, A.D. 2006

THE TOWN OF BANFF

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

## SCHEDULE “A” TO BYLAW NO. 245

This Statement of Significance forms Schedule “A” to Bylaw No. 245 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 Crosby Home which are regulated by the “General Guidelines for Conservation” (Schedule “B”) and must be preserved (the “Regulated Character Defining Elements”).

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### **THE STATEMENT OF SIGNIFICANCE OF THE CROSBY HOME (ABEGWEIT)**

#### **Description of Historic Place**

The Crosby Home is an eclectic one and one-half storey residence incorporating aspects of both the Craftsman and Mission styles. It was constructed in 1913 and is located on a landscaped double lot on Bow Avenue in the Town of Banff.

#### **Heritage Value**

The heritage value of the Crosby home lies in its association with Louis (Lou) Crosby, a local businessman who was influential in the development of Banff National Park during the early twentieth century. Additionally, the house is significant for its aesthetic value as an eclectic example of a Craftsman/Mission style house built in the Town of Banff.

Lou Crosby, in addition to his significant contributions to the prosperous commercial life of Banff, was an active community volunteer. Arriving in Banff in 1907, he was a driving force behind the Brewster Transport Company for over fifty years, promoting the region and attracting visitors from around the globe. He and his family owned and operated Deer Lodge at Lake Louise, thus playing a further role in the growth of tourism in the Rocky Mountains. The Crosby family was active in sports and Lou Crosby, himself, served on many volunteer boards and committees over the years including the Banff Advisory Council and the Banff School Board. The Crosbys were the only family ever to live in the Crosby Home.

Lou Crosby designed and built his family home around 1913. The house is an eclectic architectural style heavily influenced by the Craftsman aesthetic, which includes a heavy hip-gabled roof, wide overhanging eaves, and shed dormers. Elements of the Mission style aesthetic are apparent in the large first-storey porch (now partially enclosed), which has two characteristic square piers and arched openings. In Lou Crosby’s words, the exterior of the house is constructed of “rough boards up to the window sills and from thence to the eaves will be Stucco...casted and paneled in Mission style.” A potting shed (c. 1930) and glass solarium (1930) were built on the south side of the house. The solarium is similar to those built during the same period at the Banff Springs Hotel. Period single-hung, three over one windows with characteristic three-holed wooden storm sashes are located on the first and second storeys. The Crosby Home is one of Banff’s finest example of Craftsman style architecture.

Interior elements, including the dark stained cove moldings around the ceiling and the Mission style stucco fireplace with a wooden mantle in the main floor living room are some of the original design features and remain mostly unchanged from the time that Lou Crosby and his family lived in the home.

### **Character Defining Elements**

The character defining elements of the Crosby Home include such features as:

- Form, scale, and massing of the building;
- Features of Craftsman style architecture including a heavy hipped-gable roof, wide overhanging eaves, and shed dormers. Elements of Mission style architecture including a large first storey front porch (now partially enclosed) with heavy square piers and arched openings, and the use of smooth stucco, above rough board wood siding.
- Glass solarium (1930) situated on the south facing side of the main house;
- Window fenestration pattern and style including, period single-hung, three over one, windows with characteristic three-holed wooden storm sashes;
- The orientation and situation of the residence on a large double lot facing the Bow River;
- The formal landscaping features on the property including, the curved driveway and one time evidence of a circular flowerbed; and
- Interior elements, including the dark stained cove moldings around the ceiling and the Mission style stucco fireplace with a wooden mantle in the main floor living room.

Any development or alterations affecting the Crosby Home shall respect and conserve the heritage value and character defining elements identified in the statement of significance in accordance with the General Guidelines for Conservation (Schedule “B”) and as recommended in the Standards and Guidelines for the Conservation of Historic Places in Canada.

Non-character defining elements of the building (the “unregulated portions”), being all other portions of the building not specifically identified as a Character Defining Element, may be rehabilitated, altered, repaired or otherwise permanently affected in any manner provided that such rehabilitation, alteration or repair does not impact on the regulated Character Defining Elements and Heritage Value. Any development or alterations affecting those unregulated portions of the Crosby Home, considered to be non-character defining elements, must be consistent with the General Guidelines for Conservation and the Standards and Guidelines for the Conservation of Historic Places in Canada. Any development or alterations of any portion of the Crosby Home shall be undertaken in a manner that is sympathetic to the regulated Character Defining Elements and Heritage Value of the historic place.

**PHOTOGRAPHIC DETAILS - EXTERIOR**

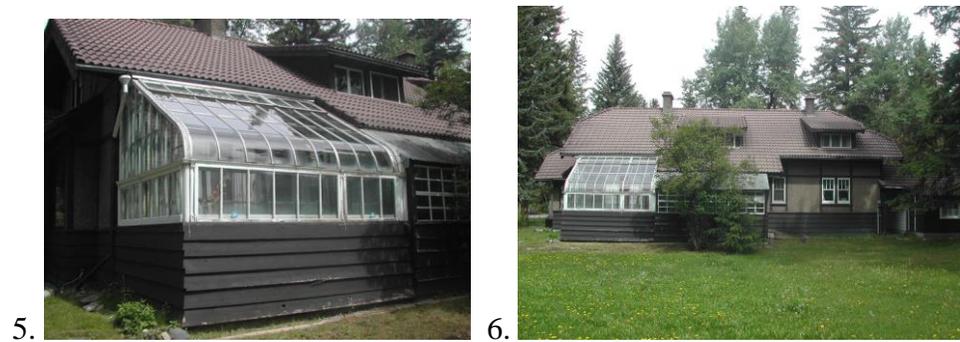
Photos 1 & 2 – West façade (Bow Avenue)



Photos 3 & 4 – North façade (Caribou Street)



Photos 5 & 6 – South façade



Photos 8– East façade



8.

**PHOTOGRAPHIC DETAILS - INTERIOR**

Photos 9, 10, & 11 – Interior Living Room



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10.



11.

## SCHEDULE “B” TO BYLAW NO. 245

This is Schedule “B” to Bylaw 245 and identifies the “General Guidelines for Conservation” for the Crosby Home, 136 Bow Avenue.

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### GENERAL GUIDELINES FOR CONSERVATION

1. Approval of Development or 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 an historic resource or remove any historic object from an historic resource that has been designated under this section, without the written approval of the Council or person appointed by the Council of the purpose.

Council has appointed the Manager of the Planning and Development Department as the approving authority for this purpose. Any development or alterations affecting the Crosby Home shall respect and conserve the heritage value and character defining elements identified in the statement of significance in accordance with these 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 only minimal changes are required to the building. The use of a 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 feature. 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 buildings 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, 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 material 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

The owner and the Town shall enter into an agreement to ensure that the designated structure will be maintained in such a manner as to prevent any deterioration.

13. Improvements

Prior to undertaking any improvements, a schedule of alterations should be prepared. This schedule should include phasing of alterations where necessary due to program or budget restrictions. The type and timing of both short and long term maintenance work shall 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 Banff Land Use Bylaw.

**SCHEDULE “C” TO BYLAW NO. 245**

This is Schedule “C” to Bylaw 245, being a Bylaw to Designate the Crosby Home as a Municipal Historic Resource.

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**SUMMARY OF COMPENSATION**

1. Pursuant to section 28 of the *Historical Resources Act*, R.S.A. 2000, c. H-9, as amended, the Town of Banff (the “Town”) is required by law to provide compensation to the Owner as a result of the designation of the Crosby Home as a Municipal Historic Resource. The Town and the Peter and Catherine Whyte Foundation, the “Owner” as of the effective date of this Bylaw, have agreed, in the Compensation Agreement, upon the adequate compensation for the designation and any loss of economic value to the owners as a result of the designation. Neither the Town of Banff nor the Banff Heritage Corporation shall be obligated to provide any further consideration other than as set out in the Compensation Agreement.
2. Provided that at all times the Owner has performed its obligation under the Compensation Agreement and is not in default in any way under the Compensation Agreement, the Town and/or the Banff Heritage Corporation shall provide the following Grant to the Owner for the designation of the Crosby Home as a Municipal Historic Resource:
  - 2.1 Upon designation of the Crosby Home as a Municipal Historical Resource, so long as the resource remains in serviceable condition, a grant in aid of municipal property taxes equal to the municipal portion of the property taxes (the “Grant”), but not to exceed a maximum of \$2,000.00 per year between the years of 2006 through 2010 inclusive.

The Grant shall be provided to the Owners in the manner described in paragraphs 4 through 7 of this Schedule “C”.
3. Unless otherwise defined in this Bylaw the terms used in Schedule “C” shall have the same meaning as was assigned to them in the Compensation Agreement between the Town, the Banff Heritage Corporation and the Owners.

**Grant in Aid of Municipal Property Taxes**

4. The Grant will be payable as of September 15<sup>th</sup> of the year that Bylaw No. 245, designating Crosby Home as a Municipal Historic Resource, is passed.
5. The amount of the Grant paid in any given year will not exceed \$2,000.00.

6. Payment of the Grant will be made to the Owner after the Owner has fully paid all taxes and levies due and owing to the Town, including the municipal portion of the Owner' s property taxes.
7. Payment of the Grant may be discontinued if the historical integrity of the Crosby Home is destroyed; if the Crosby Home is not in serviceable condition, or if Bylaw No. 245, designating the Crosby Home as a Municipal Historic Resource, is rescinded at the discretion of Council.