

# TOWN OF BANFF

## BYLAW 372

### Municipal Heritage Designation Bylaw – Bow River Bridge

#### A Bylaw to designate the Bow River Bridget as a Municipal Heritage Resource

**WHEREAS** the *Historical Resources Act*, R.S.A. 2000, c. H-9, as amended, permits the Municipal Council of a municipality to designate any historic 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 structure located in the Town of Banff commencing at the at *the Southern extension of Banff Avenue and crossing the Bow River to Cave Avenue*, known as the Bow River Bridge as a Municipal Historic Resource; and

**WHEREAS** the owners of Bow River Bridge (Town of Banff) have agreed to the terms and conditions of the compensation proposal set out in **Schedule “C”** as compensation for the designation of the Bow River Bridge as a Municipal Historic Resource;

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

#### **1.0 BUILDING DESIGNATED AS A MUNICIPAL RESOURCE**

- 1.1 The structure known as Bow River Bridge, specifically described in Schedule “A” which are located on the lands legally described as follows:

*Located across the Bow River, between Banff Avenue to the north and Cave Avenue to the south flanked by parkland shoreline Lot 10, Block 37, Plan 1163CD to the south*

is designated a Municipal Historic Resource.

#### **2.0 PERMITTED REPAIRS AND REHABILITATION**

- 2.1 Subject to section 3 hereof, the structure 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.

### 3.0 ADMINISTRATOR

- 3.1 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”**.

### 4.0 COMPENSATION

- 4.1 Compensation shall be paid to the registered owners of the Bow River Bridge herein designated a Municipal Historic Resource in the manner, at the times and in the amounts set out in **Schedule “C”**.

### 5.0 SCHEDULES

- 5.1 Schedules “A” and “B” and “C” form part of this bylaw.

### 6.0 ENACTMENT

- 6.1 This bylaw comes into force when it receives third reading and is signed by the Mayor and the Town Manager or designates.

READ A FIRST TIME this 28<sup>th</sup> day of November, 2016.

READ A SECOND TIME this 28<sup>th</sup> day of November, 2016.

READ A THIRD TIME this 28<sup>th</sup> day of November, 2016.

SIGNED AND PASSED this 30<sup>th</sup> day of November, 2016.

2016.11.30  
Karen Sorensen  
Mayor

2016.11.30  
Robert Earl  
Town Manager

## SCHEDULE A – STATEMENT OF SIGNIFICANCE

This Statement of Significance forms Schedule “A” to Bylaw No. 372 and provides a *Description of the Historic Place*, explains the *Heritage Value* of the structure and identifies, by written description and photographs, those *Character Defining Elements* of Bow River Bridge 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 BOW RIVER BRIDGE

#### Description of Historic Place

The Bow River Bridge is a steel-reinforced stone and concrete girder bridge extending from the base of Banff Avenue to the Bow River’s south side. Built in 1921, the bridge is consistent with the architectural style of the City Beautiful movement. The Bow River Bridge is instrumental in facilitating passage between Banff’s commercial main street and the Cave and Basin hot springs.

The bridge is recognizable for its ornamental features: the arches within its piers and along its fascia, the brackets supporting its pedestrian sidewalks, its symmetrical style, the lamp posts spaced regularly along its stone-adorned parapet, and especially the six concrete-cast reliefs of a First Nations man along the parapet at each juncture of the bridge spans.

The bridge is located centrally just south of Banff’s downtown core, where it functions as a landmark and facilitates unparalleled views in all four directions. In particular, it fulfills and extends the planned intent of Banff Avenue as an extension from the base of Cascade Mountain.

#### Heritage Value

The Bow River Bridge is valuable and worthy of conservation due to its architectural style, representative of the City Beautiful movement, and due to its status as a central landmark within the Banff town site.

The bridge reflects the City Beautiful movement’s approach in its grand, open span across the river, decorated at frequent and evenly-spaced intervals by parapet piers topped with ornamental lamp posts. The bridge is aesthetically interesting not only from its deck, but also from the riverside paths that pass below. From them, one can see the four arches within each pier, as well as the pebble-faced fascia panel arches, and the concrete brackets. Observers from both below and afar (e.g. from the pedestrian bridge to the east) can see the First Nations reliefs that decorate the central parapet piers. Due to its unique elements and its surrounding mountain/river landscape, the bridge is immediately recognizable, and it acts as a landmark that continues to define the riverscape in the town of Banff.

Its location is representative of the link between CP Railway line to the north and the CP Hotel and Cave and Basin Hot Springs to the south. The Bow River Bridge is also representative of changing approaches to transportation as the town entered the age of the automobile in the 1910s.

#### Character Defining Elements

- Low profile and horizontal inclination;
- Symmetrical arrangement of the bridge deck and sidewalks,
- Mountain views;
- Cantilevered sidewalks supported with fascia arches,
- Three water based piers with four rounded arch inlays;
- Two land based piers,
- Six Rounded Footings at water based piers,
- Two retaining walls to the south (Cave Avenue) and north (Banff Avenue),
- Fourteen globe lamps,
- Six first nations concrete cast headstones,
- All decorative masonry materials, inlay and detailing,

Any development or alterations affecting Bow River Bridge 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*.

The Regulated Portions of the Bow River Bridge include: architectural proportions, axial symmetry, the west, east façades of the bridge, north, west, east and south mountain views, bridge deck, two bridge spans, three water based piers with rounded bulb river footing, horizontal inclination, first nations concrete cast headstones, lamp posts, cantilevered sidewalks, fascia arches. This includes all decorative masonry materials, detailing as described below under each façade section.

Non-regulated portions of the building, being all other portions of the building not specifically identified as a Regulated Portion, may be rehabilitated, altered, repaired or replaced provided such rehabilitation, alteration or repair does not impact on the regulated historic features of the building. Any development or alterations considered to be non-regulated portions of the Municipal Resource must meet the General Guidelines for Rehabilitation. Any development of any portion of the Land shall be undertaken in a manner that is sympathetic to the regulated historic features of the building.

**PHOTOGRAPHIC DETAILS**



West Facade



East Façade



Mountain and River Views – West



Mountain and River Views – East



Mountain and River Views – South



Mountain and River Views – North





Fascia Arches



Water Based Piers with rounded arch inlay



Six Rounded Rundlestone Footings



Two Cantilevered Sidewalks



Horizontal Inclination



Land Based Pier with Lamp Post



Land Based Pier with Lamp Post



Rundlestone Retaining Walls – South



Rundlestone Retaining Wall – North



Nations Concrete Cast Headstones



Decorative Lamp Fixture





Rundlestone Masonry Trim Edges



Rundlestone Pier



Riverstone inlay and detailing



Riverstone inlay and detailing



This is **Schedule “B”** to Bylaw 372 and identifies the “General Guidelines for Conservation” for Bow River Bridge located above the Bow River and shoreline between Banff Avenue to the north and Cave Avenue to the south.

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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 Planning and Development Department as the approving authority for this purpose. Any development or alterations affecting Bow River Bridge 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 uses proposed for a 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 this 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

This is **Schedule “C”** to Bylaw 372, being a Bylaw to Designate the Bow River Bridge 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 of Bow River Bridge as a result of its designation as a Municipal Historic Resource. The Town of Banff is the owner of the Bow River Bridge as indicated in the roads, lanes and street lease.
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 consideration to the Owner for the designation of the Bow River Bridge as a Municipal Historic Resource:
  - 2.1. Upon designation of the Bow River Bridge as a Municipal Historical Resource, and so long as the resource remains in serviceable condition, the Town shall grant a one-time matching restoration/rehabilitation grant during the years 2016 – 2021 inclusive. The amount of the Grant shall not exceed \$50,000 and in no circumstances shall the Town be obliged to advance more than this amount.

The Consideration shall be provided to the Owners in the manner described in paragraphs 4 through 10 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.

### Restoration/Rehabilitation Grant

4. The grant shall be advanced to the Owner in one or more installments on the condition that an agreed plan of Restoration/ Rehabilitation Work is prepared following a structural assessment of the building. The assessment must be submitted to the Town for review prior to undertaking work and shall be prepared by a suitably qualified engineer with experience in historic structures. After 2015, neither the Town nor the Banff Heritage Corporation shall be obligated to advance further monies to the Owner notwithstanding that some of the Restoration/Rehabilitation Work is not completed or that the full amount of the grant has not been advanced.
5. Upon completion of the agreed Restoration/Rehabilitation Work the owner shall provide the Town with:

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- 5.1. A statutory declaration from the Owner certifying that the Restoration/Rehabilitation Work has been completed;
  - 5.2. Receipts or other documents indicating that all suppliers and contractors involved in performing the Restoration/Rehabilitation Work have been paid in full for their goods or services; and
  - 5.3. Evidence that the Owner received competitive bids or estimates before engaging any contractor or supplier.
6. Within 14 days of receiving the documents described in clause 5 above, the Town shall inspect the Bow River Bridge and either:
    - 6.1. Issue a Notice of Completion, indicating that the work has been performed to the satisfaction of the Manager of the Planning and Development Department, or
    - 6.2. Provide the Owner with a description of the particulars in which the work performed is incomplete or deficient in the opinion of the Manager of the Planning and Development Department (a “Deficiency List”).
  7. In calculating the cost of performing the Restoration/Rehabilitation Work, the Town shall include the cost of labour and materials and any reasonably incurred professional fees and disbursements. However, such costs shall not include costs related to the interruption of the use of Bow River Bridge due to renovations, or costs or repairing any damage unintentionally caused to the buildings.
  8. After the Owner has completed the Restoration/Rehabilitation Work and all grant installments have been made to the Owner in accordance with clause 4 above, the Owner shall not be entitled to any further advances.
  9. Payment of the matching Restoration/ Rehabilitation Grant may be discontinued if the historical integrity of the Bow River Bridge is destroyed; if the Bow River Bridge is not in serviceable condition or if Bylaw No. 372, designating the Bow River Bridge is rescinded at the discretion of Council.