

MEMORANDUM

TO: Mayor and Council
FROM: Will Balsler, Junior Planner
DATE: March 17, 2021
RE: Public Hearing and Approval of Application for Deregistration, 2029 Gulf Shore Road, Municipal Heritage Property

Background: Planning staff have received an application from Norma Mundle, Trustee of the Melville United Church, (the "applicant") regarding the property at 2029 Gulf Shore Road, PID 25152497 (the "subject property"). The application is to deregister it as a Municipal heritage property. The church was demolished over 20 years ago, and the graves exhumed and reburied in Wallace Bridge.

The subject property is located on the Gulf Shore. The property was originally built as a Free Church of Scotland by Reverend John Munro, a prominent Nova Scotia church leader in the mid nineteenth century. The Melville Church, which was torn down in the late 1990s, was used by Munro as his base. Rev. Munro, his wife, Margaret Arnot Boyack, and her niece were the only known occupants of the cemetery.

The appendices mentioned here can be found online here: plancumberland.ca/hearings

Regulatory Context:

Exterior alterations, deregistration or demolition of a Municipal Heritage Property is governed by the *Heritage Property Act*. The relevant section outlining the process for deregistration is Section 16 of the *Heritage Property Act* outlined below:

Deregistration of Municipal Heritage Property

16 (1) On the application of an owner of a municipal heritage property or on its own motion, the council may deregister a municipal heritage property where

(a) the property has been destroyed or damaged by any cause; or

(b) the continued registration of the property appears to the council to be inappropriate as a result of the loss of the property's heritage value, as identified in the property's heritage file or notice of recommendation, unless the loss of the heritage value was caused by neglect, abandonment or other action or inaction of the owner ,

after holding a public hearing to consider the proposed deregistration.

(2) Such a public hearing shall be held not less than thirty days after a notice of the hearing is served on the registered owner of the municipal heritage property and published in a newspaper circulating in the area.

(3) Where a municipal heritage property is deregistered, the council shall cause notice of the deregistration to be sent to the registered owner of the property and a copy thereof to be deposited in the registry of deeds for the registration district in which the property is situate.

There were no submissions made or requests to speak at the Public Hearing.

Next Steps:

Pursuant to Section 16(1)(a) of the Heritage Property Act a municipality may deregister a Municipal Heritage Property where the property has been damaged by any cause after holding a Public Hearing. As both the church and cemetery have been removed there would appear to be no reason to continue heritage registration.

Recommendation: Staff recommends Council approve the request to deregister the former Melville church and cemetery from the Municipal Registry of Heritage Properties.