



**COMMITTEE OF THE WHOLE
RFD**

Date: October 25, 2023

TO: Mayor Scott and Members of Council

SUBMITTED BY: Glen Boone, Director of Development & Planning

DATE: October 17, 2023

SUBJECT: Heritage Property Deregistration Application

ORIGIN: An application was received from All Saints Parish seeking heritage deregistration of the property at 40 Chapel St. Springhill, PID 25224874 (the “subject property”).

LEGISLATIVE AUTHORITY:

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 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.

RECOMMENDATION: THAT Council hold a Public Hearing at the December 20th, 2023 Regular Council meeting to consider the application to deregister 40 Chapel Street, Springhill, PID 25224874. as a Municipal Heritage Property.



**COMMITTEE OF THE WHOLE
RFD**

Date: October 25, 2023

BACKGROUND: Planning staff have received an application from Glenna O’Quinn, Parish Life Coordinator for All Saints Parish (the “applicant”) regarding the property at 40 Chapel St. Springhill, PID 25224874 (the “subject property”). The application (Appendix A) is to deregister it as a Municipal Heritage property allowing its redevelopment.

DISCUSSION: The subject property is located in the community of Springhill and owned by the Roman Catholic Episcopal Corporation of Halifax. The property was decommissioned as a church in April of 2023. According to the application, the parish is in disrepair with some leaks in the roof and foundation problems. The Owner has someone interested in purchase with the intent to repurpose part of the building to affordable housing. Such repurposing is hampered by the conditions in the Heritage Act which prevents "substantial alterations to the exterior".

FINANCIAL IMPLICATIONS: There are no financial implications identified.

ENVIRONMENTAL IMPLICATIONS: No environmental impacts have been identified at this time.

COMMUNITY ENGAGEMENT: Advertisement and holding of a Public Hearing

ALTERNATIVES: Not hold the public hearing.

ATTACHMENTS: Application

Report prepared by: Glenn Boone
Report and Financial approved by:



All Saints Parish

P.O. Box 1075, 63 Church St. Amherst NS B4H 4E2

902-667-2523 or 902-667-5244

office@allsaintsparishcc.ca

September 25, 2023



To Whom it May Concern:

Re: Municipal Heritage Designation- Lands at 40 Chapel St., Springhill, Nova Scotia

1. ROMAN CATHOLIC EPISCOPAL CORPORATION OF HALIFAX is the Owner of lands at 40 Chapel Street, Springhill, Nova Scotia commonly known as St. John the Baptist Catholic Church (SJtB).
2. In the early 1990s it became obvious that St. John the Baptist Catholic Church needed substantial repair and the Parish Council of the day embarked on fundraising.
3. In 1994 St. John the Baptist Catholic Church was approaching its 100th anniversary and the Parish Council wished to obtain a plaque indicating municipal heritage status. It was also hoped that with that designation some funds might be available from various levels of government for building repair.
4. St. John the Baptist Church does not have all the documentation in its files surrounding this process, but it does have the following:
 - (a) June 21, 1994 Letter to Guy Brown from Brian Cuthbertson- Head of Heritage Division- NS Department of Municipal Affairs- written in response to request for assistance to SJtB, Springhill. Letter indicates information is provided re: application process to register as a municipal heritage property; (**Attachment 1**)
 - (b) July 6, 1994 letter to Guy Brown from Art Battise, Deputy Minister, NS Department of Economic Development- indicating that no provincial assistance is available for repairs to SJtB; (**Attachment 2**)

- (c) Aug 29, 1994 fax from Wayde Brown, Heritage Section, Community Planning Division, NS Department of Municipal Affairs to Sandy Mackey- then chair of SJtB Parish Council describing the construction of the building. It appears this was sought as part of the heritage designation process; (**Attachment 3**)
- (d) Nov 24, 1994 Letter from Archbishop Austin Burke , Archdiocese of Halifax (as it then was) granting permission to seek designation as a municipal heritage property. He also expresses the hope that there may be municipal funding for **much needed repairs**; (**Attachment 4**)
- (e) Feb 2, 1995 Letter from the Town of Springhill indicating that the land and building known as SJTB has been recommended to be registered as a Heritage Property. (**Attachment 5**)
- 5. On February 2, 1995, Springhill Town Council adopted a resolution that St. John the Baptist Church be registered in the Town Registry of Heritage Property.
- 6. A copy of the Notice of Registration of Heritage Property was recorded at the Registry of Deeds on August 17, 1999 in Book 707 Page 712 (**Attachment 6**) .
- 7. The Owner wishes to have this designation removed from the land and building at 40 Chapel Street pursuant to section 16 (1) of the Nova Scotia Heritage Property Act .
- 8. The Owner is seeking deregistration for the following reasons:
 - (a) The congregation is now very small and does not have the ability to maintain the building which was decommissioned as a church as of April 30, 2023.
 - (b) The Owner will not put any further money into maintaining the building now that it has been decommissioned;
 - (c) The building has been experiencing some leaking due to the need for mortar and foundation repair;
 - (d) The roofing on the two church towers needs to be replaced with metal roofing as repeated attempts to shingle have had limited success and shingles are blowing off in each high wind;
 - (e) To prevent further deterioration of the building, the Owner is seeking to sell it;
 - (f) The presence of a Heritage Property registration would prevent “substantial alterations to the exterior” discouraging potential buyers who may need to

make some changes to meet modern building codes and increase energy efficiency;

(g) There is a potential buyer for the building who is interested in using part of the building to provide affordable housing with at least three apartments. However, the presence of the Heritage Designation is preventing this from moving forward.

9. If the Heritage Designation is not removed, it may be impossible to sell Saint John the Baptist Roman Catholic Church. This may result in continued deterioration and the building would ultimately have to be demolished, which is the least desirable option.

10. Therefore, it is requested that the Municipality of Cumberland, as successor to the Town of Springhill, approve the necessary steps be taken to remove the Heritage Designation from St. John the Baptist Roman Catholic Church, 40 Chapel St., Springhill, Nova Scotia.

ROMAN CATHOLIC EPISCOPAL CORPORATION OF HALIFAX

Per:

A handwritten signature in cursive script, reading "Glenna O'Quinn". The signature is written in black ink and is positioned above a horizontal line.

Glenna O'Quinn-All Saints Parish, Parish Life Coordinator

I have authority to bind the Owner

Application to De-register a Municipal Heritage Property

Name: Roman Catholic Episcopal Corporation of Halifax
Mailing Address: PO Box 1075 Amherst NS B4H 4E2
Phone: (Days) 902-667-2523 (Evenings) 902-397-0239 (Fax) n/a
Email: pastoral@allsaintsparishcc.ca

Address of Heritage Property:

Civic No. 40 Street: Pleasant St. Community: Springhill

Please provide a detailed description of why deregistration is being requested:

- (a) The congregation is now very small and does not have the ability to maintain the building which was decommissioned as a church as of April 30, 2023.
- (b) The Owner will not put any further money into maintaining the building now that it has been decommissioned;
- (c) The building has been experiencing some leaking due to the need for mortar and foundation repair;
- (d) The roofing on the two church towers needs to be replaced with metal roofing as repeated attempts to shingle have had limited success and shingles are blowing off in each high wind;
- (e) To prevent further deterioration of the building, the Owner is seeking to sell it;
- (f) The presence of a Heritage Property registration would prevent "substantial alterations to the exterior" discouraging potential buyers who may need to make some changes to meet modern building codes and increase energy efficiency.

Date: September 26, 2023

Owner Signature(s):

Glena O'Brien
Pastor Life Coordinator, All Saints Parish

Send the completed application to:
The Municipality of Cumberland
1395 Blair Lake Road, Upper Nappan
RR 6 Amherst, N.S. B4H 3Y4

Nova Scotia



**Department of
Municipal Affairs**

Community Planning Division

PO Box 216
Halifax, Nova Scotia
B3J 2M4

902 424-4091
Fax 902 424-0531

Our file no:

June 21st, 1994

The Honourable Guy A. C. Brown
Minister of Housing & Consumer Affairs
Alderney Gate, 5th Floor
40 Alderney Drive
Dartmouth, Nova Scotia

*FOR GUY
FIN??*

Dear Mr. Brown:

I am writing in reply to your memorandum on assistance for Saint John the Baptist Roman Catholic Church in Springhill.

We are able to assist those churches registered by municipalities as heritage properties. I enclose our publication Registering Heritage Properties and I have flagged the relevant policy.

I also enclose a copy of my letter to Father Patrick Cosgrove explaining the policy and how he could obtain heritage registration. We have a record that Allen Gibson wrote an article on the church in 1958. I enclose a copy.

Sincerely,

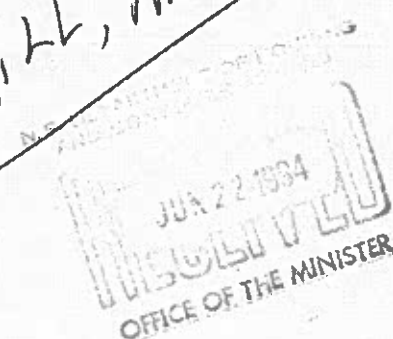
Brian Cuthbertson
Brian Cuthbertson
Head, Heritage

/mlh

Encls. (3)

cc: Ron Simpson
Provincial Director of Planning

Springhill, NS



[Handwritten initials]



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Nova Scotia



**Department of
Economic Development**

Office of the Deputy Minister

World Trade and
Convention Centre
1800 Argyle Street
PO Box 519
Halifax, Nova Scotia
Canada B3J 2R7

902 424-3231
Fax 902 424-0514

Our file no:

July 6, 1994

The Honourable Guy Brown
P.O. Box 1049
Springhill, Nova Scotia
B0M 1X0

Dear Mr. Brown:

**Re: St. John the Baptist Roman Catholic Church -
Springhill**

Further to your recent request for assistance for repairs to St. John The Baptist Church in Springhill, I must advise you that the Nova Scotia Economic Renewal Agency does not have an avenue to fund such projects.

My staff have been in contact with Brian Cuthbertson, Department of Municipal Affairs and he advises that he will be in contact with you regarding possible avenues for funding within his division.

I trust this information is helpful.

Yours very truly,

Art Battiste
Deputy Minister



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Attachment # 3

TO: Sandra Mackie fax 667-1594

FROM: Wayde Brown

Heritage Section, Community Planning Division
Dept. of Municipal Affairs

telephone 424-5647
FAX 424-0531

Below is a brief architectural description of St Johns, which I hope is sufficient for the Town's Heritage Advisory Committee. I have been unable to find the file we have on the building, so will have to wait until next week when our secretary returns from holidays to see exactly what historical information it contains. I suspect it is not much more than you would find in Springhill, Our Goodly Heritage, the history published by the Springhill Heritage Group in 1989. If there is extra material, I shall forward it to you. ✓

**St John the Baptist Church,
Springhill, Nova Scotia**

architectural comment

This building is a large sandstone structure, begun in 1894. The actual building stone supposedly came from a local quarry owned by the Coal Company. A cruciform plan form is employed, with two tall bell towers, symmetrically placed on either side of the main entrance. The nave and transept roofs have heavily pedimented gables, while the bell towers have steeply pitched hipped roofs. Several string courses, also in sandstone, surround the building at various heights, and serve as window sills. Typical of Roman Catholic churches of this period, St John the Baptist demonstrates several Romanesque Revival style details, such as: the overall heavy massing, round headed windows, and double bell towers with a roof design and placement as noted.

**WB
29 Aug 94**



ARCHDIOCESE
OF HALIFAX

P.O. BOX 1527 HALIFAX N.S. B3J 2Y3

Attachment # 4

November 24, 1994

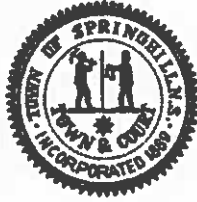
Rev. Patrick Cosgrove
St. John the Baptist Parish
P.O. Box 103
Springhill, NS
B0M 1X0

Dear Fr. Pat:

Please consider this letter as approval to apply to have Saint John the Baptist Church designated as a Municipal Heritage Property. I understand that such a designation may eventually lead to municipal funding for much needed repairs.

Yours in Christ,

+Austin E. Burke
ARCHBISHOP OF HALIFAX



OFFICE OF TOWN CLERK & TREASURER

February 2, 1995

St. John the Baptist Church
40 Chapel Street
Springhill, N.S.
BOM 1X0

You are hereby notified that:

1. The land and building located at Springhill and known as St. John the Baptist Church has been recommended to be registered in the Registry of Heritage Property for the Municipality of the Town of Springhill.
2. The reason for this proposed designation is that the Church is considered to be of significant Municipal historic importance to warrant protection under the Heritage Property Act.
3. Section 13(4) of the Heritage Property Act prohibits demolition or any substantial alteration of the appearance of a property described herein for a period of one hundred twenty (120) days from the date and service of this notice, unless the Town Council sooner refuses to register the property.
4. The effect of recommendation and registration in the Springhill Municipal Heritage Registry described in paragraph 1 is that no demolition or substantial alteration in exterior appearance may be taken from the date of registration unless an application, in writing, for permission is submitted to the Town of Springhill and the application is granted with or without conditions. Where such application is not approved the owner may make the alterations described in the application or carry out the proposed demolition at any time after one year but not more than two years from the date of application.

5. You are hereby notified that any objections regarding the recommendation of the property described in this notice will be heard on the 22nd day of February 1995, 1:30 p.m. in the Council Chamber of the Town Hall, Springhill, Nova Scotia. Information and particulars concerning the reasons for recommendation are available from the office of the Town Clerk for the Town of Springhill weekdays from 8:30 a.m. to 4:30 p.m.

b
Dated this 2nd day of February , 1995


Town Clerk

TOWN of SPRNGHILL 712
 43 Main Street
 Springhill, Nova Scotia
 OFFICE of TOWN CLERK/
 TREASURER



R

Register	County	Register of Deeds	2577	707	712
			Document #	Book	Page
I certify that this document is registered as shown here.			AUG 17 1999	3:18 Pm	
Murray Hardson Registrar			MM DD YYYY	Time	

NOTICE OF REGISTRATION OF HERITAGE PROPERTY

Registry of Deeds
 Amherst, Nova Scotia

You are hereby notified that

1. The land and building located at 40 Chapel Street, Springhill and known as St. John the Baptist Church has been registered in the Town Registry of Heritage Property by resolution adopted at a meeting of Council the 22nd day of February 1995.
2. The effect of registration in the Town Registry of Heritage Property is that no ~~demolition~~ or substantial alteration in the exterior appearance may be undertaken from the date of registration unless an application, in writing, for permission is submitted to the Town and the application is granted with or without conditions. Where an application is not approved, the owner may make the alteration described in his application or carry out the proposed demolition at any time after one year but not more than two years from the date of the application.