Cape Breton Regional Municipality

Heritage Advisory Committee

AGENDA

Monday, February 11th, 2019
12:00 p.m.

Council Chambers
2nd Floor, City Hall
320 Esplanade, Sydney, NS

Committee Members:
Councillor Eldon MacDonald - Chair
Councillor Clarence Prince
Thomas Ashford, Citizen Appointee
Vanessa Childs Rolls, Citizen Appointee - Vice Chair
Spyro Trifos, Citizen Appointee
Vacancy (Citizen Appointee)
Cape Breton Regional Municipality

Heritage Advisory Committee

Monday, February 11th, 2019
12:00 p.m.

Council Chambers 2nd Floor – City Hall

AGENDA

Roll Call

1. Approval of Minutes: December 5, 2018 (previously distributed)

2. Approval of Agenda: (Motion Required)

3. Heritage Advisory Committee – Citizen Appointments: Councillor Eldon MacDonald, Chair (See page 4)

4. BUSINESS ARISING:

4.1 Heritage Advisory Committee - December 5, 2018:
   a. Criteria For Qualifying Properties for Heritage Registration – Revised Report: Rick McCready, Senior Planner / Heritage Officer (See page 5)

5. Proposed Heritage Registrations: Rick McCready, Senior Planner / Heritage Officer

5.1 The Lyceum, 25 George Street, Sydney (PID 15058696 and PID 15176761): (See page 12)

5.2 The Chapel Point Battery, located just off Amber Drive, Sydney Mines (PID 15178908): (See page 15)

Continued…
6. Proposed Amendments to the CBRM Heritage Property Bylaw:  
Rick McCready, Senior Planner / Heritage Officer (See page 19)

Adjournment
To: Heritage Advisory Committee

From: Councillor Eldon MacDonald, Chair

Date: February 6, 2019

Subject: Heritage Advisory Committee – Citizen Appointments

I am writing to advise that the Clerk’s office received notification from Citizen Neal MacDonald that due to work commitments out of province, he will not be able to fulfill his duties on the Heritage Advisory Committee and therefore has resigned. He extended thanks to Council for the opportunity to participate on the Committee and the confidence shown in him.

Further, the two year term for the current citizen appointees will expire on March 31, 2019. A call for expressions of interest will be issued by the Clerk’s Department in the near future. Current citizen appointees are welcome to reapply.

ORIGINAL SIGNED BY

Councillor Eldon MacDonald
Criteria For Qualifying Properties for Heritage Registration

Mr. Rick McCready, Heritage Officer, reported on the proposed criteria for Qualifying Properties for Heritage Registration and provided a current list of properties on the Heritage Registry.

Mr. McCready provided background information and the current practice when a registration request is received.

The Heritage Office advised that the current criteria worked well until recently when the Committee struggled with requests for registration with inadequate information and renovations that detract the heritage value from a building.

Mr. McCready suggested that more formal and detailed criteria be adopted to evaluate every request for a Municipal Heritage Property registration. He advised that there has been an increase in requests in 2018 including requests from cemeteries that are not located on the same property as a church. It’s unclear whether or not the Committee should consider these as they are not on the Church property.

The Heritage reviewed the following criteria:
- Historic Significance
- Architectural Significance
- Cultural Significance

After the report, the following was discussed by the Committee:
- Requesting historic photographs from the property owners
- Community requests to register a new heritage district
- Higher deduction of points for properties substantially altered
- Rework the sentence regarding property in a deteriorated state
- Non-property owners requesting registration
- Eligibility of structures that have been relocated
- Modern buildings with significance
- De-registration of a property
- Removing the registration of cemeteries as Historical Properties

The Chair noted that this issue will be brought back for consideration once the criteria has been finalized.
December 19, 2018

MEMO TO: Chairman and Members, Heritage Advisory Committee

FROM: Rick McCready, Senior Planner/Heritage Officer

RE: Criteria for Qualifying Properties for Heritage Registration- revised report

Background Information

Requests by property owners to have their properties registered on the CBRM Municipal Heritage Registry are received by staff on a regular basis. Past practice in dealing with these requests has been as follows:

- Staff visit the property, discuss the implications of registration with the owner
- Assuming the owner wishes to proceed with the registration following the visit, staff evaluate the heritage value of the property using a simple matrix that assesses its architectural, historical and cultural significance, and then prepare a report for the Heritage Advisory Committee
- The Heritage Advisory Committee reviews the report and recommendations from staff and then decides whether or not to recommend to Council that the property be registered. If the Committee decides to recommend registration, the request is then forwarded to Council for its consideration. (The Heritage Property Act, which governs heritage registrations, requires Council to take the recommendations of the HAC into account when making a decision)
- Council considers the request and either rejects it or approves a motion to give notice of its intent to register the property
- A copy of the Notice of Intent to register the property is filed at the Registry of Deeds; a copy is sent to the property owner at least 30 days before the meeting where Council is scheduled to make a final decision
- At a subsequent meeting, Council, after hearing submissions from the property owner (if any), approves or rejects the registration
- Assuming Council agrees to register the property, staff prepares the registration document and files it at the Registry of Deeds; the property is added to the CBRM Municipal Heritage Registry
- A plaque recognizing the property’s heritage status is prepared and provided to the property owner to be placed on the exterior of the building
This process, as outlined above, has worked reasonably well until recently. In the last year or so, however, the committee has struggled with some of the requests for registration that have been received. In some cases, we have inadequate information on the history of the property. In other cases, it is apparent that the property has undergone renovations that detract from the building’s heritage value and it is uncertain that the owner has the capacity to undertake the conservation work required to correct or at least minimize the impact of these inappropriate interventions.

It is staff’s opinion that we need more detailed, specific criteria in place to assist both staff and Committee members in evaluating whether or not a property should be registered. This does not mean that the criteria should be so restrictive that all properties with inappropriate interventions should be excluded. For example, Sacred Heart Church on George Street in Sydney, which is a registered property, was subjected to an inappropriate intervention a few years ago when it was covered in vinyl siding. However, the building’s overall form and character are still very much intact, and that fact, combined with the structure’s cultural and historical significance, justifies its status as a heritage property.

It is important that new and improved criteria for evaluating heritage properties be put in place soon. In 2018 we have seen an uptick in the number of property owners requesting registration. There are currently on file:

- Four formal written requests for registration (all these properties have been visited by staff and documented)
- Two requests that were reviewed by the Committee already and deferred
- Five requests for registration for properties that staff has not completing documentation
- Several inquiries about registering cemeteries that are separate from places of faith properties (in the past we have registered cemeteries only when they were on the same lot as a place of faith)

In principle, of course, it is highly desirable to have more properties registered, in that it helps achieve our goal of preserving more of CBRM’s built heritage. However, it must also be recognized that as we increase the number of registered properties we also increase the number of potential applicants for funding from our Heritage Incentive Program, which has a very limited budget.

**Proposed new criteria for adding properties to the CBRM Municipal Heritage Property Registry**

It is proposed that every property where heritage status is being considered be scored using the following matrix (revisions since last report are shown in red):
<table>
<thead>
<tr>
<th><strong>Historic Significance</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Age of Property</strong></td>
<td>30 points</td>
</tr>
<tr>
<td><strong>Association of the property with the community’s economic, social, political, athletic or cultural history</strong></td>
<td>20 points</td>
</tr>
<tr>
<td><strong>Association of the property with a well-known person locally, provincially or nationally</strong></td>
<td>10 points</td>
</tr>
<tr>
<td><strong>Association of the property with a significant event in a community’s history (such as incorporation of a former municipal unit, a famous labour dispute, a famous court case)</strong></td>
<td>10 points</td>
</tr>
<tr>
<td><strong>Architectural Significance</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Presence of rare or unique architectural features on the exterior (such as stained glass windows, Scottish dormers, turrets, etc.)</strong></td>
<td>20 points</td>
</tr>
<tr>
<td><strong>Exceptional example of a particular architectural style; in order to score high in this category a structure need not be old or elaborately designed (a modern building that is unique or is a particularly good example of a particular style could score high in this category, as could a modest, relatively unornamented structure if it is a very good example of a particular style (such as a semi-detached coal company house)</strong></td>
<td>50 points</td>
</tr>
<tr>
<td><strong>Exterior is wood, clay brick or natural stone</strong></td>
<td>10 points</td>
</tr>
<tr>
<td><strong>Has been very substantially altered in recent years; most or all original features (dormers, windows, doors, verandahs, etc.) have been changed in size and/or style or have been removed</strong></td>
<td>-25 points</td>
</tr>
<tr>
<td><strong>Property is in a deteriorated state, requiring major repairs</strong></td>
<td>-15 pts</td>
</tr>
<tr>
<td><strong>Presence of unique interior features (such as a Casavant Freres organ, exceptional interior wood work, unique light fixtures) - points to be awarded only in cases where the building is open to the public on a regular basis (places of faith, theatres, public buildings)</strong></td>
<td>5 points</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Cultural Significance</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Association of the property with the history of a particular religious or ethnic group in the CBRM</strong></td>
<td>25 points</td>
</tr>
<tr>
<td><strong>Association of the property with social or sports events within a community over a long period of time</strong></td>
<td>25 points</td>
</tr>
</tbody>
</table>

*It is intended that this scoring criteria will be used as a guide; it is not recommended that a specific score in each category would be required in order for registration to proceed. However, it is assumed that in order to be registered a property should score at least 50 points overall.*
### Historic Significance

<table>
<thead>
<tr>
<th>Item</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age of Property</td>
<td>20</td>
</tr>
<tr>
<td>Association of the property with prominent local leader in the community’s economic, social, political, athletic or cultural history</td>
<td>10</td>
</tr>
<tr>
<td>Association of the property with a well known person provincially or nationally</td>
<td>10</td>
</tr>
<tr>
<td>Association of the property with a significant event in community’s history (such as incorporation of a former municipal unit, a famous labour dispute, a famous court case)</td>
<td>10</td>
</tr>
</tbody>
</table>

### Architectural Significance

<table>
<thead>
<tr>
<th>Item</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Presence of rare or unique architectural features on the exterior (such as stained glass windows, Scottish dormers, turrets, etc.)</td>
<td>10</td>
</tr>
<tr>
<td>Very good example of a particular architectural style (such as a coal company house)</td>
<td>10</td>
</tr>
<tr>
<td>Exterior is wood, clay brick or natural stone</td>
<td>10</td>
</tr>
<tr>
<td>Has been very substantially altered in recent years; most or all original features (dormers, windows, doors, verandahs, etc.) have been changed in size and/or style or have been removed</td>
<td>-15</td>
</tr>
<tr>
<td>Property is in a deteriorated state, requiring major repairs</td>
<td>-15</td>
</tr>
<tr>
<td>Presence of unique interior features (such as a Casavant Freres organ, exceptional interior wood work, unique light fixtures) - points to be awarded only in cases where the building is open to the public on a regular basis (places of faith, theatres, public buildings)</td>
<td>5</td>
</tr>
<tr>
<td>Building is unique in the CBRM</td>
<td>15</td>
</tr>
</tbody>
</table>

### Cultural Significance

<table>
<thead>
<tr>
<th>Item</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Association of the property with the history of a particular religious or ethnic group in the CBRM</td>
<td>15</td>
</tr>
<tr>
<td>Association of the property with social or sports events within a community over a long period of time</td>
<td>10</td>
</tr>
</tbody>
</table>

*Cemeteries not on the same property as a place of faith shall be considered for registration where a significant percentage of the grave markers indicate that the graves predate 1900 and where the grounds of the cemetery are maintained in good condition at the time of registration. Other criteria do not apply.*

*Maximum 125 pts*
Recommendation

It is my recommendation that the Committee endorse the above criteria for evaluating requests for the registration of municipal heritage properties. In my view doing so would lead to a more streamlined process and better decision making. The Committee may wish to forward the criteria to Council for formal approval as a policy of the CBRM.

Should these criteria (with or without changes) be adopted, it is my suggestion that the Heritage Officer score the properties and present the results to the members of the Committee before any decisions regarding registration are made. The Committee would review the scoring at a meeting and revise at its discretion. Alternatively, the Committee could appoint a sub-committee to work with staff on the scoring prior to bringing the results back to the entire committee.

If new criteria are adopted, it is my recommendation that the committee agree to meet again relatively soon to make decisions on the four requests that have been submitted and the two that were deferred earlier. Some of the property owners affected have been waiting for a decision on their request for quite some time.

For the committee’s information, I have attached a copy of our current Heritage Registry.

Yours very truly,

Rick McCready, MCIP, MURP
Senior Planner/Heritage Officer
<table>
<thead>
<tr>
<th>Property</th>
<th>Location</th>
<th>PIN #</th>
<th>Owner</th>
<th>Community</th>
<th>Date of Cst</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grand Narrows Hotel</td>
<td>11 Orby Point Road, Grand Narrows</td>
<td>15166628</td>
<td>Terance V. MacNeil</td>
<td>Grand Narrows</td>
<td>25-Oct-03</td>
</tr>
<tr>
<td>Joel House</td>
<td>54 Charlotte Street, Sydney</td>
<td>15093554</td>
<td>Old Sydney Society</td>
<td>Sydney</td>
<td>21-Feb-06</td>
</tr>
<tr>
<td>Donald and Mary Landry House</td>
<td>79 Charlotte St, Sydney</td>
<td>15094726</td>
<td>Klaasen MacKintosh</td>
<td>Sydney</td>
<td>21-Feb-06</td>
</tr>
<tr>
<td>Peter House</td>
<td>1t Campbell St, Sydney</td>
<td>15053072</td>
<td>Elks Keys</td>
<td>Sydney</td>
<td>21-Mar-06</td>
</tr>
<tr>
<td>Little Red School House</td>
<td>6735 Swindell Drive, Dominica</td>
<td>15640300</td>
<td>Bruce Scott Nature Reserve</td>
<td>Dominica</td>
<td>21-Mar-08</td>
</tr>
<tr>
<td>Lakeshore House</td>
<td>7271 East Bay Highway, Coffs Harbour</td>
<td>15128500</td>
<td>W. Scharke Kilgannon</td>
<td>Coffs Harbour</td>
<td>21-Aug-04</td>
</tr>
<tr>
<td>Olive Bay Heritage Museum, Former Town Hall</td>
<td>54 Holman Street, Glen Bay</td>
<td>15095599</td>
<td>Olive Bay Heritage Museum Society</td>
<td>Glen Bay</td>
<td>21-Apr-05</td>
</tr>
<tr>
<td>Sacred Heart Roman Catholic Church</td>
<td>212 George St, Sydney</td>
<td>15068516</td>
<td>Roman Catholic Episcopal Corporation</td>
<td>Sydney</td>
<td>29-Nov-04</td>
</tr>
<tr>
<td>Mitchell Island Union Church</td>
<td>30 High Street, Mitchell Island</td>
<td>15231824</td>
<td>Mitchell Island Union Church</td>
<td>Point Edward</td>
<td>15-Feb-06</td>
</tr>
<tr>
<td>Port Police</td>
<td>4323 New Westminster Highway</td>
<td>15536777</td>
<td>Sydney Harbour Port Commission</td>
<td>New Westminster</td>
<td>21-Feb-06</td>
</tr>
<tr>
<td>UBC Hall</td>
<td>39 Station Street, Glen Bay</td>
<td>15447929</td>
<td>University B.C. Improvement Society</td>
<td>Glen Bay</td>
<td>26-Feb-06</td>
</tr>
<tr>
<td>St. Paul's Church</td>
<td>2025 Colonel By Drive, Port Moody</td>
<td>15972101</td>
<td>St. Paul's by the Sea</td>
<td>Port Moody</td>
<td>25-Mar-06</td>
</tr>
<tr>
<td>St Andrews Church</td>
<td>40 Benidick Street, Sydney</td>
<td>15022838</td>
<td>Leeds-Keating</td>
<td>Sydney</td>
<td>25-Nov-05</td>
</tr>
<tr>
<td>Sydney and Gebberville Railway Station</td>
<td>7368 Main Street, Leishman</td>
<td>15488732</td>
<td>CBIB</td>
<td>Leichhardt</td>
<td>25-Feb-06</td>
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<tr>
<td>Sydney and Leichfield Railway Freight Shed</td>
<td>7568 Main Street, Leichhardt</td>
<td>15483611</td>
<td>CBIB</td>
<td>Leichhardt</td>
<td>25-Feb-06</td>
</tr>
<tr>
<td>Darwin United Church</td>
<td>15 Hyde Avenue, Sydney, N.S.W.</td>
<td>15179417</td>
<td>Darwin United Church</td>
<td>Sydney, N.S.W.</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>Darwin United Church</td>
<td>24 Hurst Avenue, Sydney, N.S.W.</td>
<td>15127812</td>
<td>Darwin United Church</td>
<td>Sydney, N.S.W.</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>Bank of Montreal (former)</td>
<td>245 Charlton Street, Sydney, B.C.</td>
<td>15265713</td>
<td>Old Sydney Society</td>
<td>Sydney, B.C.</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>Union Presbyterian Church</td>
<td>3122 Northumberland Avenue, Albert Bridge</td>
<td>15290055</td>
<td>Union Presbyterian Church</td>
<td>Albert Bridge</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>St. Joseph's Church</td>
<td>234 Utopia Road, Utopia</td>
<td>15298186</td>
<td>Judy Rockall</td>
<td>Utopia</td>
<td>28-Feb-06</td>
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<tr>
<td>Red House</td>
<td>62 Main Street, Sydney</td>
<td>15175433</td>
<td>Richard Development Corporation</td>
<td>Sydney</td>
<td>28-Feb-06</td>
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<tr>
<td>Red House</td>
<td>655 Main Street, Sydney</td>
<td>15175443</td>
<td>Richard Development Corporation</td>
<td>Sydney</td>
<td>28-Feb-06</td>
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<tr>
<td>Red House</td>
<td>597 Main Street, Sydney</td>
<td>15175646</td>
<td>Richard Development Corporation</td>
<td>Sydney</td>
<td>28-Feb-06</td>
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<tr>
<td>Red House</td>
<td>555 Main Street, Sydney</td>
<td>15175476</td>
<td>Richard Development Corporation</td>
<td>Sydney</td>
<td>28-Feb-06</td>
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<tr>
<td>Red House</td>
<td>503 Main Street, Sydney</td>
<td>15175662</td>
<td>Richard Development Corporation</td>
<td>Sydney</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>Red House</td>
<td>555 Main Street, Sydney</td>
<td>15175681</td>
<td>Richard Development Corporation</td>
<td>Sydney</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>Red House</td>
<td>557 Main Street, Sydney</td>
<td>15175681</td>
<td>Richard Development Corporation</td>
<td>Sydney</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>Red House</td>
<td>587 Main Street, Sydney</td>
<td>15175681</td>
<td>Richard Development Corporation</td>
<td>Sydney</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>Red House</td>
<td>587 Main Street, Sydney</td>
<td>15175681</td>
<td>Richard Development Corporation</td>
<td>Sydney</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>Red House</td>
<td>587 Main Street, Sydney</td>
<td>15175681</td>
<td>Richard Development Corporation</td>
<td>Sydney</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>Red House</td>
<td>587 Main Street, Sydney</td>
<td>15175681</td>
<td>Richard Development Corporation</td>
<td>Sydney</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>Red House</td>
<td>587 Main Street, Sydney</td>
<td>15175681</td>
<td>Richard Development Corporation</td>
<td>Sydney</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>Richard Brown House</td>
<td>12 Brown Street, Sydney</td>
<td>15171069</td>
<td>W. R. Brown</td>
<td>Sydney</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>Lewis House</td>
<td>7528 Main Street, Leichhardt</td>
<td>15423516</td>
<td>Wadell Mackall</td>
<td>Leichhardt</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>Heritage Home Bed and Breakfast</td>
<td>128 Queen St North, Sydney</td>
<td>15127996</td>
<td>Anna M. Mavridis</td>
<td>North Sydney</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>St. Michael's Polish Hall</td>
<td>922 Victoria Rd, Sydney</td>
<td>15195304</td>
<td>St. Michael's Polish Welfare Society</td>
<td>Sydney</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>St. Michael's Polish Hall</td>
<td>973 Victoria Rd, Sydney</td>
<td>15195304</td>
<td>St. Michael's Polish Welfare Society</td>
<td>Sydney</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>500 Purves Street</td>
<td>500 Purves St North Sydney</td>
<td>15093996</td>
<td>John McTavish</td>
<td>North Sydney</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>102 Mitchell Avenue</td>
<td>102 Mitchell Ave, Sydney</td>
<td>15285585</td>
<td>Deborah Lever</td>
<td>North Sydney</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>1 Annerley Street</td>
<td>1 Annerley St, Sydney</td>
<td>15984502</td>
<td>Neville MacMillan</td>
<td>North Sydney</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>Fairfield Farm</td>
<td>497 Johnson Rd George's River</td>
<td>15192262</td>
<td>Thomas Ashford</td>
<td>George's River</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>Bank of Commerce (former)</td>
<td>292 Commercial St North Sydney</td>
<td>15072847</td>
<td>F. T. Thompson et al</td>
<td>North Sydney</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>Navy League</td>
<td>700 Main St, Leichhardt</td>
<td>15483253</td>
<td>W. M. Males</td>
<td>Leichhardt</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>St. George's Church</td>
<td>113 Charlotte Street, Sydney</td>
<td>15045446</td>
<td>Wardens of St. George's Church</td>
<td>Sydney</td>
<td>28-Feb-06</td>
</tr>
<tr>
<td>Christ Church</td>
<td>81 Church Lane, South Head</td>
<td>15079514</td>
<td>Anglican Diocese of Nova Scotia and FNB</td>
<td>South Head</td>
<td>07-Aug-08</td>
</tr>
</tbody>
</table>
January 31, 2019

MEMO TO: Chairman and members, Heritage Advisory Committee

FROM: Rick McCready, Senior Planner/Heritage Officer

RE: Proposed Heritage Registration: The Lyceum, 225 George Street, Sydney. (PID 15058696 and PID 15176761)

Background

The CBRM is the owner of the Lyceum, a provincially registered heritage property, located at 225 George Street in Sydney. The Lyceum was until recently the site of the Cape Breton Centre for Heritage and Science, which was operated by the Old Sydney Society. Since the Old Sydney Society relocated to the former Bank of Montreal building on Charlotte Street, the Lyceum has been mostly vacant (a Tae Kwon Do club is leasing space on the third floor).

The Lyceum Society, a registered non-profit organization which has been leasing the building from the CBRM, is pursuing the possible redevelopment of the Lyceum as the Nova Scotia Music Centre, and a feasibility study exploring this concept is expected to get underway soon. There has also been some interest from other parties in establishing possible uses within the building. As a result, the CBRM may in the future be in a position where it would make sense to transfer the ownership of the building to another party.

As the building has great heritage value and has never been registered municipally, it is my opinion as Heritage Officer that it would be appropriate for Council to register the building at this time. Information on the historical significance of the Lyceum is attached.

Recommendation

I would recommend that the HAC endorse the proposed registration of the Lyceum at 225 George Street as a municipal heritage property and forward the matter to Council for its consideration.

Yours very truly,

Rick McCready, MCIP, MURP
Senior Planner/Heritage Officer
Lyceum

225 George Street, Sydney, Nova Scotia, B1P, Canada

Formally Recognized: 1983/03/11

Lyceum, early 20th century

West elevation, Lyceum

Front elevation, Lyceum

OTHER NAME(S)

n/a

LINKS AND DOCUMENTS

Lyceum Website

CONSTRUCTION DATE(S)

1904/01/01 to 1904/12/31

LISTED ON THE CANADIAN REGISTER: 2007/08/18

急剧 STATEMENT OF SIGNIFICANCE

DESCRIPTION OF HISTORIC PLACE

The Lyceum is located on George Street in Sydney, Nova Scotia. This large three-storey, Colonial Revival, pressed brick and firestone structure was built in 1904. It was designed as a multi-purpose cultural centre and in its heyday was considered the best equipped theatre in Eastern Canada. The building and surrounding property are included in the provincial designation.

HERITAGE VALUE

The Lyceum is valued as a symbol of an era of large scale growth and economic optimism in Sydney's history. The Lyceum's Greek name, meaning a place of learning, concerts and discussion, reflected the city's interest in becoming a cultural centre. It is valued for its continued fulfillment of this function for in excess of a hundred years. Its architectural elements of the Colonial Revival style embody the optimism prevalent at the turn of the beginning of the twentieth century.

The Lyceum was designed by George E. Hutchinson, of Chappel Bros. & Co. Ltd., Sydney, for the Catholic Episcopal Corporation of Antigonish and was constructed by a Mr. Fininger. When built, the four-storey Lyceum Theatre was considered the best equipped theatre in Eastern Canada, and boasted a 42-foot high stage and seating for 900. The basement contained a gymnasium with accompanying dressing rooms, while the upper storey contained club rooms and a library. The building cost $37,000 to complete, which was a large sum for 1904.

Touring theatrical companies from Britain, the United States and Canada performed at the Lyceum during the first two decades of the twentieth century. From 1923 to 1924, the Scottish Catholic Society sponsored a "Gaolic School," with three teachers and three classes (adults, preschoolers and a grammar class) in the Sydney Lyceum. During the following two decades vaudeville and silent movies dominated the productions at the Lyceum until competition from new theatres brought a decline in business for the Lyceum.
CHARACTER-DEFINING ELEMENTS

Character-defining elements of the fortification at Chapel Point include:
- location of the fort within Sydney Harbour and across from Fort Petrie
- all remnants of the gun emplacements and underground magazines with escape shafts

Character-defining elements of the battery observation post include:
- placement of the tower on the fortification site set back from the gun emplacements and the
  underground magazines, and facing Sydney Harbour;
- the concrete, four storey tower.

NEARBY PLACES

Holy Ghost Ukrainian Church
49 West Street, Whitney Pier, Nova Scotia

Holy Ghost Ukrainian Church is located on West Street in the area of Sydney, Cape Breton known
as...

CN Train Station
169 Legato Street, Sydney Mines, Nova Scotia

The CN Train Station is located on Legato Street in the centre of Sydney Mines, Nova Scotia. This
January 31, 2019

MEMO TO: Chairman and members, Heritage Advisory Committee

FROM: Rick McCready, Senior Planner/Heritage Officer

RE: Proposed Heritage Registration: The Chapel Point Battery, located just off Amber Drive, Sydney Mines. (PID 15178908)

Background

The CBRM is the owner of the Chapel Point Battery, a provincially registered heritage property, located just off Amber Drive in Sydney Mines. Chapel Point is the site of a command post and other fortifications that were part of the military infrastructure that was put in place during World War II to protect Sydney Harbour from attack by enemy forces.

A proposal to develop this property both as a historic attraction and a recreational park was prepared by the Town of Sydney Mines before amalgamation, but the funds to implement the plans were never secured. Today the structures on the site are in a very deteriorated state.

Recently, however, as Council is aware, the AMP (Atlantic Memorial Park) Society has put together an ambitious plan for developing the site as both a tourist attraction and as a commemorative park to honour those who have served in Canada’s armed forces. The first phase of this project (the restoration of the Command Post and the development of a trail connecting the Command Post to the nearby beach) will get underway this spring.

The possibility of transferring ownership of the property to the AMP Society, a registered non-profit society, is a possibility in the future as the Society will be responsible for operating the park.

As the property has great heritage value and has never been registered municipally, it is my opinion as Heritage Officer that it would be appropriate for Council to register the building at this time. Information on the historical significance of Chapel Point is attached.
Recommendation

I would recommend that the HAC endorse the proposed registration of Chapel Point in Sydney Mines (PID 151789908) as a municipal heritage property and forward the matter to Council for its consideration.

Yours very truly,

Rick McCready, MCIP, MURP
Senior Planner/Heritage Officer
Chapel Point Battery Site
Church Street and Amber Drive, Sydney Mines, Nova Scotia, B1V, Canada

Formally Recognized: 1993/07/29

OTHER NAME(S)
Chapel Point Battery Site
Chapel Point Fortification

LINKS AND DOCUMENTS
n/a

CONSTRUCTION DATE(S)

LISTED ON THE CANADIAN REGISTER: 2007/01/31

STATEMENT OF SIGNIFICANCE

DESCRIPTION OF HISTORIC PLACE
Chapel Point Battery Site is a World War II era fortification site at Sydney Mines, Cape Breton Island, built to guard Sydney Harbour. Chapel Point includes an observation post and gun batteries and several below ground fortifications. The buildings and underground fortifications are all included in the designation as well as the surrounding property.

HISTORICAL VALUE
Chapel Point is valued historically as it played a significant role in the defense of Sydney Harbour during World War II. It is also valued architecturally for its massive construction and such details as deeply placed magazines. It is unique among Canada’s wartime coastal defences.

Chapel Point was built in 1939 by E.G.M. Cape Construction Company. Working in conjunction with Fort Petrie, located across the harbour, Chapel Point guarded Sydney Harbour. Both sites protected departing convoys and naval ships based at nearby Point Edward Naval Base from German submarine that patrolled waters surrounding eastern Canada, as well as local industry, which was vital to the war effort. Because of its proximity to the coal mines, coal mines and the entrance to central Canada through the St. Lawrence River, Sydney Harbour was a strategic defense location, second only to Halifax.

Chapel Point consisted of a battery observation post, gun emplacements, and an extensive underground system housing magazines, and unidentified restricted areas. Chapel Point was decommissioned in 1943 and largely dismantled in 1946. The town of Sydney Mines later purchased the site.

Fort Petrie, Chapel Point's sister fort, was also built in 1939 by E.G.M. Cape and was last of the Sydney Harbour fortifications to be decommissioned in 1955. The communication tower was demolished in 1968. The Sydney Harbour Fortification Society bought the fort in 1991. A museum is now contained in the battery observation post dedicated to the history of the site.
Source: Provincial Heritage Property files, no 175. Heritage Division, 1747 Summer Street, Halifax, NS

CHARACTER-DEFINING ELEMENTS

Character-defining elements of the fortification at Chapel Point include:

- location of the fort within Sydney Harbour and across from Fort Petrie
- all remnants of the gun emplacements and underground magazines with escape shafts

Character-defining elements of the battery observation post include

- placement of the tower on the fortification site set back from the gun emplacements and the underground magazines, and facing Sydney Harbour;
- the concrete, four storey tower.

RECOGNITION

HISTORICAL INFORMATION

ADDITIONAL INFORMATION

NEARBY PLACES

Holy Ghost Ukrainian Church
49 West Street, Whitney Pier, Nova Scotia
Holy Ghost Ukrainian Church is located on West Street in the area of Sydney Cape Breton known as

CN Train Station
159 Legatta Street, Sydney Mines, Nova Scotia
The CN Train Station is located on Legatta Street in the centre of Sydney Mines, Nova Scotia. This


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31/01/2019
February 4, 2019

MEMO TO: Chairman and members, Heritage Advisory Committee

FROM: Rick McCready, Senior Planner/Heritage Officer

RE: Proposed amendments to the CBRM Heritage Property Bylaw

Background

The Province recently amended the *Heritage Property Act* to enable municipalities to delay substantial alterations to, or demolitions of, heritage properties up to a maximum of three years. Previously the delay period was a maximum of one year. Most municipalities in the Province have amended their heritage property bylaws to make them consistent with the new legislation.

If CBRM amends its bylaw to allow for a maximum three year delay period, it should be noted that Council retains the ability to approve a substantial alteration or a demolition without waiting the three year period, subject to the procedures outlined in the Act.

Recommendation

I would recommend that the HAC endorse amendments to the Heritage Property Bylaw to make the bylaw consistent with the recent amendments to the *Heritage Property Act*, and forward the amendments to Council for approval. A copy of the bylaw with the revisions is attached for the Committee’s perusal. Please note that some minor housekeeping changes have also been made to the bylaw to better reflect current procedures for heritage property registration.

Yours very truly,

Rick McCready, MCIP, MURP
Senior Planner/Heritage Officer
CAPE BRETON REGIONAL MUNICIPALITY

Bylaw C3

HERITAGE PROPERTY

1. In this Bylaw:

(a) "Council" means the Council of the Cape Breton Regional Municipality;

(b) "Clerk" means the Clerk of the Cape Breton Regional Municipality;

(c) "Act" means the Heritage Property Act;

(d) "Committee" means the Heritage Advisory Committee, established pursuant to the Heritage Property Act and this Bylaw;

(e) "Regional Municipality" means the Cape Breton Regional Municipality (CBRM);

(f) "Heritage Officer" means a CBRM employee appointed by Council pursuant to the Act."

2. (a) The Heritage Advisory Committee is composed of a minimum of seven and a maximum of ten members appointed by Council for a term of two years.

(b) At least two members of the Committee shall be members of the Council and at least three but no more than seven members shall be members of local historical societies or individuals who have in the opinion of the Council otherwise demonstrated active concern for the preservation of buildings of historic significance.

(c) The Committee has the powers and duties of a Heritage Advisory Committee pursuant to the Act.

(d) The Committee shall be governed, where not inconsistent with the Act or this Bylaw, by the general rules of procedure applicable to committees as contained in the Bylaws of the Regional Municipality.
3. The **Clerk Heritage Officer** shall establish and maintain at the business office of the Regional Municipality, a Registry of Heritage Property, where all prescribed documents relating to the registration of Heritage Property pursuant to the Act or this Bylaw shall be filed. The registry shall:

   (a) be maintained and updated by the **Clerk Heritage Officer**;

   (b) be properly indexed;

   (c) be accessible to the public at no charge during regular business hours at the Regional Municipality Offices.

4. The Registry of Heritage Property shall contain:

   (a) a description of any building, streetscape or area registered by the Council pursuant to the *Heritage Property Act*;

   (b) the recommendation for registration, all notices pursuant to the registration, recording particulars of all notices recorded in the Registry of Deeds and particulars of service of all notices required pursuant to the *Heritage Property Act*;

   (c) all applications for permission to make a substantial alteration to the exterior appearance, or to demolish, a registered building, streetscape or area, together with the particulars of the recommendations of the Heritage Advisory Committee thereon and the particulars of the disposition thereof;

   (d) in a separate section, all buildings, streetscapes and areas for which registration has been recommended by the Heritage Advisory Committee but on which a decision to register has not been made;

   (e) in a separate section, all buildings, streetscapes and areas for which registration was recommended by the Heritage Advisory Committee but which Council determined not to register.

5. All properties registered by a municipal unit incorporated within the Regional Municipality shall be considered to have been registered pursuant to this bylaw and be included within the Registry of Heritage Property.
6. Notice of a recommendation by the Heritage Advisory Committee that a building, streetscape or area be registered as a Municipal Heritage Property shall be in the form specified in Schedule "A", attached hereto.

7. Council may register a building, streetscape or area as a Municipal Heritage Property in accordance with the provisions of the Act and the registration shall be in the form specified in Schedule "B", attached hereto.

8. Council may from time to time establish and amend guidelines for the registration of property as a Municipal Heritage Property, and the Heritage Advisory Committee shall, in making recommendations, take the guidelines fully into account.

Passed and adopted by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipal Council held on October 17, 1995, and amended on April 17, 2007, and _____ 2019.

Mayor Cecil P. Clarke

Deborah Campbell Ryan, Clerk

This is to certify that the attached is a true and correct copy of the Heritage Property Bylaw of the Cape Breton Regional Municipality adopted by Regional Council during a meeting held on October 17, 1995, and amended on April 17, 2007 and _____ 2019.

Deborah Campbell Ryan, Clerk

DATE OF ADVERTISEMENTS: October 27, 1995
July 10, 2007 (amendment)
SCHEDULE "A"

NOTICE OF RECOMMENDATION

TO REGISTER A MUNICIPAL HERITAGE PROPERTY

Cape Breton Regional Municipality

Pursuant to the Heritage Property Act, R.S.N.S. 1989, c. 199, the Cape Breton Regional Municipality hereby gives notice that the property of [insert name of owner], [insert brief description and address], [insert legal description], has been recommended for registration in the registry of heritage property for the Cape Breton Regional Municipality.

The property has been recommended for registration [here set out reason for recommendation].

The Heritage Property Act provides that if a property is registered as a municipal heritage property:

1) The property shall not be substantially altered in exterior appearance or be demolished without the approval of the Regional Municipality;

2) An application for permission to substantially alter the exterior appearance or to demolish the property may be made to the Regional Municipality;

3) The Heritage Advisory Committee shall be given an opportunity to comment on any application;

4) The Regional Municipality may grant or refuse permission or attach conditions;

5) Where the municipality does not approve the application, the property owner may, notwithstanding Section 17 of the Heritage Property Act, make the alteration or carry out the demolition at any time after three years from the date of the application but not more than four years after the date of the application;

6) Penalties for violation of the Act are a maximum fine of $10,000.00 for individuals and $100,000.00 for corporations, with the further right for the Regional Municipality to apply for an order directing the restoration of the property. For further information refer to the Heritage Property Act.
The Heritage Property Act further provides that no person shall substantially alter the exterior appearance of or demolish a building for 120 days after notice of recommendation to register the property has been served, unless the Regional Municipality sooner refuses to register the property.

The owner has the right to be heard concerning the recommended registration, and the date of the hearing shall be [here set out date, time and place of hearing]. Submissions may be made orally or in writing if desired, and a written submission may be presented at any time prior to the hearing.

A copy of this notice has been recorded at the Registry of Deeds for the County of Cape Breton pursuant to the Act.

Dated at _______________ this ___ day of _______________ 2___.

Per:
Regional Municipality Clerk

PROVINCE OF NOVA SCOTIA
COUNTY OF CAPE BRETON SS)

ON THIS day of ___ , A.D., 2___, before me, the subscriber, personally came and appeared ___ the subscribing witness to the foregoing Notice, who, having been by me duly sworn, made oath and said that THE CAPE BRETON REGIONAL MUNICIPALITY, a municipal body corporate, caused the same to be executed in its name and on its behalf, and its corporate seal to be thereunto affixed by its proper officer in his presence.

Schedule "A" should contain the legal description of the property sought to be registered as taken from the deed.
SCHEDULE "B"

NOTICE OF REGISTRATION

MUNICIPAL HERITAGE PROPERTY

Cape Breton Regional Municipality

Pursuant to Section 14 of the Heritage Property Act, R.S.N.S. 1989, c. 199, the Cape Breton Regional Municipality hereby gives notice that the property of [insert name of owner], [insert brief description and address], [insert legal description], has been registered in the registry of heritage property for the Cape Breton Regional Municipality.

The Heritage Property Act provides that where a property is registered as a municipal heritage property:

1) The property shall not be substantially altered in exterior appearance or be demolished without the approval of the Regional Municipality;

2) An application for permission to substantially alter the exterior appearance or to demolish the property may be made to the Regional Municipality;

3) The Heritage Advisory Committee shall be given an opportunity to comment on any application;

4) The Regional Municipality may grant or refuse permission or attach conditions;

5) Where the municipality does not approve the application, the property owner may, notwithstanding Section 17 of the Heritage Property Act, make the alteration or carry out the demolition at any time after three years from the date of the application but not more than four years after the date of the application;

6) Penalties for violation of the Act are a maximum fine of $10,000.00 for individuals and $100,000.00 for corporations, with the further right for the Regional Municipality to apply for an order directing the restoration of the property.

For further information refer to the Heritage Property Act.
A copy of this notice has been recorded at the Registry of Deeds for the County of Cape Breton pursuant to s. 15(3) of the Act.

DATED at Sydney, Nova Scotia, this [date].

Cape Breton Regional Municipality

Per:
Clerk

PROVINCE OF NOVA SCOTIA)
COUNTY OF CAPE BRETON SS)

ON THIS day of A.D., 2___, before me, the subscriber, personally came and appeared the subscribing witness to the foregoing Notice, who, having been by me duly sworn, made oath and said that THE CAPE BRETON REGIONAL MUNICIPALITY, a municipal body corporate, caused the same to be executed in its name and on its behalf, and its corporate seal to be thereunto affixed by its proper officer in his presence.

Schedule "A" should contain the legal description of the property sought to be registered as taken from the deed.