

**Item No. 10.3.1**  
**Halifax Regional Council**  
**January 15, 2013**

**TO:** Mayor Savage and Members of Halifax Regional Council

**SUBMITTED BY:**  Original signed  
Mark Archibald, Vice Chair, Heritage Advisory Committee

**DATE:** December 14, 2012

**SUBJECT:** Case H00370: Application to Consider 7962 Highway #7, Musquodoboit Harbour, as a Municipally Registered Heritage Property

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**ORIGIN**

Staff report and presentation to a meeting of the Heritage Advisory Committee on December 12, 2012.

**LEGISLATIVE AUTHORITY**

By-law H-200 – the Heritage Property By-law.

**RECOMMENDATION**

The Heritage Advisory Committee recommends Halifax Regional Council:

1. Set a date for a heritage hearing to consider the application for Heritage Registration of 7962 Highway #7, Musquodoboit Harbour; and
2. Approve the registration of 7962 Highway #7, as shown on Map 1 of the November 20, 2012 staff report, under the HRM Heritage Property Program.

## **BACKGROUND / DISCUSSION**

Staff provided a presentation to the Heritage Advisory Committee on December 12, 2012 on the application by the Old School Community Gathering Place Co-op Limited to consider 7962 Highway #7, Musquodoboit Harbour as a municipal heritage property. The Committee reviewed the information and scored it according to the Evaluation Criteria for Registration of Heritage Buildings. The score necessary for designation is 50, and the application scored 56(out of a possible 100). The Committee, therefore, is recommending the designation.

## **FINANCIAL IMPLICATIONS**

The attached staff report addresses budget implications.

## **COMMUNITY ENGAGEMENT**

The composition of the Heritage Advisory Committee includes 10 volunteer members from the general public.

## **ENVIRONMENTAL IMPLICATIONS**

No concerns identified.

## **ALTERNATIVES**

The Committee did not provide alternatives. The attached staff report provides alternatives.

## **ATTACHMENTS**

Attachment 'A': Staff report dated November 20, 2012.

Attachment 'B': Extract of December 12, 2012 H.A.C. Minutes – Scoring Summary

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A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Sheilagh Edmonds, Legislative Assistant

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P.O. Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**Heritage Advisory Committee  
December 12, 2012**

**TO:** Chair and Members of the Heritage Advisory Committee

**SUBMITTED BY:** Original Signed \_\_\_\_\_  
Brád Angúish, Director of Community & Recreation Services

**DATE:** November 20, 2012

**SUBJECT:** Case H00370: Application to consider 7962 Highway #7,  
Musquodoboit Harbour, as a Municipally Registered Heritage  
Property

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**ORIGIN**

Application by the Old School Community Gathering Place Co-op Limited.

**RECOMMENDATION**

It is recommended that, should 7962 Highway #7, Musquodoboit Harbour, score more than 50 points under the Heritage Building Evaluation Criteria, the Heritage Advisory Committee recommend that Regional Council:

1. Set a date for a heritage hearing to consider the application; and
2. Approve the registration of 7962 Highway #7, as shown on Map 1, under the HRM Heritage Property Program.

## **BACKGROUND**

Gary Young, Treasurer for the Old School Community Gathering Place Co-op Ltd, has applied to have their property located at 7692 Highway #7, Musquodoboit Harbour, registered as a municipal heritage property (Map 1). The property, originally the local elementary school, is now used as a community gathering place.

### **Heritage Values**

According to a report in 1924 by the Superintendent of Education, "a new two room school building, by far the best in rural Halifax, is under construction in Musquodoboit Harbour". The school officially opened and classes commenced in January of 1925. The building was equipped with indoor plumbing, hot air heating, and has three cloakrooms.

The 'new' school had only two classrooms, known as the Big Room and the Little Room. Grades one through nine studied in one room, and grades seven through eleven in the other. Through the 1930's overcrowding became an issue and as a result, the school opened two additional classrooms. The Musquodoboit Harbour Elementary School was eventually consolidated with several other rural schools, and was renamed Musquodoboit Harbour Consolidated School in 1961.

The school was built by Frederick Howard Stoddard (of Oyster Pond) using local lumber from Rowlings Mill. Stoddard built many prominent buildings on the Eastern Shore, including St. Paul's Anglican Church in Mushaboom, and two registered buildings located at the Lake Charlotte Memory Lane Heritage Village (the Hoskins Store, and Clam Harbour Church). Stoddard was known for his exquisite carvings on church altars and pulpits. St. John's Anglican Church in Oyster Pond contains furniture carved by him.

The Musquodoboit Harbour School building was designed in the Craftsman style of architecture, and illustrates many of the typical design elements that define the movement. The building is 10 bays wide, has a large central entrance, and a central gabled dormer with knee braces and a decorative semi-circular window. Clad in wooden shingles, it has a low pitched roof with a multi-flue chimney and a wide unenclosed roof overhang and exposed rafter ends.

Today, the building still closely resembles the original building in terms of style and features. It is a rare example of Arts and Crafts architecture in the immediate area, and continues to be an asset to the community.

## **DISCUSSION**

### **HRM's Heritage Property Program**

The purpose of the HRM Heritage Property Program is to conserve significant heritage resources including buildings, streetscapes, sites, areas, and conservation districts that reflect the rich heritage found in local communities throughout HRM. One of the principal aims of the Heritage Property Program is to recognize significant heritage resources through the registration of properties into the Municipal Registry of Heritage Properties.

Under the Heritage Property Program, all registration applications for heritage buildings are evaluated by the Heritage Advisory Committee (HAC) using "The Evaluation Criteria for Registration of Heritage Buildings in Halifax Regional Municipality" (Attachment A). To provide a basis for the review a Historical Research Report was developed (Attachment B) to assist the Committee when scoring the building using the Evaluation Criteria.

The Evaluation Criteria for scoring a property and building are broken down into 6 categories as follows:

<b>Criterion</b>	<b>Highest Possible Score</b>
1. Age	25
2. Historical or Architectural Importance	20
3. Significance of Architect/Builder	10
4. Architectural Merit: Construction type and Style	20
5. Architectural Integrity	15
6. Relationship to Surrounding Area	10
<b>Total</b>	<b>100</b>

Should the HAC score a property with more than 50 points, a positive recommendation will be forwarded to Regional Council.

#### ***Nova Scotia Heritage Property Act***

HRM's Heritage Property Program gets its authority from the *Heritage Property Act* which seeks:

*"to provide for the identification, designation, preservation, conservation, protection and rehabilitation of buildings, public-building interiors, structures, streetscapes, cultural landscapes, areas and districts of historic, architectural or cultural value, in both urban and rural areas, and to encourage their continued use".*

Under Sections 14(2) and 15(1) of the *Heritage Property Act*, HRM must give notice of its recommendation to the property owner at least thirty (30) days prior to any Council decision to register the property. The property owner is also given an opportunity to address Council before they make a decision on the registration request.

#### **BUDGET IMPLICATIONS**

The HRM costs associated with processing this application can be accommodated within the approved operating budget for C-310 Planning & Applications.

#### **FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

**COMMUNITY ENGAGEMENT**

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was information sharing achieved through public accessibility to the required Heritage Advisory Committee meeting.

**ENVIRONMENTAL IMPLICATIONS**

No concerns identified.

**ALTERNATIVES**

1. Council may choose to approve the application for heritage registration based upon the information outlined in this report.
2. Council may choose to reject the application for heritage registration. The Heritage Property Act does not include appeal provisions of Council decisions regarding the heritage registration.

**ATTACHMENTS**

- Map 1: Location Map – 7962 Highway #7, Musquodoboit Harbour
- Attachment A: HRM Evaluation Criteria for Registration of Heritage Buildings
- Attachment B: Historical Research Report for 7962 Highway #7, Musquodoboit Harbour

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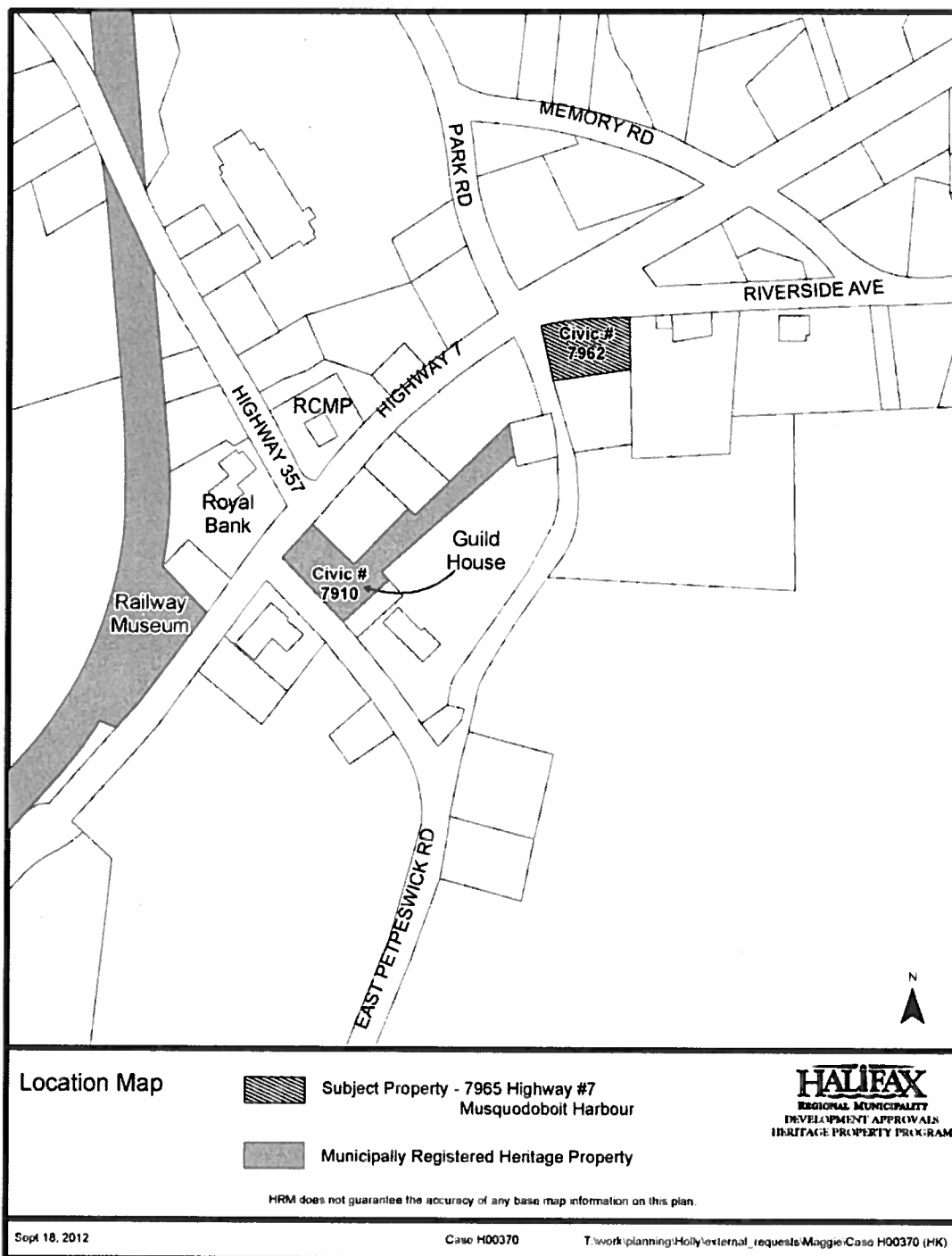
A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Maggie Holm, Heritage Planner, 490-4419

Report Approved by:  Original signed  
Kelly Denly, Manager, Development Approvals, 490-4800

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MAP 1



**ATTACHMENT A:  
EVALUATION CRITERIA FOR REGISTRATION  
OF HERITAGE BUILDINGS in HRM**

**1. AGE**

Age is probably the single most important factor in the popular understanding of the heritage value of buildings. The following age categories are based on local, national and international occasions that may be considered to have defined the character of what is how the Halifax Regional Municipality and its architecture.

Date of Construction	Points	Timeline
1749 - 1785	25	Halifax Garrison Town to the Loyalist migration
1786 - 1830	20	Boom period following construction of the Shubenacadie Canal
1831 - 1867	16	From Boom to Confederation
1868 - 1899	13	Confederation to the end of the 19 <sup>th</sup> century
1900 - 1917	9	Turn of the Century to Halifax Harbour Explosion
1918 - 1945	5	The War Years
1945 - Present	3	Post-War *Maximum score of 25 points in this category

**2. HISTORICAL OR ARCHITECTURAL IMPORTANCE**

A building can receive points for A) OR B):

A) Having specific associations with important occasions, institutions, personages and groups,

B) For being architecturally important unique/representative of a particular period.

**2A) Relationship to Important Occasions, Institutions, Personages or Groups**

Nationally	Points	Comments
Intimately Related	16 - 20	
Moderately Related	11 - 15	
Loosely Related	1 - 10	
Provincially	Points	Comments
Intimately Related	11 - 15	
Moderately Related	6 - 10	
Loosely Related	1 - 5	



Locally	Points	Comments
- Intimately Related	11 - 15	
- Moderately Related	6 - 10	
- Loosely Related	1 - 5	
No relationship to important occasions, institutions, personages or groups.	0	<i>* Maximum score of 20 points in this category, scoring from one of the three categories only</i>

**2B) Important/Unique Architectural Style OR Highly Representative of an Era**

Importance	Points	Comments
Highly important/ unique/representative of an era	16 - 20	
Moderately important/ unique/representative of an era	11 - 15	
Somewhat important/ representative of an era	1 - 10	
Not important/ unique/representative of an era	0	<i>* Maximum score of 20 points in this category</i>

**3. SIGNIFICANCE OF ARCHITECT/BUILDER**

Is the structure representative of the work of an architect or builder of local, provincial or national importance?

Status	Points	Comments
Nationally Significant	7 - 10	
Provincially Significant	4 - 6	
Locally Significant	1 - 3	
Not Significant	0	<i>* Maximum score of 10 points in this category.</i>

#### 4. ARCHITECTURAL MERIT

The assessment of architectural merit is based on two factors:

**A) Construction type/building technology:** which refers to the method by which the structure was built (early or rare uses of materials), and building techniques;

**B) Style:** which refers to the form or appearance of the architecture.

Construction type/building technology		
A) Construction type	Points	Comments
Very rare/ early example	7 - 10	
Moderately rare/ early example	4 - 6	
Somewhat rare/ early example	1 - 3	
Not rare/ common example	0	
B) Style	Points	Comments
Very rare/ early example	7 - 10	
Moderately rare/ early example	4 - 6	
Somewhat rare/ early example	1 - 3	
Not rare/ common example	0	<i>* Maximum of 10 points for Construction Type, AND a maximum of 10 for Style - a total maximum of 20 points this category.</i>

#### 5. ARCHITECTURAL INTEGRITY

Architectural Integrity refers to the extent to which the building retains original features/ structures/ styles, not the state of the building's condition.

Architecture	Consider any additions/ removal/ alterations to windows, doors, porches, dormers, roof lines, foundations, chimneys, and cladding.	
Exterior	Points	Comments
Largely unchanged	11 - 15	
Modest changes	6 - 10	
Major changes	1 - 5	
Seriously compromised	0	<i>* Maximum score of 15 points in this category.</i>

**6. RELATIONSHIP TO SURROUNDING AREA**

<b>Points</b>	<b>Comments</b>
6 - 10	The building is an important architectural asset contributing to the heritage character of the surrounding area.
1 - 5	The Architecture is compatible with the surrounding area and maintains its heritage character.
0	Does not contribute to the character of the surrounding area.

*\* Maximum score of 10 points in this category*

**SCORING SUMMARY**

<b>Property</b>	<b>Date Reviewed</b>	<b>Reviewer</b>

<b>Criterion</b>	<b>Highest Possible Score</b>	<b>Score Awarded</b>
1. Age	25	
2. a) Relationship to Important Occasions, Institutions, Personages or Groups <b>OR</b> 2. b) Important/Unique Architectural Style or Highly Representative of an Era	20	
3. Significance of Architect/Builder	10	
4. a) Architectural Merit: Construction type/building technology	10	
4. b) Architectural Merit: Style	10	
5. Architectural Integrity	15	
6. Relationship to Surrounding Area	10	
<b>Total</b>	<b>100</b>	

**SCORE NECESSARY FOR DESIGNATION**

**50**

**Designation Recommended?**

**YES** ☐

**NO** ☐

**COMMENTS:**

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**Attachment B**

**Research Report**

**Musquodoboit Harbour Elementary School  
7962 Highway #7, Musquodoboit Harbour, Nova Scotia**

**Submitted to: Maggie Holm**  
*Heritage Planner*  
**Submitted by: Colette Bishop-Greene**  
*CBG Heritage Research Services*  
**Submitted on: October 30<sup>th</sup>, 2012**

**Site Summary**

Musquodoboit Harbour Elementary School is located on 7962 Highway #7 in Musquodoboit Harbour, Nova Scotia (PID: 40215683). The property, which is described as Lot H3 in the Plan of Survey of Lot H3, Being Comprised of Parcel H1, Lands of Halifax Municipality and Parcel H2, Lands Claimed by Halifax Regional Municipality (Plan Number 10027701) by Nicholas Dearman, contains an area of 2484.3 square meters and is bound by Riverside Avenue, Old East Petpeswick Road, and Highway 7 (see Appendix A). The United Church of Canada and the Musquodoboit Harbour Community Cemetery occupy the lots behind the school.

The school building is beautifully landscaped with large maple trees lining the front of the property and a rock garden surrounding the entire building. An unpaved driveway extends across the front, as well as a lawn that slopes down to Riverside Avenue. There is a large vacant space behind the school that is used as a parking lot (unpaved) and a large rock carving (possibly with former students' names) near Old East Petpeswick Road. The eastern portion of the lot is landscaped and bound by trees. A section of this land is surrounded by a chain link fence and has an old sign for the Musquodoboit Harbour Elementary School on it.

**Ownership of Building**

On September 24<sup>th</sup>, 1875, William Anderson, Deputy Surveyor, and his wife Eliza Anderson sold one half acre of land to Joseph Ritzey, George Rowlings, and Samuel Gates, Trustees of Section # 3, for the sum of twenty dollars (see Appendix B). This section of land is now referred to as Parcel H1 on the Plan of Survey of Lot H3, Being Comprised of Parcel H1, Lands of Halifax Municipality and Parcel H2, Lands Claimed by Halifax Regional Municipality (Plan Number 10027701) by Nicholas Dearman (2010). Two Statutory Declarations, dated

November 4<sup>th</sup>, 2010, state that the Halifax Regional Municipality has been the successor to the Trustees of Section #3 and later acquired the adjacent parcel of land (Parcel H2). The Halifax Regional Municipality consolidated these parcels in 2010 to form one parcel called Lot H3 (see Appendix B).

According to Tom Crouse of the Halifax Regional Municipality, the County of Halifax and the Halifax Regional Municipality have been in “the exclusive possession and ownership of the entire Lot H3 for at least 60 years” and states that the property was used as a school and playground (Document #97172473, 2010. p.1). This is further supported by a 1936 plan (Musquodoboit Harbour D.L. Plan of Lots 6, 7, & 8 by A.M.J.) and a 1981 plan (Plan of Survey Showing Land of Estate of A.M. Smith – Lot “X” & United Church of Canada – Lot “Y” by E.J. Webber); the school building is specifically plotted on the plans. (see Appendix A).

The Old School Community Gathering Place Co-operative Limited purchased the property in 2010 and is the current owner.

### **Age of Building**

According to a report by the Superintendent of Education, the Musquodoboit Harbour Elementary School was under construction in 1924. The document states that “a new two-room school building, by far the best in rural Halifax, is under construction in Musquodoboit Harbour” (Old School Community Gathering Place, 2012b). The school opened and classes officially commenced in January 1925.

**History of the Musquodoboit Harbour Elementary School**

The Musquodoboit Harbour Elementary School was built by Fred Stoddard in 1924 using lumber from Rowlings Mill (a local supplier). It is believed that the building was constructed on the same site as the former Musquodoboit Harbour School (the earliest account of this school was in 1869). Heather Dickinson (1979) notes:

“...when it was necessary to build a new school,  
the building was moved back a few yards so that the new  
school could be built. After the new school was finished,  
the old one was pulled down to where the flat area is today just  
off to the left of the present school. Jim Myers bought it and  
used it for a garage” (para. 3).

The “new” school had only two classrooms, known as the Big Room and Little Room. Grades one through nine studied in one room and grades seven through eleven in the other (see Appendix C). Former students Pearl Turner and Dorothy Facie have fond memories of the school, saying it was “state of the art” (Old School Community Gathering Place, 2012b). Students did not have to be cold during their classes or use an outhouse. It was equipped with indoor plumbing, hot air heating, and had three cloakrooms (one for the girls, boys, and the teachers, which was later turned into a lab). Physical education took place in the furnace room in the basement (which had two rooms). Throughout the 1930s, overcrowding became a problem. According to the school registers, total enrollment for the two classrooms was 90 plus students. As a result, the school opened two additional classrooms.

The Musquodoboit Harbour Elementary School was categorized under Section 74 of the Eastern District which served the Eastern Shore. In the 1940s only one teacher was documented



in the Eastern District Minutes for Musquodoboit Harbour; however, another source (Dickinson, 1979) suggests there were at least two teachers. Historical records state that experienced teachers who worked in rural schools received \$500.00 per year; teachers without experience were paid \$400.00. In addition to their salaries, the Government would grant teachers bonuses of \$50.00 per year for the duration of the war, as well as, Provincial aid totalling \$125.00 to \$210.00 for the year. The cost of equipment, operating, and maintaining a rural school building was \$125.00 a year.

The Musquodoboit Harbour Elementary School eventually consolidated several other small rural schools nearby. The school was renamed Musquodoboit Harbour Consolidated School in 1961; however, Thea Wilson-Hammond (2012) suggests that consolidation occurred before this date:

“schools fed into this one before that date, as suggested by anecdotal evidence. In 1956 a school statistics summary (from *Eight Years of Marine Whisper- a History of Robert Jamison Memorial Consolidated High School*) shows that Musquodoboit Harbour School had four classrooms and a school population of 84. Other one room schools are also listed, so it is likely that consolidation happened after 1956” (p. 3).

Grades seven through twelve were transferred to the new Robert Jamieson Memorial High School in 1957 and then relocated to the Eastern Shore District High School in 1965. The Musquodoboit Harbour School taught only elementary grades, specifically primary to grade three (grades four through six eventually moved to Robert Jamieson) until 2007 when Oyster

Pond Academy opened. All of the previously consolidated schools moved to Oyster Pond Academy which acted as the new primary to grade nine school.

Currently, the school building is owned by the Old School Community Gathering Place. They are using the building as a way to “promote health, well-being and community spirit of people of all ages in Musquodoboit Harbour and surrounding areas” (Old School Community Gathering Place, 2012a). The organization has implemented programs to protect heritage/cultural landscapes and buildings, develop opportunities for community entertainment and recreation, host events and provide accommodations (including a youth centre), and to create jobs for the community’s youth.

### **Significance of Architect/Builder**

The Musquodoboit Harbour Elementary School was built by Frederick Howard Stoddard of Oyster Pond, Nova Scotia. He was born on January 12<sup>th</sup>, 1853 at Clam Harbour, Nova Scotia but later resided in Oyster Pond. He married Emma Catherine Stoddard in 1883 and had five children, two daughters and three sons. Stoddard was initially a farmer, but later became an accomplished carpenter. It is unclear where he learned his craft; however Stoddard built many prominent buildings on the Eastern Shore, including St. Paul’s Anglican Church in Mushaboom, and two registered buildings at the Heritage Village site in Lake Charlotte (The Hosking Store, and Clam Harbour Church). He is also known for his exquisite carvings on church altars and pulpits. St. John’s Anglican Church in Oyster Pond contains furniture carved by him. He died in 1936 and is buried at St. John’s Cemetery in Oyster Pond (see Appendix C).

### Architectural Merit

The Musquodoboit Harbour Elementary School was designed in the Craftsman style of architecture (see Appendix D). This style of architecture was inspired by brothers Charles and Henry Greene and was quite popular in Nova Scotia during the 1920s. Advocates of the Arts & Crafts Movement "...felt that good design had been lost in industrialized production and were keen to demonstrate that well-designed and well-made objects..." including buildings could emphasize "...joy, beauty and value to everyday life" (Old School Community Gathering Place, 2012b). The character defining elements of the Craftsman style are seen in the Musquodoboit Harbour Elementary School building.

The school is a 1½ storey wood framed building with a high concrete basement (street level). It is 10 bays wide, has a large central entrance, and a central gabled dormer with knee braces (possibly decorative) and a decorative fixed semi-circular window. The rear gabled dormer has decorative brackets and a semi-circular dormer vent (see Appendix D).

The building is clad with wood shingles, has a low-pitch hipped roof with asphalt shingles, and a multi-flue brick chimney (mostly parged). Typical of the Craftsman style, the school has deep overhanging eaves with exposed rafter tails and exposed hip and jack rafters on each corner of the roof.

The first storey windows are two-over-two vertically proportioned sash windows with simple wood trim, lug sills, and transoms. The basement has eight six-over-six recessed windows in the front (three with window boxes) and several three-over-three fixed windows on the sides and rear (also recessed). Three rear windows are boarded up.

The Musquodoboit Harbour Elementary School has four entrances: a large central entrance, two at street level, and one rear entrance. The central entrance has a pair of wood and

glass panelled doors surrounded by two pilasters supporting an entablature with dentils, side lights and a large transom. Originally, there were steep wooden steps perpendicular to the front façade, as shown on a 1939 photograph of the school; however, it appears that a partial porch was constructed with side steps and the eaves were extended to cover the entrance way. The historical photograph also shows that there were ten basement windows (in front); the two end windows were removed and replaced with doors. The rear entrance has a gabled porch with concrete steps and a transom. These alterations possibly occurred between 1940-1967.

It should be noted that the foundation on the eastern portion of the building shows signs of an existing stone foundation. Gary Young (2012) states that “the foundation is stacked stone up to grade on the outside and poured concrete on the inside” and the walls on the western portion of the school “are totally poured concrete” (personal communication). This further supports that the Musquodoboit Harbour Elementary School was constructed on the same site as the previous school, and possibly even on part of the foundation.

### **Architectural Integrity**

The Musquodoboit Harbour Elementary School as it stands today, closely resembles the original building in terms of style and features. The extension of the front eaves, orientation of the front steps, the placement of two front side doors, and the parging of the chimney are the only known changes to the building. The windows appear to be original, as well as the main entrance, dormers, cladding, and architectural features.

### **Relationship to Surrounding Area**

The school building is very compatible with the surrounding area. Nearby is the Musquodoboit Railway Museum, which is a municipally registered building. It was built around the same time as the school and is similar in size and elevation. Immediately surrounding the school is the United Church of Canada (directly behind it) and St. Philip's Church across the street. Although all four buildings vary in style, and the Musquodoboit Harbour Elementary School is the only example of the Craftsman style, it contributes to the heritage character of the area.

## References

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- Eastern Shore Archives (2012). [Genealogy records of Fred Stoddard]. Eastern Shore Families: Clam Harbour by Robert Kim Stevens. Eastern Shore Archives, Lake Charlotte, Nova Scotia.
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- Nova Scotia Archives and Records Management (1976). [Book on Jeddore, Nova Scotia]. Reminiscence by Helen M. Jennex (Retrieval code: F5248 J54). Nova Scotia Archives and Records Management, Halifax, Nova Scotia.
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- Nova Scotia Registry of Deeds (1875, September 4). [School building property lot]. Deed between William & Eliza Anderson and Trustees of Section #3 (Deed 1540, Book 0217, pp. 521-522). Nova Scotia Registry of Deeds, Windsor, Nova Scotia

Nova Scotia Registry of Deeds (1936, December 17). [Plan showing school lot]. Musquodoboit Harbour D.L. Plan of Lots 6, 7, & 8 (Plan # A58-43-36-6, Book 752, p. 461A ). Nova Scotia Registry of Deeds, Windsor, Nova Scotia.

Nova Scotia Registry of Deeds (1981, January 27). [Plan showing school lot]. Plan of Survey Showing Land of Estate of A.M. Smith – Lot “X” & United Church of Canada – Lot “Y” (Plan # 18318). Nova Scotia Registry of Deeds, Windsor, Nova Scotia.

Nova Scotia Registry of Deeds (2010, September 30). [Plan of school building lot]. Plan of Lot H3, Lands of Halifax Regional Municipality and Parcel H2, Lands Claimed by Halifax Regional Municipality (Plan # 10027701). Nova Scotia Registry of Deeds, Windsor, Nova Scotia.

Nova Scotia Registry of Deeds (2010a, November 4). [Statutory declaration]. A Defacto Consolidation Pursuant to Section 268A of *Municipal Government Act* and PID # 40215683 at Musquodoboit, Halifax County, Nova Scotia (Document # 97172424). Nova Scotia Registry of Deeds, Windsor, Nova Scotia.

Nova Scotia Registry of Deeds (2010b, November 4). [Statutory declaration]. Title to PID # 40215683 at Musquodoboit Harbour, Halifax Regional Municipality (Document # 97172473). Nova Scotia Registry of Deeds, Windsor, Nova Scotia.

Nova Scotia Registry of Deeds (2010, December 6). [Deed of School Lot]. Deed between the Halifax Regional Municipality and the Old School Community Gathering Place Co-Operative Limited (Document # 97678529). Nova Scotia Registry of Deeds, Windsor, Nova Scotia.

Old School Community Gathering Place (2012). About. Retrieved from

<http://www.oldschoolmusquodoboitharbour.ca/about.php>

Old School Community Gathering Place (2012b). *Application for Municipal Heritage*

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Glendale Survey (2007). *Craftsman Style Guide*. Retrieved from

<http://www.ci.glendale.ca.us/planning/craftsmansurvey/craftsman%20style%20guide-pdf%20version.pdf>

Wilson-Hammond, T. (2012). *Musquodoboit Harbour School Section No. 74*. Eastern Shore

Archives, Lake Charlotte, Nova Scotia: Author.

Personal communication:

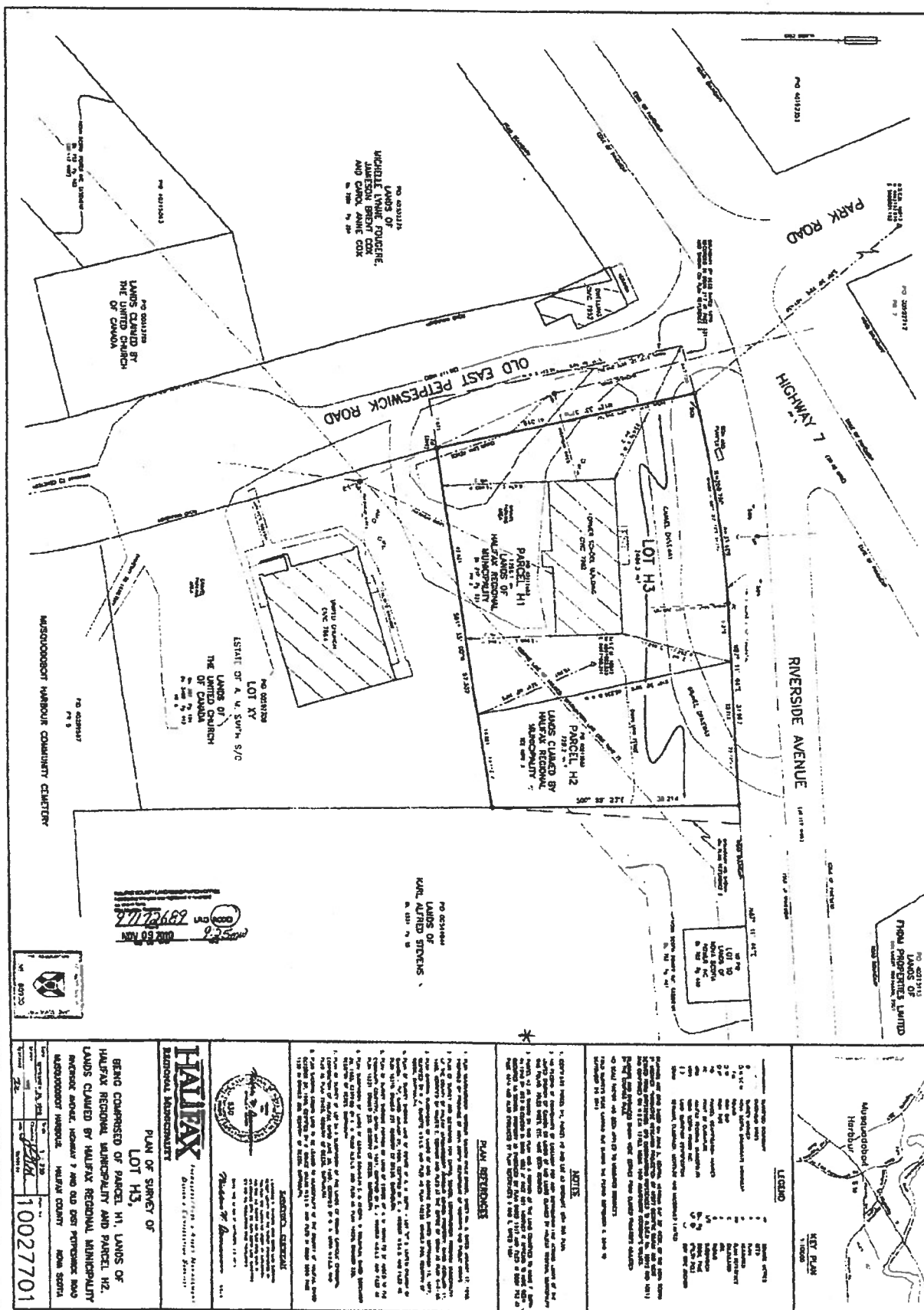
Gary Young  
Thea Wilson-Hammond  
Clayton Bishop  
Joe Peddle  
Susan McClure  
Dawn Erickson



## Appendix A

### Plans of School Property Lot

1. Plan of Lot H3, Lands of Halifax Regional Municipality and Parcel H2, Lands Claimed by Halifax Regional Municipality (Plan # 10027701).
2. Musquodoboit Harbour D.L. Plan of Lots 6, 7, & 8 (Plan # A58-43-36-6, Book 752, p. 461A ).
3. Plan of Survey Showing Land of Estate of A.M. Smith – Lot “X” & United Church of Canada – Lot “Y” (Plan # 18318).





18318

## Appendix B

### Deeds and Declarations

1. 1875 Deed between William & Eliza Anderson and Trustees of Section #3 (Deed 1540, Book 0217, pp. 521-522).
2. 2010 Statutory Declaration - A Defacto Consolidation Pursuant to Section 268A of *Municipal Government Act* and PID # 40215683 at Musquodoboit, Halifax County, Nova Scotia (Document # 97172424).
3. 2010 Statutory Declaration - Title to PID # 40215683 at Musquodoboit Harbour, Halifax Regional Municipality (Document # 97172473).
4. 2010 Deed between the Halifax Regional Municipality and the Old School Community Gathering Place Co-Operative Limited (Document # 97678529).

1540. R. L. L. ~  
 Anderson to School  
 Trustees Section No. 5. Bond  
 10 December 1878 at  
 A. L. L. L. L. by certi-  
 ficate annexed ~

This Indenture made the twenty fourth day  
 of September in the year four thousand and  
 eight hundred and seventy eight between William  
 Anderson of the County of Spotsylvania and the County  
 of Stafford and the Province of Virginia, the said  
 Surveyor and Eliza Anderson his wife of the  
 one part and Joseph Putney Lewis and Daniel  
 and Samuel Bates Trustees of Section No. 5 of the  
 for and in consideration of the sum of twenty dollars lawfully money of account  
 to the said William Anderson in hand paid by the said Joseph Putney Lewis  
 and Daniel Bates at or before the making and delivery of these  
 presents the receipt whereof is hereby acknowledged by the said Joseph  
 Putney Lewis and Daniel Bates and confirmed and duly attested by the  
 said Surveyor and Eliza Anderson his wife and confirmed by the said  
 Joseph Putney Lewis and Daniel Bates and these presents in  
 Office all the following lot of land situate at the cross roads between  
 Pittmanville and the Spotsylvania and Stafford Roads and forming the north  
 half angle thereof and bounded as follows beginning at a Pile of  
 stones on the East side of Pittmanville Road being the corner of the fifteen  
 degrees West from bearing North thence North seventy five degrees East for  
 one hundred and fifty feet to a split granite post two chains fifty links to a pile of stones  
 around it for the corner North fifteen degrees East two chains to a bearing  
 or corner North thence North seventy five degrees West two chains fifty  
 links by said bearing road to said Pittmanville Road and by the latter to  
 the said Joseph Putney Lewis and Daniel Bates one half acre of land and to hold these  
 premises unto the said Joseph Putney Lewis and Daniel Bates their heirs and assigns forever  
 with the appurtenances privileges profits and  
 commodities to the same belonging or in any wise appertaining with  
 the reversions and reversions remainder and remainders rents issues  
 and profits thereof and all the estate right title interest claim and  
 demand whatsoever which they the said William Anderson and Eliza Ander-  
 son or either of them had hath or may have in or to the same lastly  
 the said William Anderson and Eliza Anderson their heirs executors and  
 assigns the said lot of land and premises unto the said Trustees and  
 their heirs in Office from all and every person or persons lawfully  
 claiming or to claim the same shall and well warrant and forever  
 defend by these presents in witness whereof the parties to these presents have  
 hereunto their hands and seals subscribed and set this day and year first  
 before written ~ { William Anderson (S) Eliza Anderson (S) ~  
 signed sealed and delivered in presence of Stewart Macmillan  
 Witness on the day of the date of the foregoing deed from the therein named  
 Joseph Putney Lewis and Daniel Bates twenty dollars being  
 the full consideration money in said deed mentioned to be paid by him to the  
 said William Anderson between Stewart Macmillan  
 On the twenty fourth day of September A.D. 1878 before me the undersigned  
 A Notary Public in and for the County of Stafford personally came

and appeared Eliza Anderson wife of the within named William Anderson who being by one examined, separate and apart from her said husband and being that she did freely and without compulsion from her said husband and assigns that and for her act and deed deliver the foregoing indenture for the purposes therein contained John B. Anderson J.P. I certify that Eliza Anderson making her oath to this deed made and subscribed at the same time and place and in his presence by the within named William Anderson and Eliza Anderson J.P. witnesses on the 24th September 1874 John B. Anderson J.P.

1661. Further Charge  
to the Governor  
of the Province  
March 16th 1874  
at Halifax  
by order of J.P. Gray

This Indenture of Further Charge made the thirtieth day of November in the year of our Lord one thousand eight hundred and eighty eight between John Lane (junior) of Halifax in the Province of Nova Scotia Carpenter and Margaret Lane his wife of the one part and the Governors of King's College Windsor of the other part made in a certain Indenture of Mortgage bearing date the eleventh day of July in the year of our Lord one thousand eight hundred and seventy eight recorded in the Office for Registry of Deeds at Halifax aforesaid in Book 216, pages 311, 312 & 313, inclusive herewith annexed and made by and between the said John Lane junior and Margaret Lane his wife of the one part and the

Extra Partial Release  
Book 257, page 171.  
Book 230, 368.

Governors of King's College Windsor aforesaid of the other part whereas the said John Lane junior hath requested the Governors of King's College Windsor aforesaid to advance him the further sum of eight hundred dollars of lawful money of the Dominion of Canada upon the lands and premises in said annexed Indenture of Mortgage particularly described in which the Governors of King's College Windsor aforesaid have agreed to do and whereas the principal sum of eight hundred dollars of lawful money aforesaid to him the said John Lane junior) has been fully paid by the Governors of King's College Windsor aforesaid at or before the execution of these presents the receipt whereof is hereby acknowledged and therefore this Indenture witnesses that the said John Lane junior) and Margaret Lane his wife for themselves their heirs executors and administrators and each of them both hereby covenant promise and agree to and with the Governors of King's College Windsor aforesaid their successors and assigns that all and singular the messuages tenements lands and premises comprised in the description of the in part recited Indenture of Mortgage herewith annexed and every part thereof with the appurtenances shall hereafter stand remain and be a security for and charged with as well the said sum of eight hundred dollars principal and interest for the same at and after the rate of

0217



6

## Form 44

## Request to the Registrar of Deeds to Register a Document

Registration district: Halifax County

Submitter's name: Martin W. Jones

Take notice that the attached document relates to a parcel that is not registered under the *Land Registration Act*, and the document may be accepted for registration under the *Registry Act* because it is (select one only)

- ☐ not a transfer for valuable consideration
- ☐ not a mortgage or security interest as defined in the *Land Registration Administration Regulations*.
- ☐ a transfer of a parcel between persons married to one another
- ☐ a transfer of a parcel between persons formerly married to one another, if the transfer is for the purpose of division of matrimonial assets.
- ☐ transfer of a parcel between persons who are parties to a registered domestic partnership agreement.
- ☐ a transfer of a parcel acquired by Her Majesty in right of the Province or a municipality for the purpose of road widening, alignment or movement.
- ☐ a deed to a predecessor in title being registered in order to feed the estoppel or clarify title.
- ☐ a transfer of an unregistered piece of land that is being created as a parcel under the subdivision provisions of Part IX of the *Municipal Government Act* solely for purposes of consolidation with an abutting unregistered parcel.
- ☐ a transfer of a parcel from the Nova Scotia Farm Loan Board to a borrower under the *Agriculture and Rural Credit Act*.
- ☒ any other instrument not mentioned above that is not required to be registered or recorded under the *Land Registration Act*

I hereby request that this document be registered under the *Registry Act*.

Dated at Dartmouth, in the County of Halifax, Province of Nova Scotia, November 4, 2010.

  
Signature of submitter

Name: Martin W. Jones  
Address: PO Box 913  
Dartmouth, NS B2Y 3Z6  
Phone: (902) 469-3030  
E-mail: mjones@rpj.ns.ca  
Fax: (902) 465-3751

HALIFAX COUNTY LAND REGISTRATION OFFICE  
I certify that this document was registered or recorded  
as shown here.  
Kim Mackay, Registrar

97172424 LRD RODD  
Document #  
NOV 09 2010 9:13 PM  
Time



**IN THE MATTER OF:**

A Defacto Consolidation pursuant to Section  
268A of the *Municipal Government Act*

and

**IN THE MATTER OF:**

PID# 40215683 at Musquodoboit, Halifax  
County, Nova Scotia


**STATUTORY DECLARATION**

I, **Tom Crouse**, of Halifax Regional Municipality, Nova Scotia do solemnly declare as follows:

1. **THAT** attached as Schedule "A" is a legal description for lands acquired by the Trustees of Section #3 in 1875. This parcel has been re-surveyed as Parcel H1 on a Plan of Survey of Lot H3 by Nicholas Dearman, Plan #10027701. Halifax Regional Municipality is the successor to the Trustees of Section #3.
2. **THAT** adjacent to Parcel H1 is a parcel H2 shown on the said plan as lands claimed by Halifax Regional Municipality which makes up one parcel described as H3.
3. **THAT** the description of the consolidated single lot is attached hereto as schedule "B."
4. **THAT** based on information obtained by our surveyors and reviewing Halifax Regional Municipality's records for these lands, this parcel now known as lot H3 has been used as one parcel for over sixty years.
5. **THAT** as the said lots are and have been in common ownership and used together since prior to April 15, 1987, I am executing and recording this Statutory Declaration for the purpose of consolidating the lots as of the date of this recording in accordance with Section 279 (1) of the Halifax Regional Municipality Charter.

**AND I MAKE THIS SOLEMN DECLARATION** conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED before me at Dartmouth, Nova  
Scotia, the 4 day of Nov, 2010

  
Martin W. Jones  
A Barrister of the Supreme Court of  
Nova Scotia

 Tom Crouse

Schedule A

All the following lot of land situate at the cross roads between Petpeswick and Musquodoboit Harbours and forming the southeast angle thereof and bounded as follows:

BEGINNING at a pile of stones on the east side of Petpeswick Road being 2 chains South 15 degrees West from main road:

THENCE South 75 degrees East passing through a Split Granite Rock 2 chains and 50 links to a pile of stones around a fir tree;

THENCE North 15 degrees East 2 chains to Harvey or main road;

THENCE North 75 degrees West 2 chains 50 links by said Harvey Road to said Petpeswick Road:

AND by the latter to the place of beginning.

Containing one half acre.

Being and intended to be the attached Parcel H1.

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Schedule A

**Legal Description of Parcel H1**  
**Lands of Halifax Regional Municipality,**  
**Highway 7, Musquodoboit Harbour, Halifax County, Nova Scotia**

ALL that certain lot situate, lying and being at Highway 7, Musquodoboit Harbour, Halifax County, Nova Scotia and being Parcel H1 as shown on a plan titled *Plan Of Survey Of Lot H3, Being Comprised Of Parcel H1, Lands Of Halifax Regional Municipality and Parcel H2, Lands Claimed By Halifax Regional*, certified by Nicholas W. Dearman N.S.L.S., dated September 30, 2010 and filed in the office of the Director of Infrastructure and Asset Management, Design and Construction Services, Halifax Regional Municipality, as Plan No. 10027701, said Parcel H1 being more particularly described as follows:

BEGINNING at a point on the eastern boundary of Old East Petpeswick Road at the northwest corner of Lot XY, Estate of A. M. Smith Subdivision, lands of the United Church of Canada, said point also being the southwest corner of the parcel under description;

THENCE North 12 degrees, 33 minutes, 37 seconds West for a distance of 41.019 metres following the eastern boundary of Old Petpeswick Road to the curved southern boundary of Riverside Avenue, said curve to have a radius of 208.760 metres;

THENCE following the southern boundary of Riverside Avenue along the arc of the said curve, to the right, in an easterly direction for a distance of 33.408 metres to the end of the said curve, said arc being subtended by a chord having a bearing and distance of North 81 degrees, 20 minutes, 14 seconds East, 33.372 metres;

THENCE North 87 degrees, 11 minutes, 44 seconds East for a distance of 9.276 metres continuing to follow the southern boundary of Riverside Avenue to the northwest corner of Parcel H2 lands claimed by Halifax Regional Municipality;

THENCE South 12 degrees, 39 minutes, 59 seconds East for a distance of 40.234 metres following the western boundary of Parcel H2, lands Claimed by Halifax Regional Municipality to the northern boundary of Lot XY, Estate of A. M. Smith Subdivision, lands of the United Church of Canada;

THENCE South 81 degrees, 33 minutes, 00 seconds West for a distance of 42.621 metres following the northern boundary of said Lot XY, Estate of A. M. Smith Subdivision, lands of the United Church of Canada to the place of beginning.

PARCEL H1 contains an area of 1756.1 square metres.

BEARINGS are grid, based on Zone 5, central meridian 64 degrees, 30 minutes West, of the Nova Scotia 3 degree modified transverse mercator projection of ATS77 geodetic datum.

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Schedule B

Legal Description of Lot H3  
Lands of Halifax Regional Municipality and  
Lands claimed by Halifax Regional Municipality  
Highway 7, Musquodoboit Harbour, Halifax County, Nova Scotia

ALL that certain lot situate, lying and being at Highway 7, Musquodoboit Harbour, Halifax County, Nova Scotia and being Lot H3 as shown on a plan titled *Plan Of Survey Of Lot H3, Being Comprised Of Parcel H1, Lands Of Halifax Regional Municipality and Parcel H2, Lands Claimed By Halifax Regional*, certified by Nicholas W. Dearman N.S.L.S., dated September 30, 2010 and filed in the office of the Director of Infrastructure and Asset Management, Design and Construction Services, Halifax Regional Municipality, as Plan No. 10027701, said Lot H3 being more particularly described as follows:

BEGINNING at a point on the eastern boundary of Old East Petpeswick Road at the northwest corner of Lot XY, Estate of A. M. Smith Subdivision, lands of the United Church of Canada, said point also being the southwest corner of the parcel under description;

THENCE North 12 degrees, 33 minutes, 37 seconds West for a distance of 41.019 metres following the eastern boundary of Old Petpeswick Road to the curved southern boundary of Riverside Avenue, said curve to have a radius of 208.760 metres;

THENCE following the southern boundary of Riverside Avenue along the arc of the said curve, to the right, in an easterly direction for a distance of 33.408 metres to the end of the said curve, said arc being subtended by a chord having a bearing and distance of North 81 degrees, 20 minutes, 14 seconds East, 33.372 metres;

THENCE North 87 degrees, 11 minutes, 44 seconds East for a distance of 31.987 metres continuing to follow the southern boundary of Riverside Avenue to the northwest corner of lands of Karl Alfred Stevens;

THENCE South 00 degrees, 59 minutes, 23 seconds East for a distance of 38.214 metres following the western boundary of lands of Karl Alfred Stevens to the north east corner of Lot XY, Estate of A. M. Smith Subdivision, lands of the United Church of Canada;

THENCE South 81 degrees, 33 minutes, 00 seconds West for a distance of 57.302 metres following the northern boundary of said Lot XY, Estate of A. M. Smith Subdivision, lands of the United Church of Canada to the place of beginning.

LOT H3 contains an area of 2484.3 square metres.

BEARINGS are grid, based on Zone 5, central meridian 64 degrees, 30 minutes West, of the Nova Scotia 3 degree modified transverse mercator projection of ATS77 geodetic datum.

6

Form 44  
Request to the Registrar of Deeds to Register a Document

Registration district: Halifax County  
Submitter's name: Martin W. Jones

Take notice that the attached document relates to a parcel that is not registered under the *Land Registration Act*, and the document may be accepted for registration under the *Registry Act* because it is (select one only)

- ☐ not a transfer for valuable consideration
- ☐ not a mortgage or security interest as defined in the *Land Registration Administration Regulations*.
- ☐ a transfer of a parcel between persons married to one another
- ☐ a transfer of a parcel between persons formerly married to one another, if the transfer is for the purpose of division of matrimonial assets.
- ☐ transfer of a parcel between persons who are parties to a registered domestic partnership agreement.
- ☐ a transfer of a parcel acquired by Her Majesty in right of the Province or a municipality for the purpose of road widening, alignment or movement.
- ☐ a deed to a predecessor in title being registered in order to feed the estoppel or clarify title.
- ☐ a transfer of an unregistered piece of land that is being created as a parcel under the subdivision provisions of Part IX of the *Municipal Government Act* solely for purposes of consolidation with an abutting unregistered parcel.
- ☐ a transfer of a parcel from the Nova Scotia Farm Loan Board to a borrower under the *Agriculture and Rural Credit Act*.
- ☒ any other instrument not mentioned above that is not required to be registered or recorded under the *Land Registration Act*

I hereby request that this document be registered under the *Registry Act*.

Dated at Dartmouth, in the County of Halifax, Province of Nova Scotia, October 28, 2010.

  
Signature of submitter

Name: Martin W. Jones  
Address: PO Box 913  
Dartmouth, NS B2Y 3Z6  
Phone: (902) 469-3030  
E-mail: mjones@rpj.ns.ca  
Fax: (902) 465-3751

HALIFAX COUNTY LAND REGISTRATION OFFICE  
I certify that this document was registered or recorded  
as shown here.

Kim MacKay, Registrar

97172473

Document #  
NOV 09 2010

MM DD YYYY

LR ☒ ROD ☐

9:16"

**IN THE MATTER OF:**

Title to PID # 40215683 at Musquodoboit  
Harbour, Halifax Regional Municipality

and

**IN THE MATTER OF:**

The Canada Evidence Act

**STATUTORY DECLARATION**

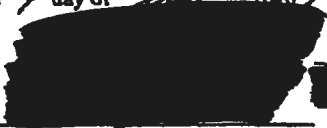
**I, Tom Crouse, of Halifax Regional Municipality, Nova Scotia do solemnly declare as follows:**

1. **THAT** attached as Schedule "A" is a legal description for lands acquired by the Trustees of Section #3 in 1875 which includes a portion of Lot H3. This parcel has been re-surveyed as Parcel H1 on a Plan of Survey of Lot H3 by Nicholas Dearman, Plan #10027701. Halifax Regional Municipality is the successor to the Trustees of Section #3.
2. **THAT** adjacent to Parcel H1 is a parcel H2 shown on the said plan as lands claimed by Halifax Regional Municipality.
3. **THAT** the description of the consolidated single lot is attached hereto as schedule "B."
4. **THAT** I have reviewed various records including the 1937 plan filed in Book 752 at page 461 and Plan dated January 27, 1981 filed as Plan 18318 at drawer 221. Both of these plans show parcel H2 as being occupied by the County of Halifax, predecessor to Halifax Regional Municipality.
5. **THAT** I have reviewed all of the various records at Halifax Regional Municipality for these properties and can confirm that the former County of Halifax and Halifax Regional Municipality have been in the exclusive possession and ownership of the entire lot H3 for at least 60 years and I could not find any record of any third party questioning this ownership. This property was used as a school and playground during this period.

6. **THAT** this Statutory Declaration is being executed to confirm Halifax Regional Municipality's ownership of the lands consisting of parcel H3 by deed and adverse possession.

**AND I MAKE THIS SOLEMN DECLARATION** conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

**DECLARED** before me at Dartmouth, Nova Scotia, the 4 day of May, 2010.

  
Martin W. Jones  
A Barrister of the Supreme Court of  
Nova Scotia

  
Tom Crouse



Schedule A

All the following lot of land situate at the cross roads between Petpeswick and Musquodohoit Harbours and forming the southeast angle thereof and bounded as follows:

BEGINNING at a pile of stones on the east side of Petpeswick Road being 2 chains South 15 degrees West from main road;

THENCE South 75 degrees East passing through a Split Granite Rock 2 chains and 50 links to a pile of stones around a fir tree;

THENCE North 15 degrees East 2 chains to Harvey or main road;

THENCE North 75 degrees West 2 chains 50 links by said Harvey Road to said Petpeswick Road;

AND by the latter to the place of beginning.

Containing one half acre.

Being and intended to be the attached Parcel H1.

Schedule A

**Legal Description of Parcel H1  
Lands of Halifax Regional Municipality,  
Highway 7, Musquodoboit Harbour, Halifax County, Nova Scotia**

ALL that certain lot situate, lying and being at Highway 7, Musquodoboit Harbour, Halifax County, Nova Scotia and being Parcel H1 as shown on a plan titled *Plan Of Survey Of Lot H3, Being Comprised Of Parcel H1, Lands Of Halifax Regional Municipality and Parcel H2, Lands Claimed By Halifax Regional*, certified by Nicholas W. Dearman N.S.L.S., dated September 30, 2010 and filed in the office of the Director of Infrastructure and Asset Management, Design and Construction Services, Halifax Regional Municipality, as Plan No. 10027701, said Parcel H1 being more particularly described as follows:

BEGINNING at a point on the eastern boundary of Old East Petpeswick Road at the northwest corner of Lot XY, Estate of A. M. Smith Subdivision, lands of the United Church of Canada, said point also being the southwest corner of the parcel under description;

THENCE North 12 degrees, 33 minutes, 37 seconds West for a distance of 41.019 metres following the eastern boundary of Old Petpeswick Road to the curved southern boundary of Riverside Avenue, said curve to have a radius of 208.760 metres;

THENCE following the southern boundary of Riverside Avenue along the arc of the said curve, to the right, in an easterly direction for a distance of 33.408 metres to the end of the said curve, said arc being subtended by a chord having a bearing and distance of North 81 degrees, 20 minutes, 14 seconds East, 33.372 metres;

THENCE North 87 degrees, 11 minutes, 44 seconds East for a distance of 9.276 metres continuing to follow the southern boundary of Riverside Avenue to the northwest corner of Parcel H2 lands claimed by Halifax Regional Municipality;

THENCE South 12 degrees, 39 minutes, 59 seconds East for a distance of 40.234 metres following the western boundary of Parcel H2, lands Claimed by Halifax Regional Municipality to the northern boundary of Lot XY, Estate of A. M. Smith Subdivision, lands of the United Church of Canada;

THENCE South 81 degrees, 33 minutes, 00 seconds West for a distance of 42.621 metres following the northern boundary of said Lot XY, Estate of A. M. Smith Subdivision, lands of the United Church of Canada to the place of beginning.

PARCEL H1 contains an area of 1756.1 square metres.

BEARINGS are grid, based on Zone 5, central meridian 64 degrees, 30 minutes West, of the Nova Scotia 3 degree modified transverse mercator projection of ATS77 geodetic datum.

50

Schedule B

**Legal Description of Lot H3  
Lands of Halifax Regional Municipality and  
Lands claimed by Halifax Regional Municipality  
Highway 7, Musquodoboit Harbour, Halifax County, Nova Scotia**

ALL that certain lot situate, lying and being at Highway 7, Musquodoboit Harbour, Halifax County, Nova Scotia and being Lot H3 as shown on a plan titled *Plan Of Survey Of Lot H3, Being Comprised Of Parcel H1, Lands Of Halifax Regional Municipality and Parcel H2, Lands Claimed By Halifax Regional*, certified by Nicholas W. Dearman N.S.L.S., dated September 30, 2010 and filed in the office of the Director of Infrastructure and Asset Management, Design and Construction Services, Halifax Regional Municipality, as Plan No. 10027701, said Lot H3 being more particularly described as follows:

BEGINNING at a point on the eastern boundary of Old East Petpeswick Road at the northwest corner of Lot XY, Estate of A. M. Smith Subdivision, lands of the United Church of Canada, said point also being the southwest corner of the parcel under description;

THENCE North 12 degrees, 33 minutes, 37 seconds West for a distance of 41.019 metres following the eastern boundary of Old Petpeswick Road to the curved southern boundary of Riverside Avenue, said curve to have a radius of 208.760 metres;

THENCE following the southern boundary of Riverside Avenue along the arc of the said curve, to the right, in an easterly direction for a distance of 33.408 metres to the end of the said curve, said arc being subtended by a chord having a bearing and distance of North 81 degrees, 20 minutes, 14 seconds East, 33.372 metres;

THENCE North 87 degrees, 11 minutes, 44 seconds East for a distance of 31.987 metres continuing to follow the southern boundary of Riverside Avenue to the northwest corner of lands of Karl Alfred Stevens;

THENCE South 00 degrees, 59 minutes, 23 seconds East for a distance of 38.214 metres following the western boundary of lands of Karl Alfred Stevens to the north east corner of Lot XY, Estate of A. M. Smith Subdivision, lands of the United Church of Canada;

THENCE South 81 degrees, 33 minutes, 00 seconds West for a distance of 57.302 metres following the northern boundary of said Lot XY, Estate of A. M. Smith Subdivision, lands of the United Church of Canada to the place of beginning.

LOT H3 contains an area of 2484.3 square metres.

BEARINGS are grid, based on Zone 5, central meridian 64 degrees, 30 minutes West, of the Nova Scotia 3 degree modified transverse mercator projection of ATS77 geodetic datum.

THIS WARRANTY DEED made the 6<sup>th</sup> day of December, A.D., 2010.

BETWEEN:

APPROVED  
AS TO FORM

Municipal Engineer

**HALIFAX REGIONAL MUNICIPALITY**, a municipal body  
corporate

Hereinafter called the "GRANTOR"

OF THE ONE PART

- and -

**THE OLD SCHOOL COMMUNITY GATHERING PLACE CO-  
OPERATIVE LIMITED**, a body corporate

Hereinafter called the "GRANTEE"

OF THE OTHER PART

**WHEREAS** the Municipal Council of the Halifax Regional Municipality  
approved on the 9th day of February, 2010, the sale of the lands described in  
Schedule "A" hereto annexed to the Grantee for the sum of \$1.00;

**WITNESSETH** that in consideration of One Dollar (\$1.00) and other good  
and valuable consideration;

**THE GRANTOR** hereby conveys to the **GRANTEE** the lands described in  
Schedule "A" to this Warranty Deed and hereby consents to this disposition, pursuant  
to the Matrimonial Property Act of Nova Scotia.

**THE GRANTOR** covenants with the **GRANTEE** that the **GRANTEE** shall  
have quiet enjoyment of the lands, that the **GRANTOR** has good title in fee simple to  
the lands and the right to convey them as hereby conveyed, that the lands are free from  
encumbrances, and that the **GRANTOR** will procure such further assurances as may  
be reasonably required.

In this **WARRANTY DEED** the singular includes the plural and the  
masculine includes the feminine, with the intent that this **WARRANTY DEED** shall be  
read with all appropriate changes of number and gender.

Halifax County Land Registration Office  
Dated this 8<sup>th</sup> day of December 2010. A.D.  
The Deed Transfer Tax has been paid  
No Deed Transfer Tax is due and payable  
within described property transfer.  
for: Registrar

SIGNED, SEALED AND DELIVERED  
- IN THE PRESENCE OF -

HALIFAX REGIONAL MUNICIPALITY

Mayor - Peter Kelly

Municipal Clerk - Cathy Mellett

DOMINION OF CANADA  
PROVINCE OF NOVA SCOTIA

ON THIS 6<sup>th</sup> day of December, A.D., 2010, before me, this  
subscriber, personally came and appeared D. Chambers & M. Shanahan  
who, having been by me duly sworn, made oath and said that HALIFAX REGIONAL  
MUNICIPALITY, one of the parties thereto, caused the same to be executed in its  
behalf and its corporate seal to be thereunto affixed in ~~my~~ presence.

A Commissioner of the Supreme Court  
of Nova Scotia

SHERRYLL MURPHY  
A Commissioner of the  
Supreme Court of Nova Scotia

### Schedule A

ALL that certain lot situate, lying and being at Highway 7, Musquodoboit Harbour, Halifax County, Nova Scotia and being Lot H3 as shown on plan titled Plan of Survey of Lot H3, Being Comprised of Parcel H1, Lands of Halifax Regional Municipality and Parcel H2, Lands Claimed by Halifax Regional Municipality, certified by Nicholas W. Dearman, N.S.L.S., dated September 30, 2010 and filed in the office of the Director of Infrastructure and Asset Management, Design and Construction Services, Halifax Regional Municipality, as Plan No. 10027701, said Lot H3 being more particularly described as follows:

BEGINNING at a point on the eastern boundary of Old East Petpeswick Road at the northwest corner of Lot XY, Estate of A. M. Smith Subdivision, lands of the United Church of Canada, said point also being the southwest corner of the parcel under description;

THENCE North 12 degrees 33 minutes 37 seconds West for a distance of 41.019 metres following the eastern boundary of Old East Petpeswick Road to the curved southern boundary of Riverside Avenue, said curve to have a radius of 208.760 metres;

THENCE following the southern boundary of Riverside Avenue along the arc of said curve, to the right, in an easterly direction for a distance of 33.408 metres to the end of the said curve, said arc being subtended by a chord having a bearing and distance of North 81 degrees 20 minutes 14 seconds East, 33.372 metres;

THENCE North 87 degrees 11 minutes 44 seconds East for a distance of 31.987 metres continuing to follow the southern boundary of Riverside Avenue to the northwest corner of lands of Karl Alfred Stevens;

THENCE South 00 degrees 59 minutes 23 seconds East for a distance of 38.214 metres following the western boundary of lands of Karl Alfred Stevens to the north east corner of Lot XY, Estate of A. M. Smith Subdivision, lands of the United Church of Canada;

THENCE South 81 degrees 33 minutes 00 seconds West for a distance of 57.302 metres following the northern boundary of said Lot XY, Estate of A. M. Smith Subdivision, lands of the United Church of Canada to the place of beginning.

Lot H3 contains an area of 2484.3 square metres.

BEARINGS are grid, based on Zone 5, central meridian 64 degrees 30 minutes West, of the Nova Scotia 3 degree modified transverse mercator projection of ATS77 geodetic datum.

Compliance with MGA: The parcel is exempt from the requirement for subdivision approval under the Municipal Government Act because this parcel has existed prior to APRIL 16, 1987.

## Appendix C

### Historical Photographs

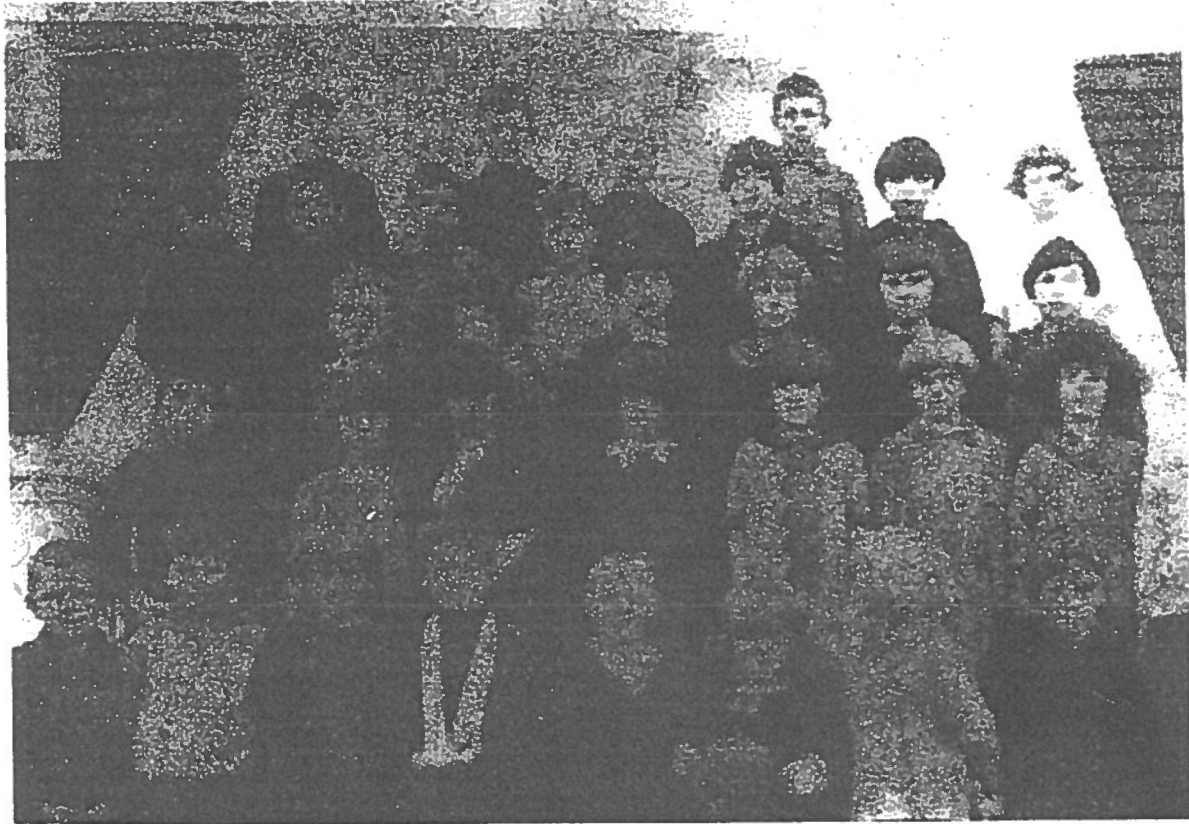
1. 1939 photograph of Musquodoboit Harbour Elementary School. Picture taken from about where St. Philip's Church now stands (courtesy of Eastern Shore Archives).
2. Class photo – primary to grade five (with teacher Miss Gertie Gaetz), unknown date (courtesy of Eastern Shore Archives).
3. Class photo from 1940. Names of students listed under photograph (included in the application for registration by the Old School Community Gathering Place).
4. Hosking General Store built in 1896, now located at Memory Lane Heritage Village (courtesy of Eastern Shore Archives).
5. Clam Harbour United Church built c. 1894, now located at Memory Lane Heritage Village (courtesy of Eastern Shore Archives).
6. St. Paul's Anglican Church, Mushaboom, built c. 1910 (courtesy of Eastern Shore Archives).

1939



1939 photograph of Musquodoboit Harbour Elementary School. Picture taken from about where St. Philip's Church now stands (courtesy of Eastern Shore Archives).





Class photo – primary to grade five (with teacher Miss Gertie Gaetz), unknown date (courtesy of Eastern Shore Archives).



Back Row -

Pearl Mosher, Ruby Gaetz, Gloria Day, Molly McInnis, Holly Smith, Mr. Finck, Ralph Day, Ray Dauphinee, Keith Mosher

Second Row -

Betty Germaine, Ruby Day, Thelma O'Melia, Betty Day, Lydia Curtis, Marion Mosher, Marg Cleveland, - ? -, Doris Gaetz, Jean Rowlings

Front Row -

Ken Mosher (?), - ? -, - ? - Young, Donny Gaetz, Ivan Slade (?), Harold Rowlings, Ivan Stevens, Murray McInnis, - ? - Cleveland, Melvin Cross

**Class photo from 1940. Names of students listed under photograph (included in the application for registration by the Old School Community Gathering Place).**

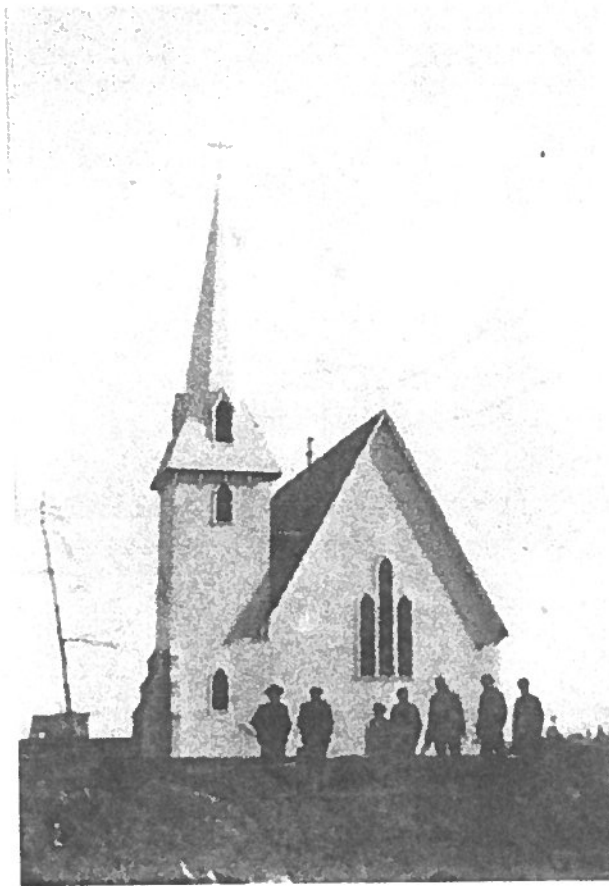


Hosking General Store built in 1896, now located at Memory Lane Heritage Village (courtesy of Eastern Shore Archives).



MAY - 62

Clam Harbour United Church built c. 1894, now located at Memory Lane Heritage Village  
(courtesy of Eastern Shore Archives).



St. Paul's Anglican Church, Mushaboom, built c. 1910 (courtesy of Eastern Shore Archives).

## Appendix D

### Current Photographs of Property

All photos by Colette Bishop-Greene, CBG Heritage Research Services, 2012

1. Front elevation of the school building.
2. Rear elevation of the school building.
3. West elevation of the school building.
4. East elevation of the school building.
5. General view of building from Riverside Avenue.
6. Front dormer showing knee braces.
7. Exposed rafter tails.
8. Rear porch and dormer.
9. Central entrance.
10. Rock carving.

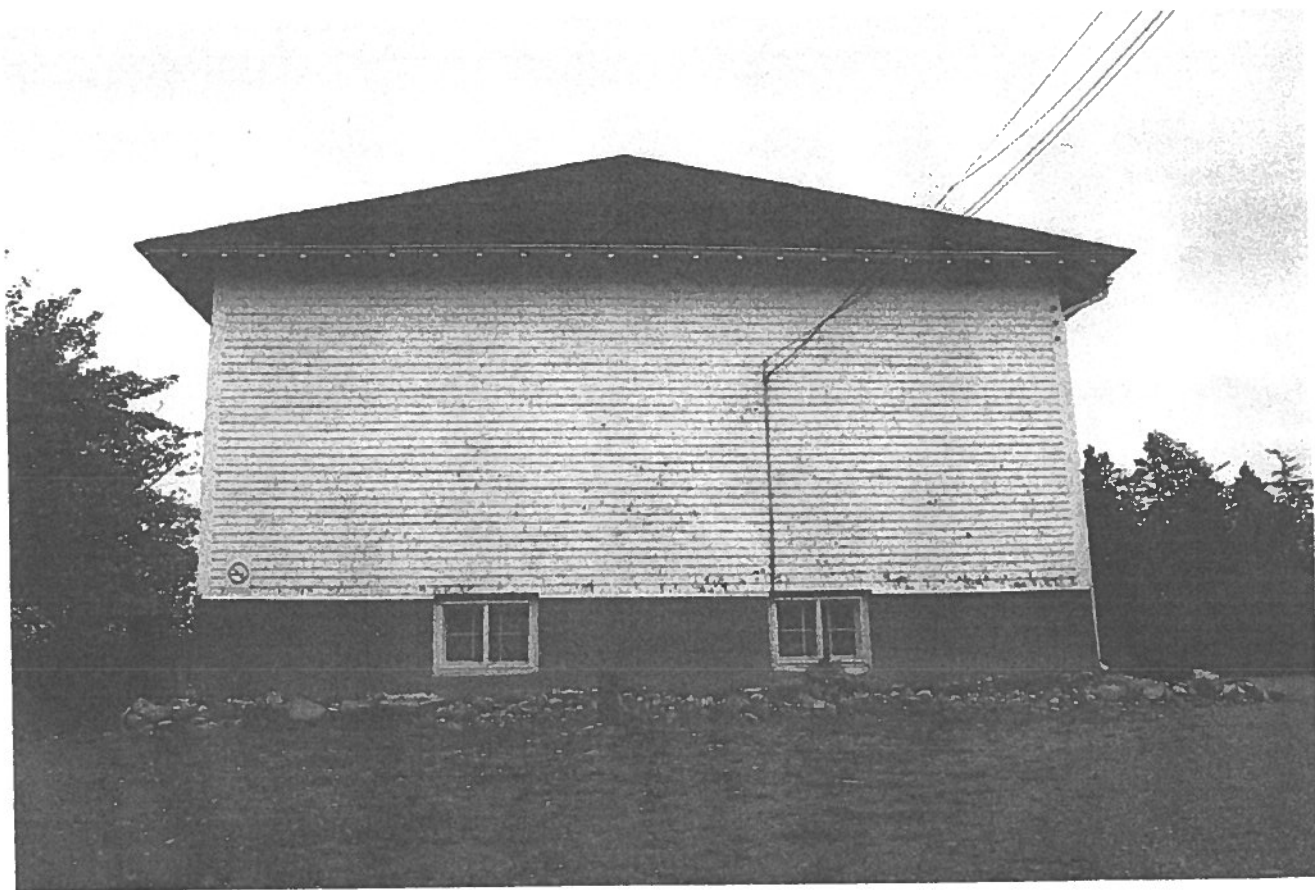


Front elevation of the school building (photo by Colette Bishop-Greene, 2012).

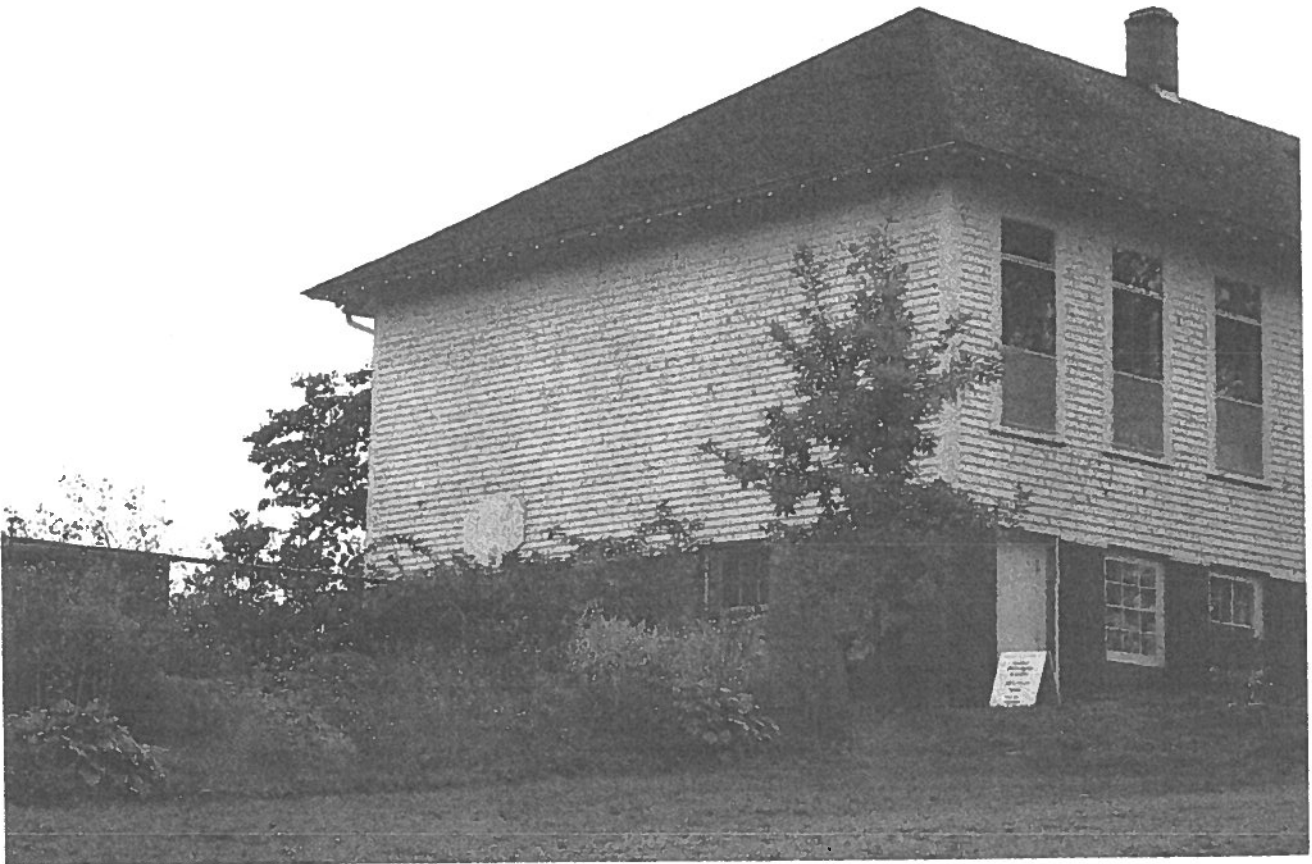


Rear elevation of the school building (photo by Colette Bishop-Greene, 2012).





West elevation of the school building (photo by Colette Bishop-Greene, 2012).



East elevation of the school building (photo by Colette Bishop-Greene, 2012).



General view of building from Riverside Avenue (photo by Colette Bishop-Greene, 2012).



Front dormer showing knee braces (photo by Colette Bishop-Greene, 2012).



Exposed rafter tails (photo by Colette Bishop-Greene, 2012).

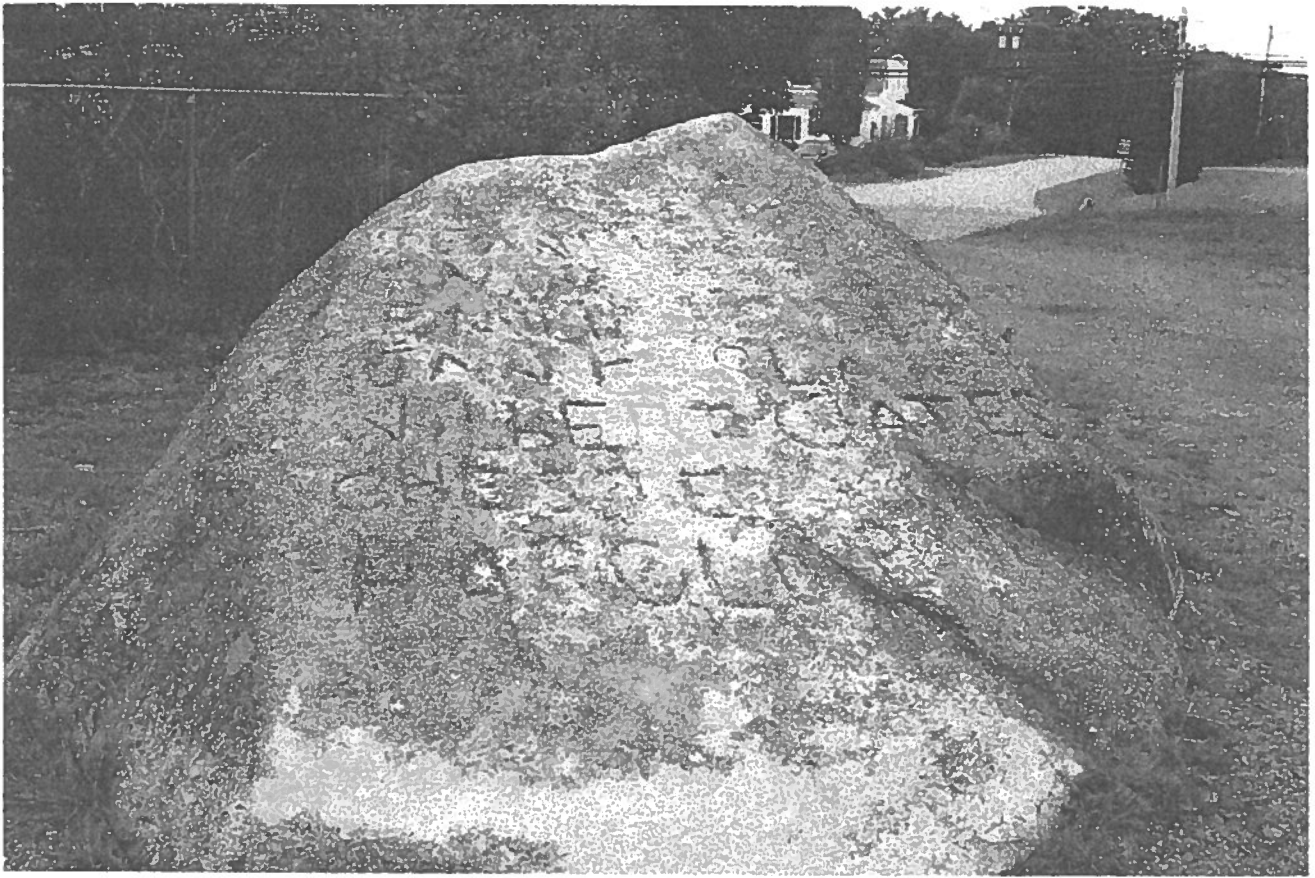


Rear porch and dormer (photo by Colette Bishop-Greene, 2012).



Central entrance (photo by Colette Bishop-Greene, 2012).





Rock carving (photo by Colette Bishop-Greene, 2012).



## Heritage Advisory Committee Minutes - December 12, 2012

Extract RE: Case H00370: Application to consider  
7962 Highway #7, Musquodoboit Harbour as a  
Municipally Registered Heritage Property

## SCORING SUMMARY

Property	Date Reviewed	Reviewer
7962 Highway #7, Musquodoboit Harbour	December 12, 2012	Heritage Advisory Committee

Criterion	Highest Possible Score	Score Awarded
1. Age	25	5
2. a) Relationship to Important Occasions, Institutions, Personages or Groups <b>OR</b> 2. b) Important/Unique Architectural Style or Highly Representative of an Era	20	15
3. Significance of Architect/Builder	10	3
4. a) Architectural Merit: Construction type/building technology	10	3
4. b) Architectural Merit: Style	10	7
5. Architectural Integrity	15	13
6. Relationship to Surrounding Area	10	10
<b>Total</b>	<b>100</b>	<b>56</b>

SCORE NECESSARY FOR DESIGNATION

50

Designation Recommended?

YES



NO

COMMENTS: