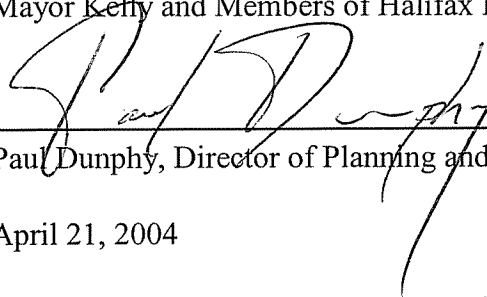




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**Halifax Regional Council**  
**May 4, 2004**

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

**SUBMITTED BY:**   
Paul Dunphy, Director of Planning and Development Services

**DATE:** April 21, 2004

**SUBJECT:** **CASE H00105** - Application to consider the Beechville United Baptist Church at 135 St. Margaret's Bay Road as a Registered Heritage Property.

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**INFORMATION REPORT**

**ORIGIN**

- An application made by Beechville United Baptist Church, Beechville to consider the Beechville United Baptist Church, Cemetery and pathway leading to Lovett Lake, Beechville as a registered heritage property.
- August 26, 2003 (status sheet item 8.1), Regional Council referred the item back to staff.

**BACKGROUND**

The Beechville United Baptist Church has requested designation of the Beechville Church site property and an area beyond the church as a registered heritage property. Difficulties have arisen regarding the area of land beyond the church. This area contains approximately 25 grave sites and a pathway leading to Lake Lovett which was used historically for lake access to conduct baptisms. This area, which the Church would like to designate, is on lands which are owned by Cresco Homes Limited.

When HAC reviewed the application the two property owners appeared to be in agreement that the Church would continue to be permitted to use the Cresco lands for purposes associated with the church. Specifically, Cresco provided the Church with a letter granting access and permission to "clear and clean the path behind the church which they hold to be holy and historic". The application proceeded to a hearing on this basis.

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However, after formal notification of the intended designation was sent to the property owners, Cresco Homes submitted a letter to Council objecting to any designation of its lands. Their concerns were that in designating this area of their property would effectively preclude their ability to access the back of the property. Consequently, Council referred the application back to staff in order to facilitate further discussion between the two property owners.

**DISCUSSION**

Presently, Cresco Homes has submitted a planning application to develop their lands pursuant to a Comprehensive Development District (CDD) agreement. A condition of that development proposal includes a land swap which will bring the lands with the baptismal path into the ownership of the Beechville United Church. The planning application process had just been initiated, which involves additional negotiation and public meetings. When the comprehensive development agreement is complete the proposal will be before Community Council for approval. Additionally, once the ownership issues have been resolved regarding the lands associated with the baptismal path, staff will re-notify for a heritage hearing for Heritage Designation.

**BUDGET IMPLICATIONS**

There are no known budget implications for this permit application at this time.

**FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

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

**ALTERNATIVES**

There are no alternatives to municipal heritage registration.

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Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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

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