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Item No. 1
Halifax Regional Council
August 14, 2012

TO: Mayor Kelly and Members of Halifax Regional Council

Original Signed by Acting Director

SUBMITTED BY: _____
Peter Stickings, Acting Director, Planning & Infrastructure

DATE: August 3, 2012

SUBJECT: Land Acquisition PID 40036360, Indian Harbour Lighthouse

INFORMATION REPORT

ORIGIN

This report originates with:

- a) An offer, dated March 7, 2012, from the Federal Department of Public Works and Government Services Canada (PWGSC) for HRM to acquire PID 40036360 - the Indian Harbour Lighthouse property located at the southern tip of Paddy's Head, Indian Harbour - as shown on Attachment "A"; and
- b) A Council request, dated April 17, 2012, for a staff report examining options relating to lands identified as PID 00514844, PID 00514638, and PID 40037749, adjacent to the Indian Harbour Lighthouse for its dedication to public use in order to access the property where the existing lighthouse is located.

BACKGROUND

Surplus Lighthouses

The Department of Fisheries and Oceans Canada (DFO) has declared numerous active lighthouse properties in Nova Scotia and across Canada surplus to its operational requirements and wishes to divest itself of those properties while retaining the right to continue operating the active lights located thereon. The Indian Harbour Lighthouse is one of these.¹

Public Works and Government Services Canada (PWGSC) manages property conveyances on behalf of other Federal Government Departments, and it is from PWGSC that the offer came to HRM to purchase the Indian Harbour property has come. Under PWGSC divestiture protocols, excess federal properties are circulated first to priority interests, which include municipalities, before being offered to private interests.

The Offer

The terms of the offer were as follows:

- The property must be used for a public purpose.
- The property would be sold to HRM for \$1.00 provided it is used for a public purpose.
- The offer includes a deeded right-of-way access across two adjacent parcels leading to Paddy's Head Road.
- The sale would be subject to the right of DFO to continue to operate and maintain the navigational light in the existing lighthouse, and to continue to have access thereto. This would be formalized in a written agreement.
- The sale would also obligate HRM to maintain the existing lighthouse structure in good condition to support navigational aids as required by Coastguard Canada.
- The offer originally expired on April 7, 2012, but was extended to June 7, 2012.

Context: The Heritage Lighthouse Protection Act

The *Heritage Lighthouse Protection Act (HLPAct)* was proclaimed on May 29, 2010, and enables the designation and protection of heritage lighthouses. Petitions could be submitted to Parks Canada nominating any lighthouse for designation and had to be submitted by May 29, 2012, following which Parks Canada will determine which nominations meet the established heritage designation criteria. For any nominated surplus lighthouse that meets designation criteria, a written commitment to buy or otherwise acquire the lighthouse and to protect its heritage character must be accepted by DFO prior to the designation. Potential owners must also submit a business plan to demonstrate their proposed use of the property, its economic viability, and their capacity to manage it.

By the May 29th deadline, thirteen of HRM's 19 surplus lighthouses were nominated for designation. These were Beaver Harbour, Betty Island, Chebucto Head, Devils Island, George's

¹ There are 186 lighthouses in Nova Scotia of which 119 have been declared surplus. Within HRM there are 24 lighthouses, of which 19 have been declared surplus. These are Beaver Harbour, Betty Island, Chebucto Head Devils Island (2 lights), Egg Island, George's Island, Indian Harbour, Jeddore Rock, MacNab's Island (2), Peggy's Point, Sambro Harbour, Sambro Island, Sheet Harbour (2), Spry Bay (2), and Terence Bay.

Island, MacNab's Island, Peggy's Point, Pennant Harbour, Sambro Harbour, Sambro Island, Sheet Harbour, Spry Bay, and Terence Bay. The Indian Harbour lighthouse was not nominated.

DISCUSSION

Low Potential for Public Use and Community Involvement

In 2011, as part of its lighthouse divestment strategy, DFO commissioned a study examining the conditions under which surplus lighthouses can be redeveloped for viable alternate uses, particularly those which will permit ongoing public access to the sites.² The study found that where lighthouses are sold to municipalities, the most common and successful examples are where the project involves a partnership with a community group or non-profit organization that is capable of, and committed to, the ongoing operation and upkeep of the lighthouse in whatever alternate use it is converted to, e.g. museum, interpretive centre, eco-tourism facility, gift shop, etc. The study identified this type of ownership/management model as having the highest importance in a list of Key Success Factors.

In the case of Indian Harbour, there does not appear to be a community group which is actively interested in redeveloping the surplus lighthouse for public use. Some ten years ago, there was an informal (non-incorporated) organization called the Paddy's Head Lighthouse Preservation Society which attempted to rally community support for the idea; however, this effort foundered over concerns about encouraging public access over the Paddy's Head Road - which in the last 1200 feet leading to the lighthouse is a private road - and fears of disturbance to neighbouring properties. Since then, interest in the Society has faded away.³

Barriers to Public Access

The study also ranked accessibility very high as a Key Success Factor in developing a viable alternate use for surplus lighthouses. In the case of Indian Harbour, achieving full public access would be problematic because the Paddy's Head Road is not a public road.

The 1902 deed to the lighthouse property included a right-of-way across two adjacent properties (see Attachments A & B) to provide access from the lighthouse to the Paddy's Head Road, which at that time appears to have been regarded as public. However, the last section of Paddy's Head Road is in fact not a public road. It crosses eight other properties before it connects with the public road at the causeway that joins Paddy's Head Island with the mainland. This creates barriers to full public use of the road for access to the lighthouse. In addition, the lighthouse right-of-way across the two adjacent properties was never developed as an access road and is currently in a form of a path along the shore. At the moment this is the only access to the lighthouse. The two properties have since been divided into four (see PIDs 00514638, 00514844, 40037731 and 40037749 on Attachment B) and this further complicates the issue of public access.

Heritage Value

² Alternate Use Study Surplus Lighthouses, Canada, March 2011 <http://www.dfo-mpo.gc.ca/rp-bi/lh-ph-eng.htm>

³ Conversations with Barry MacDonald, President, Nova Scotia Lighthouse Preservation Society and Doug Bamford, Paddy's Head Lighthouse Preservation Society.

In 2002, the Federal Heritage Buildings Review Office (FHBRO) prepared a Benchmark Report evaluating the historical, architectural, and environmental value of the Indian Harbour Lighthouse (see Attachment C) and found that it did not score high enough to warrant recommendation for designation as a Federal Heritage Building. The report does note that the lighthouse has considerable merit in terms of both its aesthetic design and its landscape setting and, as such, may be regarded as having local heritage value. However, it does not appear that there is currently sufficient interest at the local level to designate, protect, or acquire the lighthouse for public use.

Conclusion

Given the above, staff concluded that there is no business case to be made for HRM to acquire the Indian Harbour Lighthouse or the adjacent properties at this time.

BUDGET IMPLICATIONS

None

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

In preparing this report, staff contacted representative of the Nova Scotia Lighthouse Preservation Society and the (inactive) Paddy's Head Lighthouse Preservation Society.

ATTACHMENTS

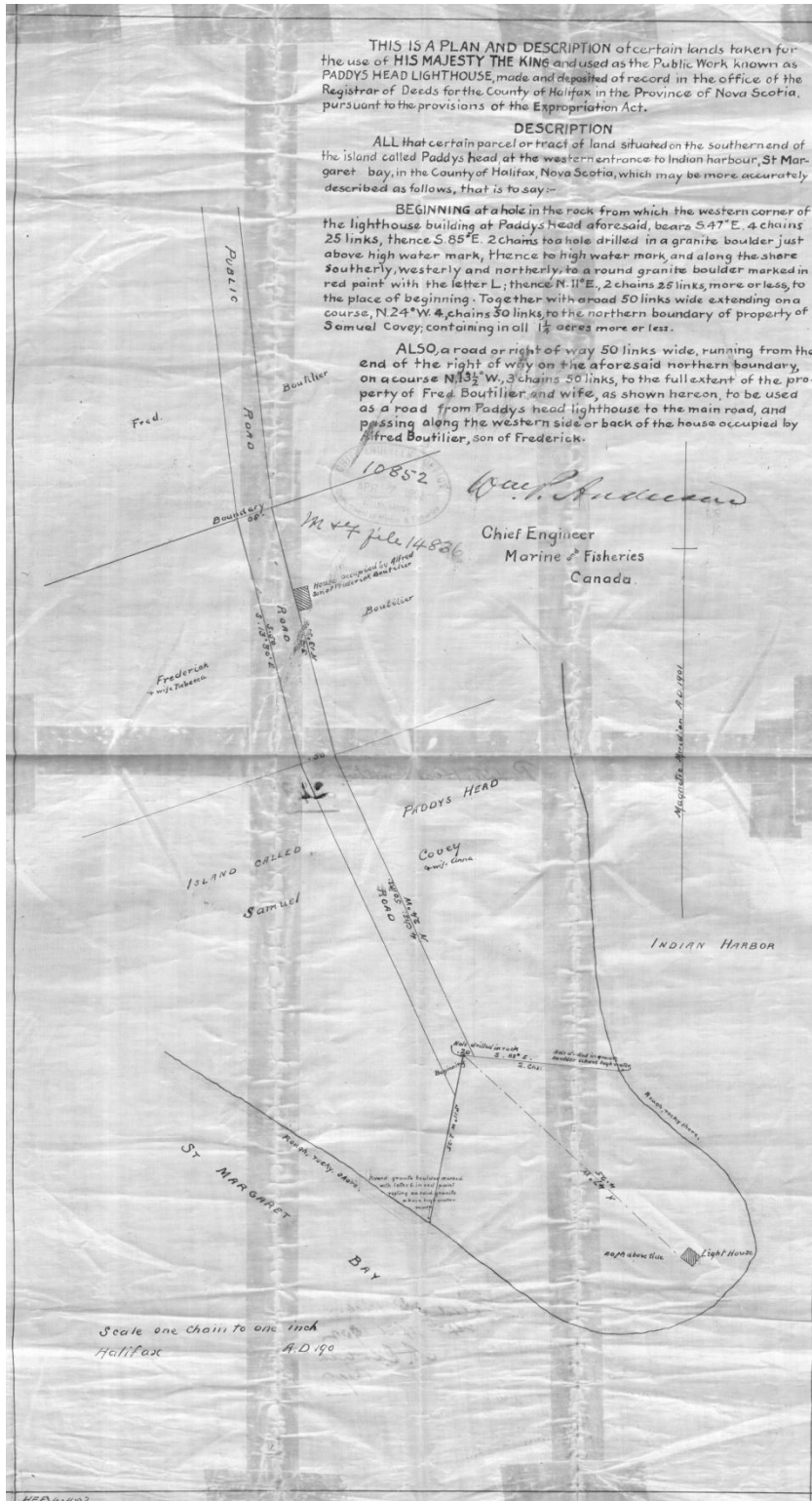
Attachment A:	Deed Description, Site Plan and Photographs
Attachment B:	Site Context
Attachment C:	Federal Heritage Building Review Office Benchmark Report 01-79

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4204

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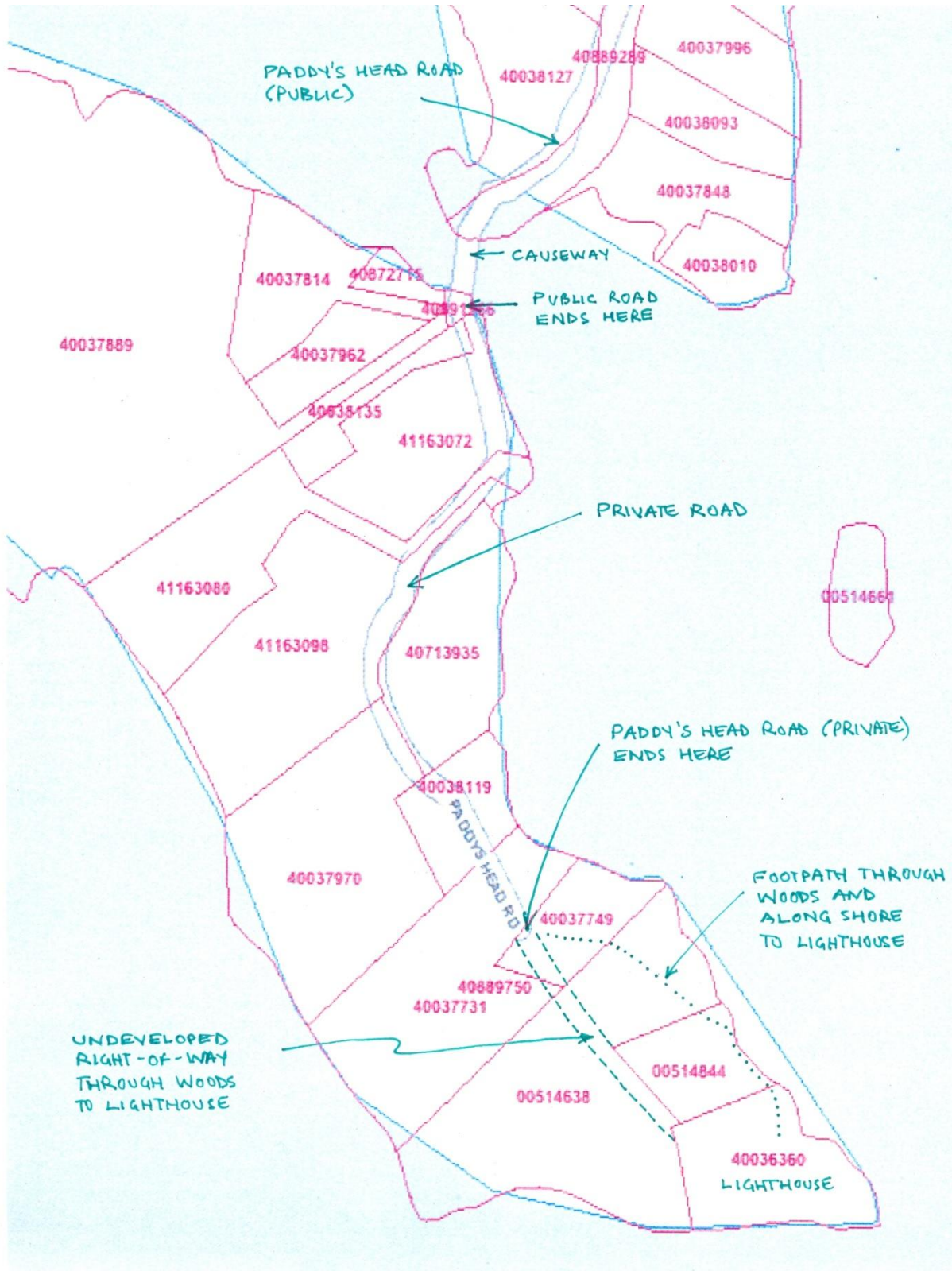
PADDYS HEAD LIGHTHOUSE INFORMATION REPORT

ATTACHMENT "A" DEED DESCRIPTION, SITE PLAN AND PHOTOS



ATTACHMENT B

CONTEXT



ATTACHMENT C

FEDERAL HERITAGE BUILDING REVIEW OFFICE BENCHMARK REPORT 01-79

(Excluding illustrations due to poor original print quality)

FEDERAL HERITAGE BUILDINGS REVIEW OFFICE

BENCHMARK REPORT: 01-79

TITLE: Indian Harbour Lighthouse,
Paddy's Head Island, St. Margaret's Bay,
Nova Scotia

SOURCE: Alexandra Mosquin, Historical Services Branch

The Department of Fisheries and Oceans (DFO) has submitted Indian Harbour Lighthouse (Atlantic List of Lights # 482) on Paddy's Head Island, in the Regional Municipality of Halifax, Nova Scotia, for review by the Federal Heritage Buildings Review Office. The lighthouse is known as Paddy's Head lighthouse. Located at the southeastern tip of this bridge-accessed island at the mouth of St. Margaret's Bay, this 1901 lighthouse is in the form of a small, square-tapered tower with a square light (Figures 1-7). DFO intends to dispose of this lighthouse and a local lighthouse preservation society has expressed strong interest in acquiring the building.

HISTORICAL ASSOCIATIONS

Thematic

The primary theme associated with lighthouses is their importance as an aid to navigation. In the early years of settlement and of the economic development of Canada's resources, the dominance of water transportation made safe navigation a priority. Subsequent governments constructed lighthouses along Canada's ocean coastlines, interior rivers and lakes to provide assistance to mariners, from the late 18th century through to the 1950s.

The Indian Harbour Lighthouse was constructed in 1901. The lighthouse's purpose was to guide small vessels seeking an entrance into Indian Harbour through the channel between Paddy's Head Island and Wreck Island. Several shipwrecks in the late 19th century provided a catalyst for its construction. First lit on May 20, 1901, it was electrified in 1955, and continues at present to provide a light for mariners. The lens is the original 5th Order Fresnel drum lens, an apparatus traditionally used for harbour lights.¹

Person/Event

No person or event of historical significance has been identified with this lighthouse.

¹ Chris Mills, author of *Vanishing Lights*, in correspondence with Doug Bamford of the Paddy's Head Lighthouse Preservation Society, n.d.

Local Development

The Indian Harbour lighthouse was constructed in 1901. No particular turning point has been found in the community's history that can be associated with the construction of the lighthouse although the construction of a lighthouse permitted residents to safely access the harbour and fish for most of the 20th century.

The Indian Harbour area was seasonally used by the Mi'kmaq before permanent settlement began approximately two hundred years ago. This isolated coastal community developed as a small fishing village. Travel to other villages was by small footpaths on land or by water. In 1901 the federal government purchased one and a half acres of land at the southeastern point of Paddy's Head Island for a lighthouse "as a guide to small vessels seeking an entrance to Indian Harbour through the channel between the southern extremity of Paddy's Head Island and Wreck Island."² The small vessels belonged to local fishermen. Fishing remained a part of the local economy throughout the 20th century. Because Peggy's Cove is less than two kilometres away, tourist pressure has encouraged residents to run bed and breakfasts and motels.

ARCHITECTURE

Aesthetic Design

The Indian Harbour lighthouse is a small and simple, white, square-tapered tower, 35 feet in height, mounted 10 feet above the high water mark. Its distinguishing feature is its square red lantern, which retains its shingle siding (Figures 1-4). Recently the 1960s exterior siding on the frame of the building was removed and replaced with much narrower boards (Figures 12-13). This may have improved the visual quality of the lighthouse as the narrower siding helps better articulate the small flare at the cornice and is more in keeping with the original cladding used on lighthouses of this time.

Square-tapered towers have been a standard Canadian lighthouse design from the 1840s through to the 1950s. As an economical alternative to stone and concrete, these small wooden structures were easy to erect at less strategic locations, and move if necessary. Seven forms of these towers have been differentiated by Phemister and Fulton in their 1990 report on this building type. Indian Harbour belongs to the second category of light tower which is characterized by a flared or coved cornice tower. Of the 62 light towers which Phemister and Fulton evaluated, 22 belonged to this category making this the largest group in their study.³ Although a commonly used design, clear differences exist in its elaboration which affect the visual qualities of each tower. The treatment of the cornice, proportions between the lantern gallery and the tower, and the degree of taper in the body of the tower, may contribute to the strength of the design.

² Government of Canada, Sessional Paper no. 21, Report of the Department of Marine and Fisheries, 1901 (Ottawa: King's Printer, 1902), p. 59.

³ Gordon Fulton and Martha Phemister, "Square Tapered Wooden Towers," FHBRO, December 1990, n.p.

Similar lighthouses built at the same time can be compared to the one at Indian Harbour. In excellent condition, the Cocagne front range light is virtually identical to Indian Harbour in its size, proportions, and the extent of its vertical taper. The flare at its cornice is perhaps slightly more pronounced and its details are emphasized through the use of contrasting paint (Figure 8).⁴ The Five Islands lighthouse in Colchester County, Nova Scotia is slightly smaller than Indian Harbour making it more squat in its proportions. Because it is raised on piers, it possesses a weaker visual relationship with its site (Figure 9).⁵ Another highly similar lighthouse can be found at Bass River, in Nova Scotia. From the treatment of the lantern to the curve of the cornice, to the details at the entrance, this lighthouse possesses near identical visual qualities with Indian Harbour (Figure 10).⁶ And lastly, the Caraquet front range light tower, in Caraquet, New Brunswick still exhibits its original siding and corner boards, suggesting the appearance of the Indian Head light tower before the exterior was reclad (Figure 11).⁷

These highly similar lighthouses have received different scores. Although Indian Harbour lighthouse possesses a flared cornice that is slightly less flared than most, and this may be perceived as a weakness, it bears the strongest resemblance to Bass River, and for the purpose of this benchmark, may be considered its equivalent.

Functional Design

Inside the lighthouse, a staircase provides access to a landing, which connects to a steep stair case leading to the gallery platform (Figure 14). This is a straightforward interior plan typical of many tapered towers.

The structure possesses a balloon frame construction typical to turn-of-the-century lighthouses.

According to the Lighthouse Preservation Society, the lighthouse possesses one of the only lights in the region that still has its original Fresnel drum lens manufactured by Barbier, Renard, et Turenne in France. Even after electrification, it has continued to be used, and is still a functioning lighthouse.

⁴ Fulton and Phemister, FHBRO Benchmark 90-123, Cocagne front range light, Cocagne, New Brunswick, Score: 34 (0/0/4, 0/5/4/2, 6/8/5) Not heritage.

⁵ Fulton and Phemister, Five Islands Lighttower, FHBRO 90-100, Score: 43 (0/0/4, 9/5/4/2, 6/8/5) Not heritage.

⁶ Fulton and Phemister, FHBRO 90-101, Bass River Lighthouse, Score: 48 (5/0/4, 9/5/4/2, 6/8/5) Not heritage.

⁷ Fulton and Phemister, FHBRO 90-126, Caraquet Front Range Lighthouse, Score: 29 (0/0/4, 0/5/4/2, 6/8/0) Not heritage.

Landmark

Indian Harbour lighthouse is visible in the distance from many vantage points around the land of the harbour. Because it is situated on a bare rocky point, it prominently marks the entrance to the harbour from the bay. The Paddy's Head Lighthouse Preservation Society was formed to preserve and protect this lighthouse and the surrounding land. Tourists view this lighthouse, as it is on the road to Peggy's Cove, and find it provides a contrast with the "highly trafficked Peggy's light." However, although efforts are being made to enhance the community profile of Indian Harbour lighthouse, at present it is not known throughout Halifax or in the region and may be considered conspicuous or familiar only at the neighbourhood level.¹¹ It is not included in a recent guide of lighthouses for the Atlantic region.¹²

¹¹ Bamford interview, Telephone interview with Marie Elwood, Resident of Indian Harbour and Former Chief Curator of the History Division of the Nova Scotia Museum and Research Associate at the Canadian Museum of Civilization, 13 September 2002.

¹² See, for example, Courtney Thompson, *Lighthouses of Atlantic Canada* (Mt. Desert, Maine: Catnap Publications, 2000).