



MUNICIPALITY OF THE DISTRICT OF LUNENBURG

Deregistration of St. Matthew's Evangelical Lutheran Church, Rose Bay from the Registry of Municipal Heritage Properties PUBLIC HEARING

**Facebook Page – Municipality of the District of Lunenburg (MODL)
Tuesday, January 12, 2021 at 8:30 a.m.**

PUBLIC HEARING AGENDA

- 1. CALL TO ORDER at 8:30 a.m.**
- 2. OPENING REMARKS by MAYOR BOLIVAR-GETSON**
 - (a) Introductions
 - (b) Review of Agenda and Rules of Conduct
- 3. REPORT AND PRESENTATION from Planning Staff**
- 4. WRITTEN AND VERBAL PRESENTATIONS from the Public**
 - (a) Review of Written Submissions (if any)
 - (b) Verbal Presentations by the Public (if any)

5. REVIEW OF APPROVAL PROCESS

Municipal Council may make a decision at the Council meeting after the close of this Public Hearing. If Council deems it advisable to deregister St. Matthew's Evangelical Lutheran Church from the Registry of Municipal Heritage Properties, Council will pass a resolution.

If Council approves the application, a notice is sent to the applicant and the local Land Registration Office. The date that the notice is deposited in the Land Registration Office is the date that the deregistration becomes effective.

6. CLOSING OF THE PUBLIC HEARING

RULES OF CONDUCT

Persons who wish to speak at the Public Hearing are asked to note the following:

- [a] State your name and address;
- [b] Direct all statements to the Chairperson;
- [c] Try to limit presentations to 10 minutes;
- [d] Speakers may address Council twice, but before addressing Municipal Council for a second time, speakers will be requested to wait until all others have had the opportunity to speak, before they can then address Council for a second time.

Council

Item: #10.2.2

Date: November 24, 2020

Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decision

REPORT TO: Municipal Council
SUBMITTED BY: Byung Jun Kang, Planner
DATE: November 24, 2020
RE: Deregistration of St. Matthew's Evangelical Lutheran Church
as a Municipal Heritage Property

RECOMMENDATION

That Municipal Council give notice of intention to approve the deregistration of St. Matthew's Evangelical Lutheran Church as a Municipal Heritage Property, and hold a Public Hearing on Tuesday, January 12, 2021 at 8:30 a.m.

ORIGIN

St. Matthew's Evangelical Lutheran Church Council submitted a deregistration application on October 7, 2020, as shown in Appendix A.

LEGISLATIVE AUTHORITY

Section 16 of the **Heritage Property Act**.

BACKGROUND

St. Matthew's Evangelical Lutheran Church is a municipal heritage property located on 3472 Highway 332, Rose Bay (PID 60666591). The Church was built in 1897 and became a heritage property on July 14, 1998.

PROCESS

Section 6 of the Heritage Property By-law states that "the Council may de-register a municipal heritage property in accordance with the Act." Therefore, the legislative authority for deregistering a heritage property comes from Section 16 of the **Heritage Property Act (2010)**. Although the new **Heritage Property Act (2015)** will be proclaimed in the near future, this case followed the deregistration process in the existing **Act (2010)**.

To deregister a municipal heritage property, the conditions in subsection 16(1) of the Act must be met as stated below.

1. Either of the following:
 - a. an owner of a municipal heritage property applies to deregister, or
 - b. Council passes a resolution to issue a notice of intention to deregister; and
2. Either of the following:
 - a. the property has been destroyed or damaged, or
 - b. the property has lost the heritage value, unless the loss was caused by neglect, abandonment or other action or inaction of the owner.

DISCUSSION

The first condition has been met as the Church Council applied to deregister. To meet the second condition, since the Church is still in good shape, the lost of heritage value must be proven and the owner did not intentionally cause such loss. The heritage value can be measured with the evaluation form, as attached in Appendices B and C, in which a proposed property must reach at least 75 points to be registered as a heritage property. Points were assigned in 1998 based on the following criteria:

- Built between 1841 and 1913: 10 points
- Historical significance & landmark at a regional level: 10 points
- Structure has not been moved: 15 points
- A rare example of construction: 10 points
- A rare example of architectural style: 10 points
- A few minor exterior alterations: 10 points
- Additional information: 10 points
- Total points: 75/100 points

Staff reviewed the aforementioned criteria in 2020 assuming that the Church is no longer used as a religious institutional use.

- Built between 1841 and 1935: 10 points
- Historical significance & landmark at a local level: 5 points **[altered]**
- Structure has not been moved: 15 points
- A common example of construction: 5 points **[altered]**
- A common example of architectural style: 5 points **[altered]**
- A few minor exterior alterations: 10 points
- Additional information: 0 points **[altered]**
- Total points: 50/100 points **[altered]**

Historical Significance and Landmark

The Church was awarded 10 points because its historical significance and landmark feature were important at a regional or municipal level. The Church Council stated in the original application that the Church “is used as a point of reference in giving directions, [and] it is also a part of the community in which it was erected.” Staff in 1998 noted that the congregation which formed this Church originated from the Lunenburg Parish, and it was necessary to construct a church due to the size of the congregation from Rose Bay. It may be interpreted that the historical significance was derived from the Church’s symbolism of the prosperity of the Rose Bay area.

The Church may still be considered as a point of reference in Rose Bay as the Church is on a crossroads of the two major roads – Highway 332 and Kingsburg Road, and the Church stands out against the surrounding flat landscape, as noted in the Statement of Significance. However, it is difficult to justify that its historical significance is of importance at a regional level. Points should be adjusted from 10 to 5 points.

Architectural Style and Construction

The Church was awarded 10 points because its method of construction and built technology used were rare to the area, based on the number of similar buildings nearby. The Church was awarded another 10 points because its Gothic Revival style, which is reminiscent of the Victorian Era between 1837 and 1901, is rare within the area. Notable examples of the Gothic Revival styled buildings include the Canadian Parliament Buildings and St. Mary’s Basilica in downtown Halifax.

There are 2 other churches in Rose Bay: St. Andrews Presbyterian Church (1890), also a municipal heritage property, and Trinity United Church (1897), as shown on Figures 1 and 2. While the Lunenburg Vernacular style is common in the area, all 3 churches in Rose Bay were built in the Gothic Revival style, possibly from being built on the same decade. Both heritage-designated churches were built by Boehner in West LaHave, and have the original foundation in granite rocks possibly from Kingsburg.

The application from the Church Council in 1998 also states that “the large white church is common to the area”, and staff also noted that “the architectural style of the building is rare but not very rare in the area”. While each church has its own unique tweak, it is difficult to justify its architectural style and construction to be at a rare level, especially when all 3 churches have the same dominant style of architecture. Points should be adjusted from 10 to 5 points for each criterion.



Figure 1. The front view of St. Matthew's Evangelical Lutheran Church built in 1897.



Figure 2. The views of Trinity United Church built in 1897 (left) and St. Andrews Presbyterian Church built in 1890 (right).

Additional Information

In the original application, the Church Council highlighted that the Church “is a beautiful and well-looked-after structure. It shows signs of stability and morality to the casual and not-so-casual passerby. The Church also shows a unity of people and community. It is an important factor to resident and prospective homeowners.” While 10 points were assigned, the reasoning for scoring was not justified in staff evaluation.

Parks Canada defines the heritage value as the aesthetic, historic, scientific, cultural, social, or spiritual importance or significance for past, present or future generations, which is embodied in the character-defining materials, forms, location, spatial configurations, uses and cultural associations or meanings. In other words, part of the reasons why the Church has the heritage value – hence the additional 10 points – is because the Church is actively used as a public space and a place of gathering for the community members. When the Church closes in December 2020, it no longer provides the same cultural associations or meanings to the Rose Bay area. Therefore, points should be adjusted from 10 to 0 points.

Result

Because the Church could not meet the minimum of 75 points under the recent evaluation, staff determines that the Church will lose its heritage value after the closure in December 2020. Staff recommends Municipal Council to accept the application from the Church Council to deregister its status of heritage property.

WORK PLAN

Should Municipal Council wish to proceed with the deregistration of St. Matthew’s Church, Municipal Council may follow the deregistration process listed in Table 1.

Table 1

Process to deregister a municipal heritage property under the **Heritage Property Act**.

Legislative Authority	Requirement	Expected Timeline
Heritage Property Act (2010), s. 16(1)	All eligibility requirements for deregistration are met.	October 7, 2020
Heritage Property Act (2010), s. 16(1)	Municipal Council issues a public hearing notice.	November 24, 2020

Heritage Property Act (2010), s. 16(2)	The owner is notified of the public hearing at least 30 days before the public hearing.	November 25, 2020
Heritage Property Act (2010), s. 16(2)	Newspaper advertisement is circulated at least 30 days before the public hearing.	December 2, 2020
Heritage Property Act (2010), s. 16(2)	Public hearing is held, and Municipal Council passes a resolution after determining that the deregistration is justified.	January 12, 2021
Heritage Property Act (2010), s. 16(3)	Notice of deregistration is sent to the owner.	January 13, 2021
Heritage Property Act (2010), s. 16(3)	A copy of the notice of deregistration is sent to the Bridgewater Regional Land Registration Office.	January 14, 2021

ALTERNATIVE

Municipal Council may choose not to proceed with the deregistration process. However, staff recommends Council to make a final decision after a public hearing.

CONCLUSION

Staff acknowledges that the differences in the number of points for the Historical Significance and Landmark, and Architectural Construction and Style may be derived from different interpretation. However, the points from the Additional Information criterion is no longer justified since the points were awarded for its religious service to the community.

APPENDICES

Appendix A: Application for the Deregistration of St. Matthew's Church, 2020-10-05

Appendix B: Application for the Registration of St. Matthew's Church, 1998-02-16

Appendix C: Staff evaluation of St. Matthew's Church, 1998-04-15

Department: Planning & Development Services

Report Prepared By: Byung Jun Kang, Planner

Date: 2020-10-14

Report Approved By: Jeff Merrill, Director

Date: 2020-11-14

Reviewed By CAO: Tom MacEwan, Chief Administrative Officer

Date: 2020-11-20

October 5, 2020.


Jeff Merrill

Director of Planning and Development Services
Municipality of the District of Lunenburg, NS

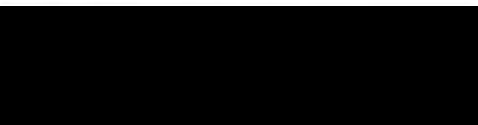
St. Matthew's Evangelical Lutheran Church in Rose Bay will be closing at the end of December 2020 and will be put up for sale.

The decision has been made to have the church deregistered as a municipal heritage property.

Would you please begin the process of deregistration for us?



David Conrad
Church Council Chair



Valerie Meisner
Church Treasurer

RECEIVED FEB 16 1998

MUNICIPALITY OF THE DISTRICT OF LUNENBURG

APPLICATION TO REGISTER A HERITAGE PROPERTY

Application Number _____

Name of Property: ST. MATTHEW'S EVANGELICAL LUTHERAN CHURCH

Civic Address: #3472 - ROUTE 332 - ROSE BAY

Assessment Account Number: 02623226

Present Owner: ST. MATTHEW'S EVANGELICAL LUTHERAN CONGREGATION

Action Requested By: ST. MATTHEW'S EVANGELICAL LUTHERAN
CHURCH COUNCIL

EVALUATION CRITERIA

(Note: A building constructed less than 100 years ago will not be considered for registration)

1. Date of Erection / Age

A) Age of Property? 1889-LAND PURCHASED (attachment #1)
1897-CHURCH BUILDING CONSTRUCTED

B) How was age determined (attach Documentation)? MINUTES OF CONGREGMTG!
(attachment #4) - (ANNUAL MEETING)

C) Association with Individuals (i.e. has it belonged to a particular family for a long period of time)

This building has housed Lutherans (as a place of
worship and fellowship) since its' construction.

D) Association with an Organization, Group or Business? _____

E) Association with a Historic Event? _____

2. Architecture

A) Architect (if known) HENRY BUSCH - HALIFAX

B) Builder (if known) BOEHNER BROTHERS - WEST LAHAVE

C) Does the structure have a design which is unique to the local area? YES.
The large white church is common to the area, but the
design and layout seems to be one of a kind. It has
its' own unique characteristics. (pictures enclosed)

D) Is the building on the original site of first construction, if not how close to the original site is it? YES.

E) Has the building ever been structurally altered from its original appearance? ___
In September of 1919 an Organ Chamber was
added to the back of the church building.

F) Has the structure ever burnt down? If yes when.(approximate date)? NO.

G) Describe any unique features on the building. (i.e. windows, trim, widows walk, decorative shingling)
The windows are stained glass and the steeple reaches
high over the membership. (pictures included)

H) Is the building reminiscent of a particular architectural style (i.e. Gothic Revival)? ___
(pictures included)

3. Landmark

A) Do you consider this property to be a land mark? If yes why? YES.

It is used as a point of reference in giving
directions. It is also a part of the community in
which it was erected.

4. Additional Information

A) Is there any additional information that you feel is important and should be included?

The Church is many things. It is a beautiful and well
looked after structure. It shows signs of stability and
morality to the casual and not so casual passerby. The
Church also shows a unity of people and community. It
is an important factor to resident and prospective
home-owners.

B) Do you know of any other source i.e. book, report, newspaper article or individual that has additional information about this property? NO.

5. Photographs

--((included))--

Must show total building, plus doors, windows and details.

Application prepared by: Donnas E. Smith Beeler (Church Council Member

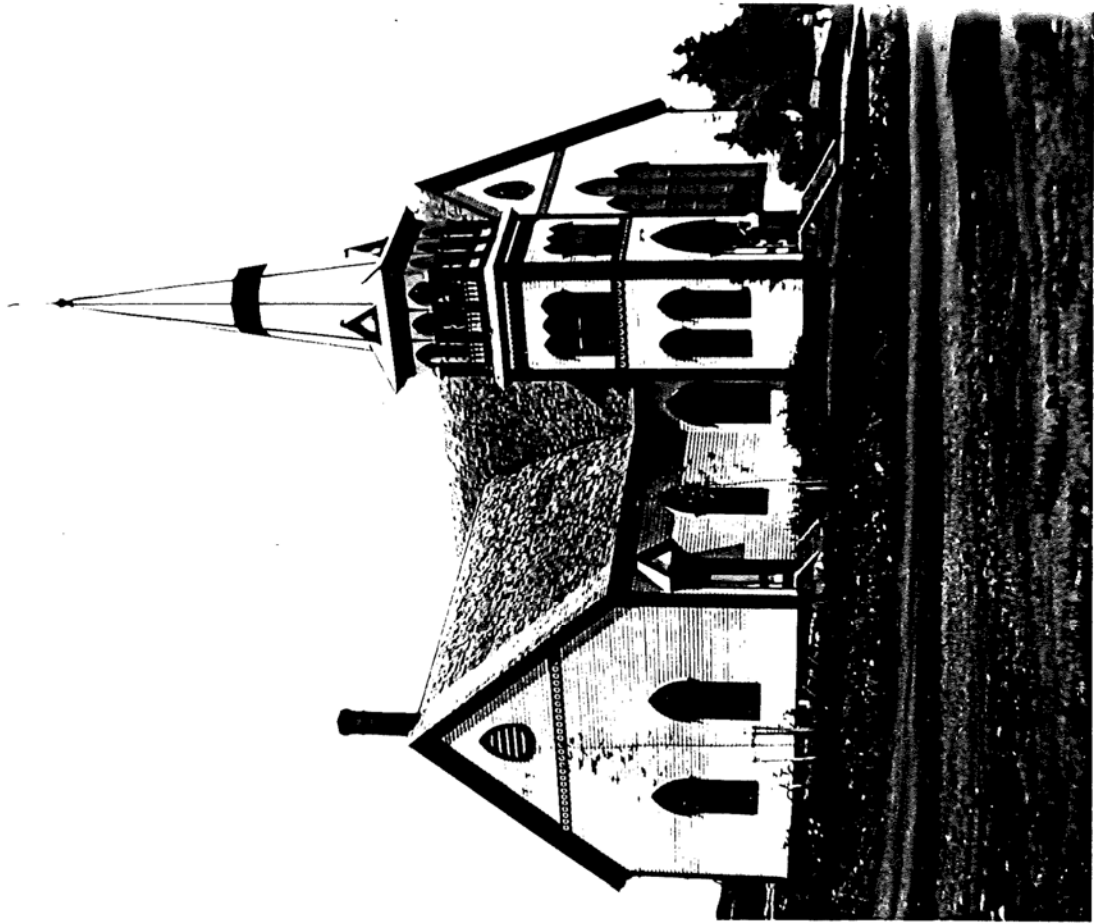
Address: [REDACTED]

Phone: [REDACTED] (w) same (h)

Date: Monday, February 16, 1998.

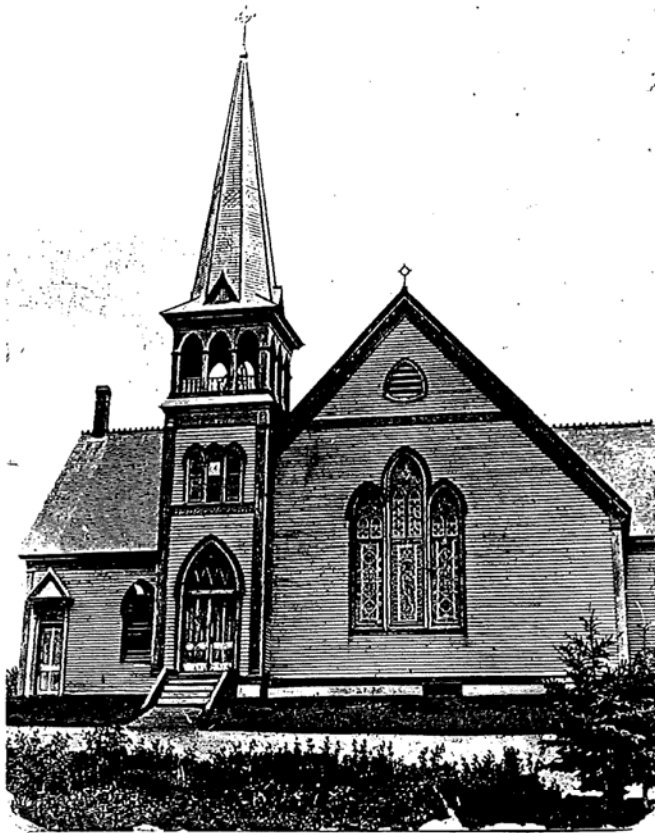
Signature of Owner _____ Date _____

For further information please contact the Lunenburg Municipal Office at 210 Aberdeen Road, P.O. Box 200, Bridgewater Nova Scotia, B4V 2W8. Phone: (902) 543-8181

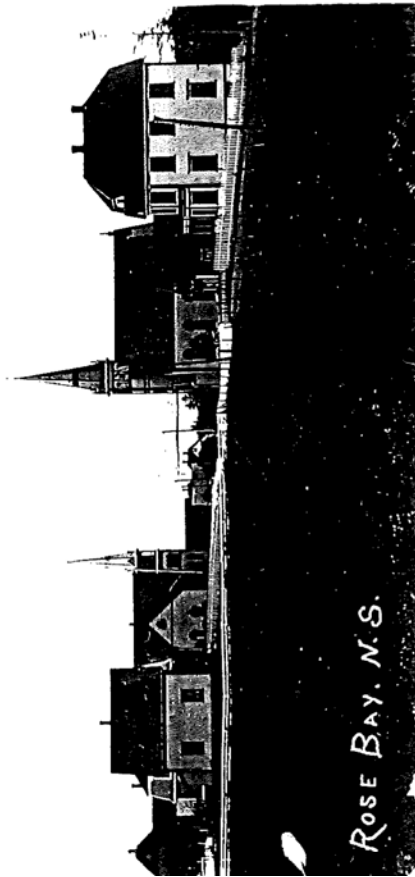
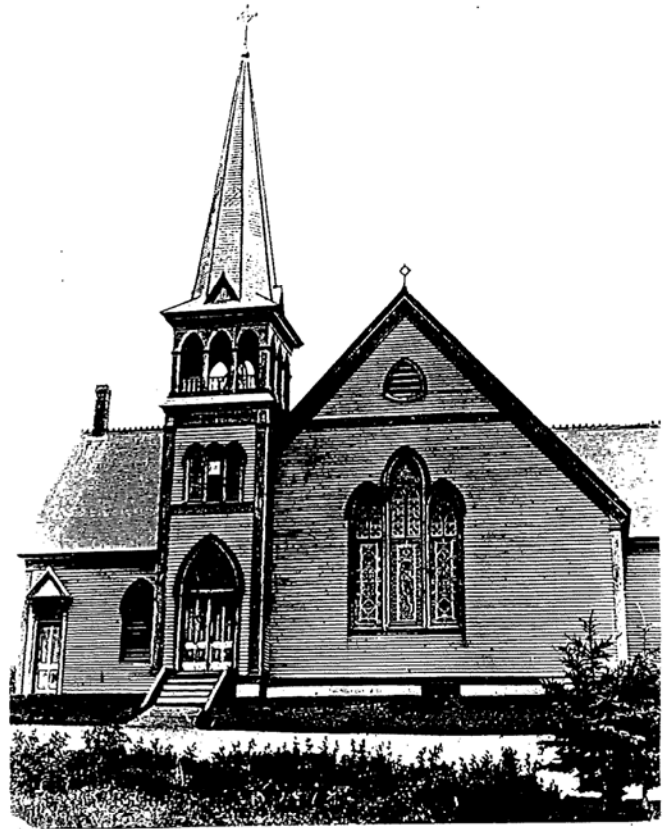


LUTHERAN CHURCH
ROSEBAY, N.S.

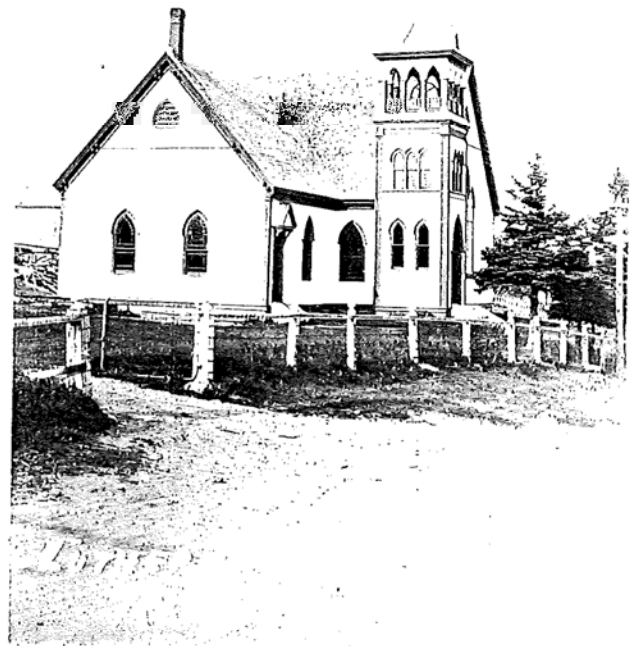
LUTHERAN CHURCH, RIVERPORT, N. S.

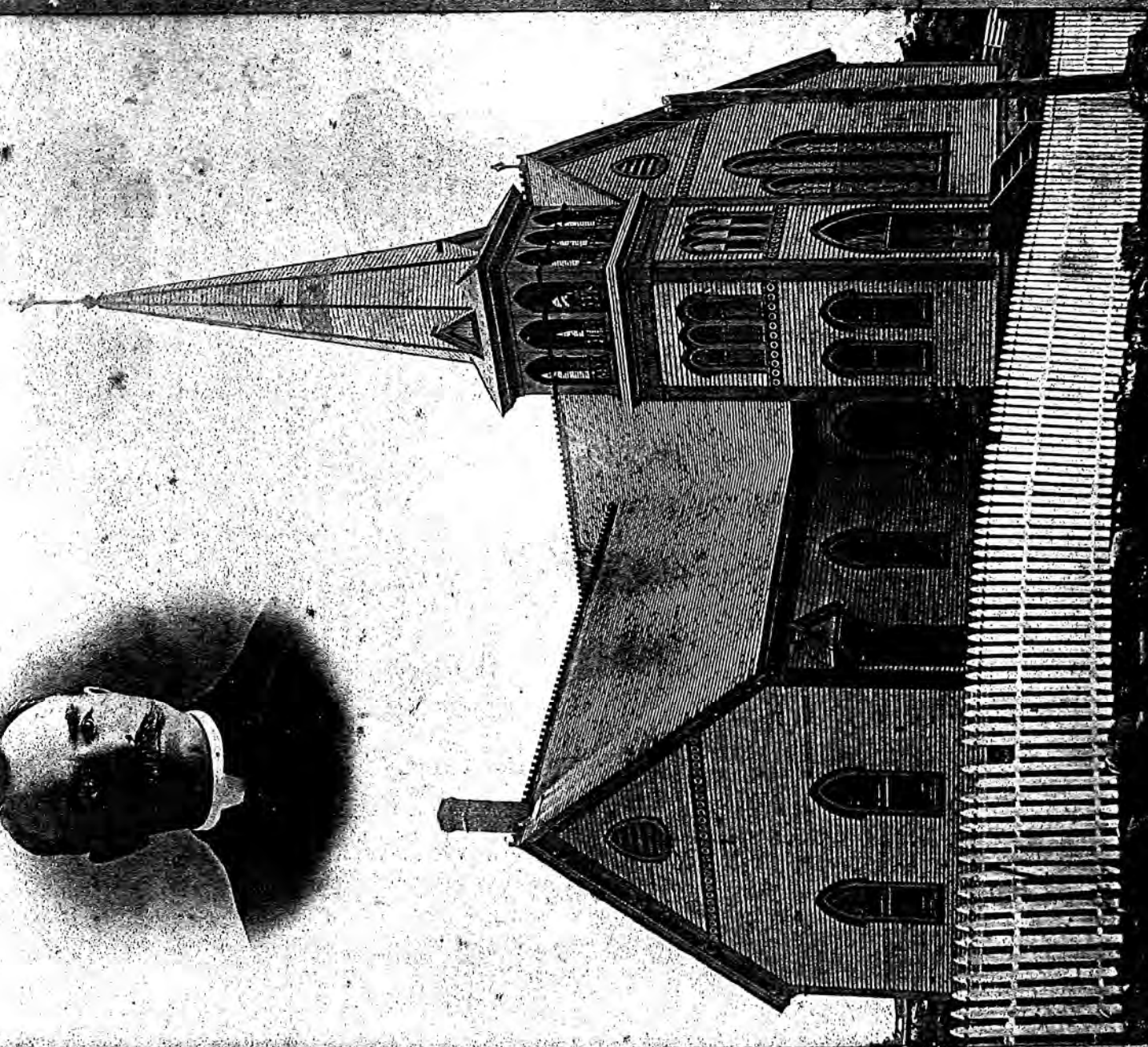


LUTHERAN CHURCH, RIVERPORT, N. S.



ROSE BAY, N.S.





MUNICIPALITY OF THE DISTRICT OF LUNENBURG
HERITAGE PROPERTY EVALUATION FORM

Owners Name St. Matthew's Evangelical Lutheran Congregation
Civic Address 3472, Hwy 332 Rose Bay
Assessment Account Number 026 23226
Applicants Name St. Matthew's Evangelical Lutheran Church Council
Phone Number (applicant) [REDACTED]

Evaluation Criteria.

(Note A building constructed less than 100 years ago will not be considered for registration).

1. Age :

Pre 1840	15 points
1841 to 85 years ago	10 points

10
15 points

Comments Building was constructed in 1897.

2. Historical Significance & Landmark:

Provincial Level	5
Regional Level	5
Local Level	5
None	0

10
15 points

Comments _____

3. Architecture

A) Site

Structure has not been moved	<u>15 points</u>
Structure has been place on new foundation on the original site	10 points
Structure has been relocated, but in close proximity to the original site	5 points
Structure has been moved to a new site	0 points

Comments Structure is on original congregation

B) Construction

A very rare example	15 points
A rare example	<u>10 points</u>
A common example	5 points

A very common example 0 points
Comments _____

C) Style

A very rare example 15 points
A rare example 10 points
A common example 5 points
A very common example 0 points.

Comments Gothic Revival / Bracketted style
Lynchburg Vernacular common style in this area.

D) Alterations

No exterior alterations 15 points
A few minor exterior alterations 10 points
Several minor alterations 5 points
Building has lost its character 0 points

Comments Steel door, organ chamber addition in 1919

Architecture Score

45
60 points

4. Additional Information.

(Important Information that does not fit into the previous categories _____)

10
10 points

TOTAL POINTS

75
100 Points

****75 POINTS (OR 75 %) ARE REQUIRED TO BE DESIGNATED****

INTRODUCTION

The following is a system designed to provide a framework for the Heritage Advisory Committee when assessing the individual significance and character of potential heritage properties. It is anticipated that the criteria recommended will allow for a objective and rational grading and selection of heritage properties. The criteria enclosed was compiled using various Heritage Advisory Committee's selection criteria (Housing & Municipal Affairs, Annapolis County, and the Town of Lunenburg).

The accompanying Evaluation Form encompasses the evaluation criteria and scoring points. A property can be registered as a heritage property based upon its ability to achieve a score which exceeds a set level. This will allow for a fair evaluation a property, as a property that scores low on one set of criteria, (i.e. historical significance) may be able to obtain a higher score in some other criteria to compensate.

EVALUATION CRITERIA

1. Age

Building materials, deeds, newspaper clippings, and architectural styles can be useful in determining the age of a structure. The following are the following recommended age groupings and the respective points.

Pre 1840	15 points
<u>1840- 85 years ago</u>	<u>10 points</u>
Potential Points	15 points

2 Historical Association & Land Mark

Age alone, is not a good determining factor. The historical significance of a building in relation to a person, event, group or organization, on a local, provincial or national level, is also an important factor in determining the historical significance of a potential property. In addition to this is the significance of the building as a land mark. This criteria should be of reasonable age, dating back at least two generations.

Importance at a Provincial Level	5 points
Importance at a Regional (Municipal Level)	5 points
Importance at a Local (Community) Level	5 points
<u>Of no special merit</u>	<u>0 points</u>
Potential Points	15 points

3. Architecture

The second set of criteria deals with the architectural merits of the property. The evaluation form breaks this set of criteria into Site, Construction, Alterations and Style.

Site. Of important consideration is whether the property occupies the original site of construction. The points awarded are based on 4 possible ranges

1. Structure has not been moved	15 points
2. Structure has been placed on new foundation on the original site	10 points
3. Structure has been relocated, but is in close proximity to its original site	5 points
<u>4. Structure has been moved to a new site</u>	<u>0 points</u>

Potential Points

15 points

Construction. Is the method of construction and build technology used, rare and unique to the area. (I.e. materials used) It is important to make assessment based upon the number of existing buildings in the area of this type.

1. A very rare example	15 points
2. A rare example	10 points
3. A common example, or	5 points
<u>4. A very common example</u>	<u>0 points</u>
Potential Points	15 points

Style. Is the property reminiscent of an unique or notable architectural style in history (. Refer to Appendix A for Architectural styles). Once again, it is important to make an assessment based upon the rarity of the style within the area.

1. A very rare example	15 points
2. A rare example	10 points
3. A common example	5 points
<u>4. A very common example</u>	<u>0 points</u>
Potential Points	15 points

Alterations. The extent to which the property has been visibly altered from its original construction on the exterior.. This will range from a structure which has not been altered in any way, to one which has totally lost its character. Several things can be considered alterations, such as additions to the exterior, any change in the exterior surface materials etc. Obviously the number and type of alterations will affect the score.

No exterior alterations	15 points
A few minor exterior alterations	10 points
Several minor to major exterior alterations	5 points
<u>Building has lost its character</u>	<u>0 points</u>
Potential Points	15 points

The evaluation form provides a framework for the Municipal Heritage Advisory Committee when evaluation potential Heritage Properties such as buildings or structures. The Heritage Property Act, does however, also empower Council with the ability to register an Area. The Department of Municipal Affairs defines an Area as "visibly physical and human-made features as old burial grounds with visible gravemarkers, historic gardens, or statutes and monuments where they are of architectural, historical, or cultural- as opposed to archaeological or ecological - value" (Dept. of Municipal Affairs: Registering Properties). When application is made for consideration by HAC, as to the registering of an Area, certain sections. of the Evaluation form will not be applicable. It is recommended that the total score required be reduced to reflect this.

Report to: Planning / Heritage Advisory Committee

RE: HERITAGE EVALUATION REPORT: ST. MATTHEWS LUTHERAN CHURCH, ROSE BAY.

Report Submitted By: Tammy Wilson, Municipal Planner / Development Officer

Date: April 15, 1998

1.0 INTRODUCTION

On February 16, 1998 an application was made to the Municipal Office to Register a Municipal Heritage Property. On March 26, 1998 this application was forwarded to the Planning/ Heritage Advisory Committee. Staff, Councilor Kaulback (PAC Chairman), Councilor Tanner (Vice-Chairman), Councilor Zwicker (Councilor for Rose Bay area) and the Mike Bevis (Building Inspector) were instructed by the Planning / Heritage Advisory Committee to conduct a heritage evaluation on the subject property and to report back with a recommendation.

On March 30, 1998 staff along with Councilor Kaulback, Councilor Tanner, and Mike Bevis, conducted an evaluation on the property. On April 15, 1998, staff and Councilor Zwicker conducted an evaluation.

The following is a report and recommendation regarding the registering of the subject property as a Municipal Heritage.

2.0 AGE

The land, on which the church is situated, was purchased in November of 1889. In January 1890, a building committee was appointed to oversee the construction of a new church. The architect that designed the church was Henry Busch of Halifax. The builders were the Boehner Brothers for West Lahave.

3.0 HISTORICAL ASSOCIATION

The congregation, which formed this church, originated from the Lunenburg Parish. Due to the size of the congregation from the Rose bay area, it was necessary to construct a church.

4.0 ARCHITECTURAL SIGNIFICANCE

When the church was constructed in 1887, it had an ell form (L-Shape). In 1919, an organ chamber was added to back of the building. This resulted in the building having an incretion form (several different parts)

The building's architecture is characteristic of the Victorian Era, with two dominant styles as follows:

STYLE	BUILDING ELEMENTS
Gothic Revival	<ul style="list-style-type: none">- Pointed windows, with a decorative cap- Wooden clapboard siding- Steeply Pitched Gable Roof- Horizontal (long side of building being focal point) and asymmetrical composition- Decoratively carved bargeboard- Corner Boards
Bracketted	<ul style="list-style-type: none">- paired brackets under eaves

The architectural style of the building is rare but not very rare in the area the building is located. The construction is also rare but not very rare. The architect who designed the building was Henry Busch from Halifax.

A few minor alterations have been made to this building. These include, steel storm doors, and the addition in 1910, and the replacement of a window in the bell tower.

5.0 CONSTRUCTION

The building was constructed by local builders and is therefore a good indicator of construction methods used in this region in the late 1800's.

The foundation is made of granite and sandstone. The exterior of the building consists of wooden clapboard siding and trim. The building has several applied decorations including paired brackets, decorative wooden singles, and ornamentally carved bargeboard. Steel storm doors have replaced the original doors

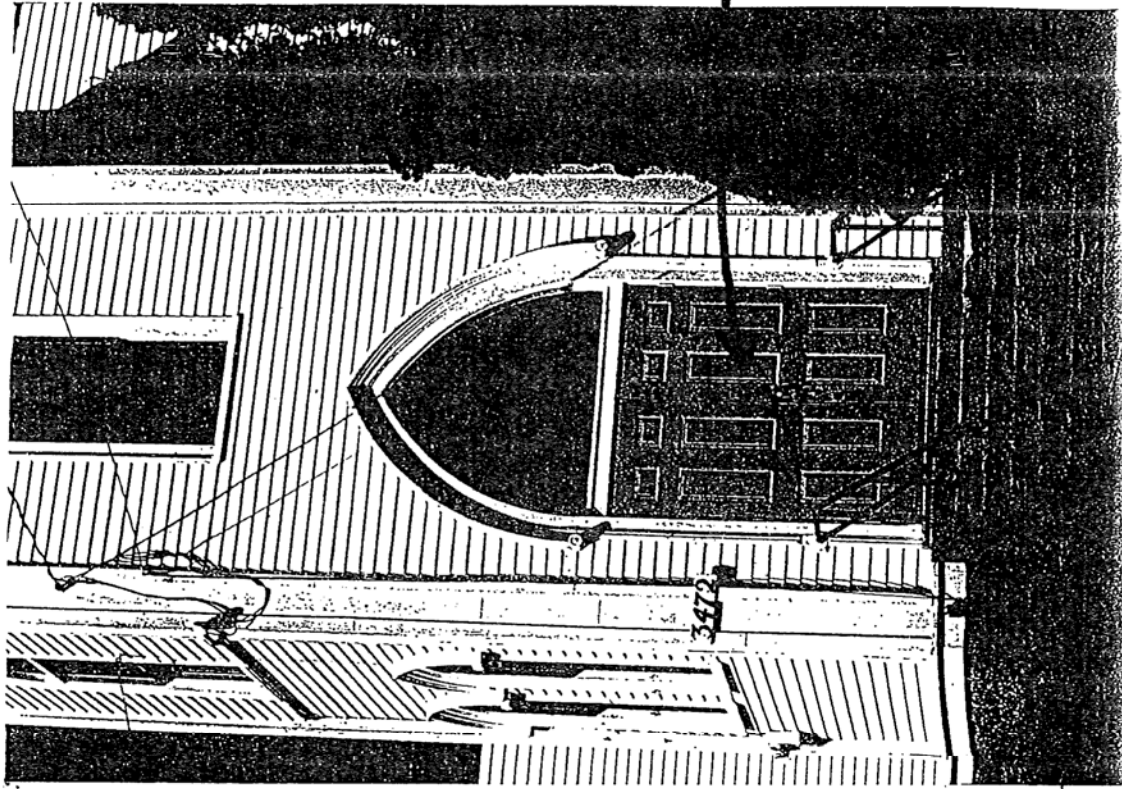
6.0 EVALUATION

Attached is an evaluation form that was completed following the site visit.

5.0 RECOMMENDATION

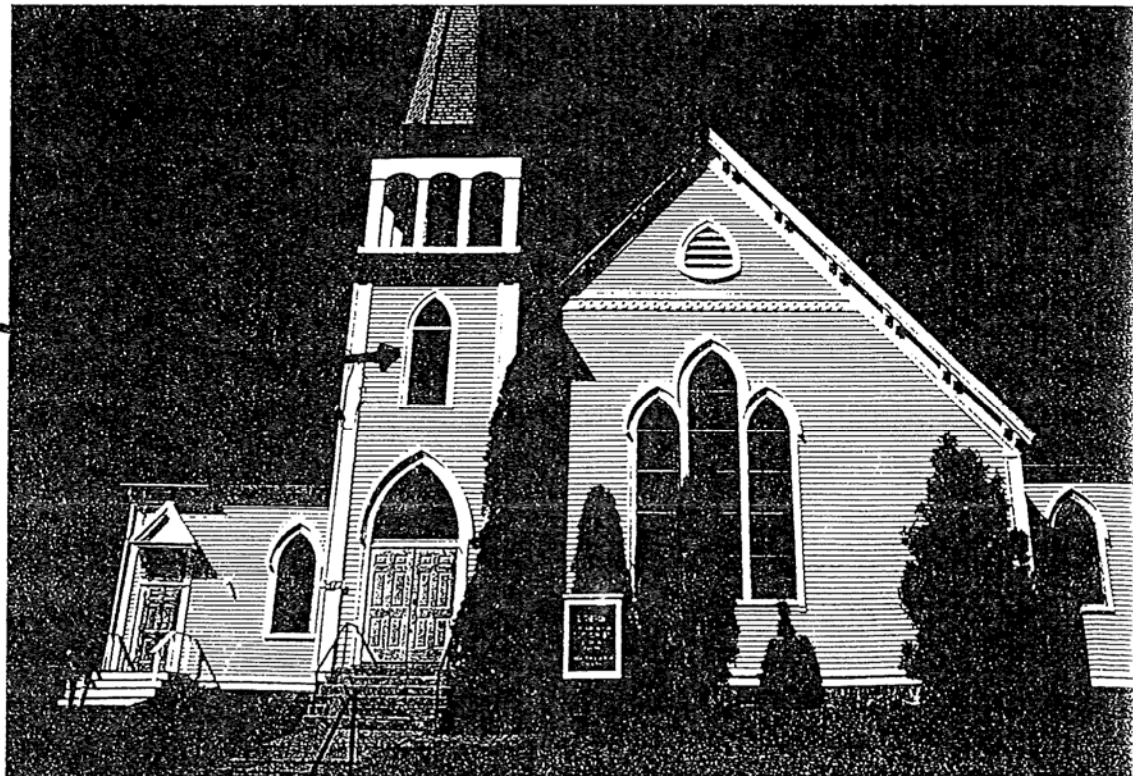
Staff respectfully recommends that Municipal Council register the Saint Matthew's Evangelical Lutheran Church, 3479, Highway 332, RoseBay as a Municipal Heritage Property.

Steel Storm Doors

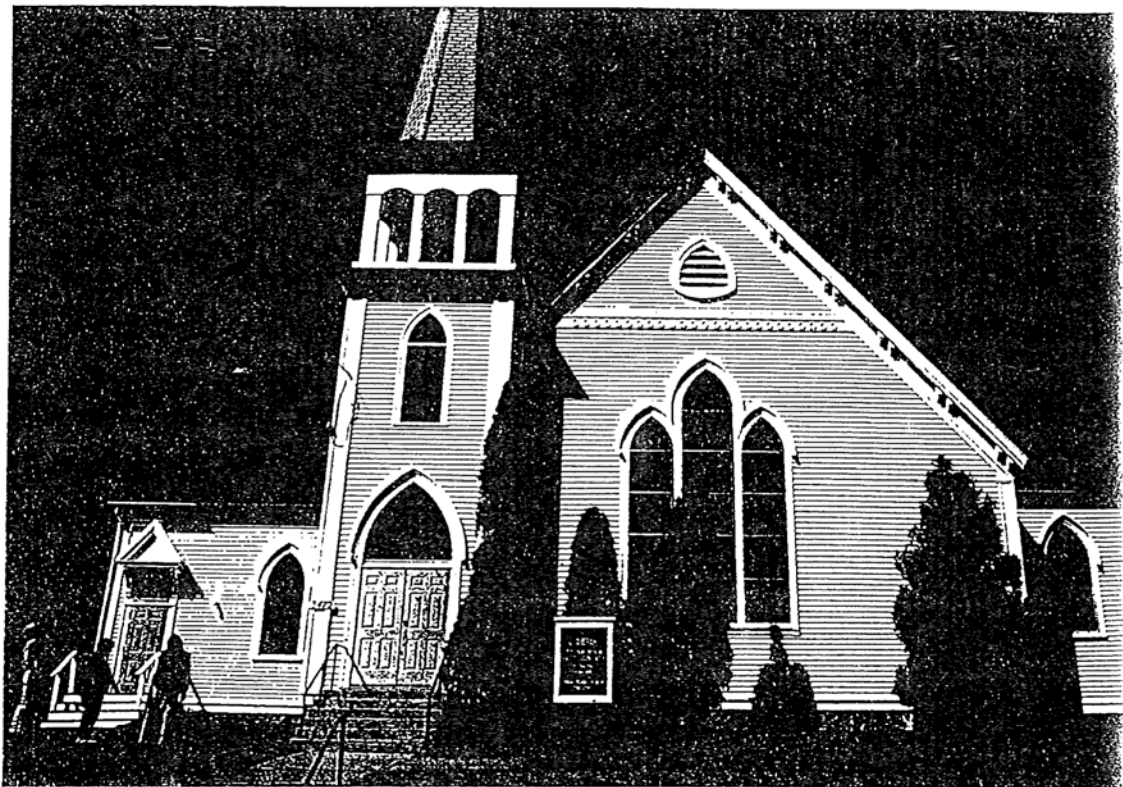


Steeply Pitched Gable Roof

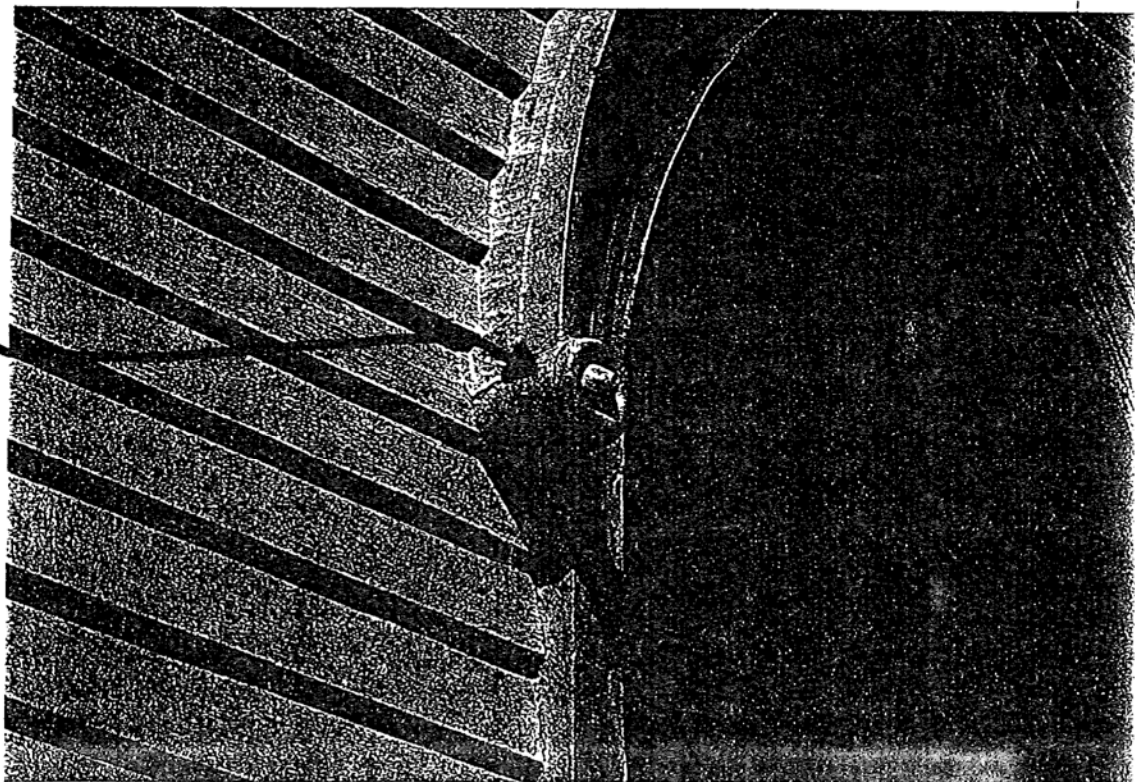
Arched Windows

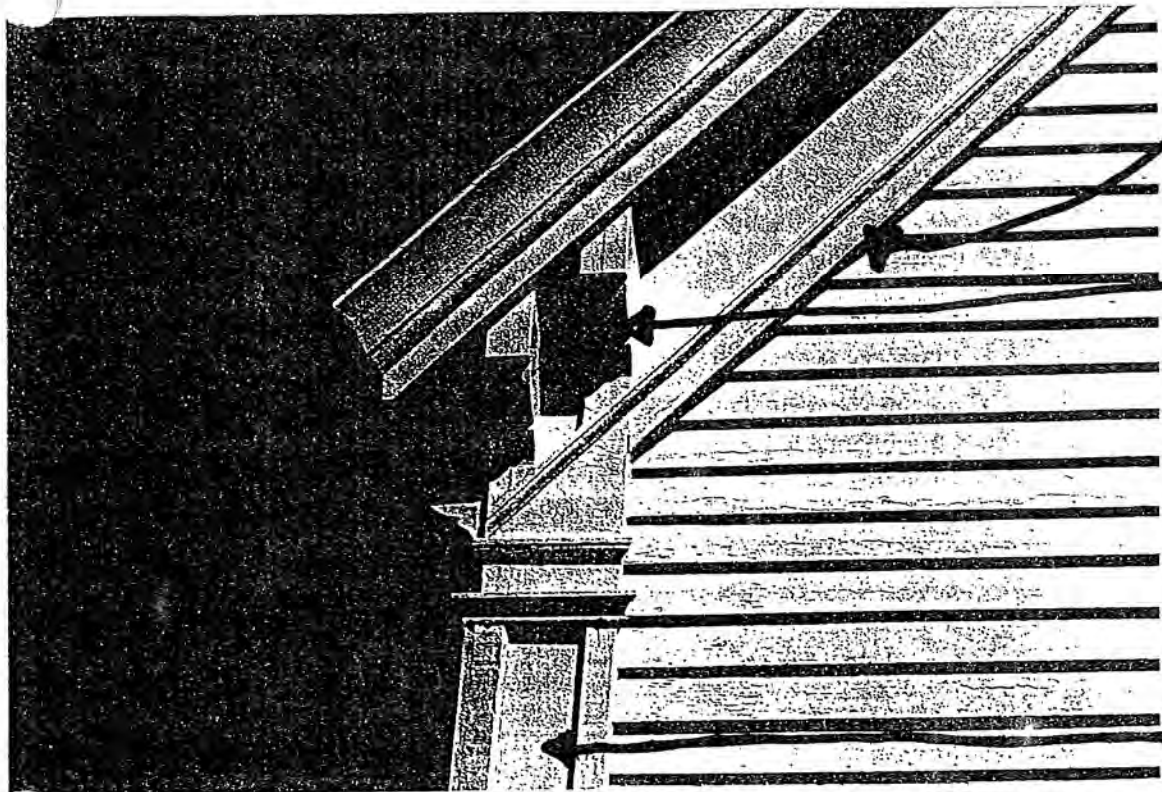


Horizontal and Asymmetrical Composition



Decorative Widow Trim

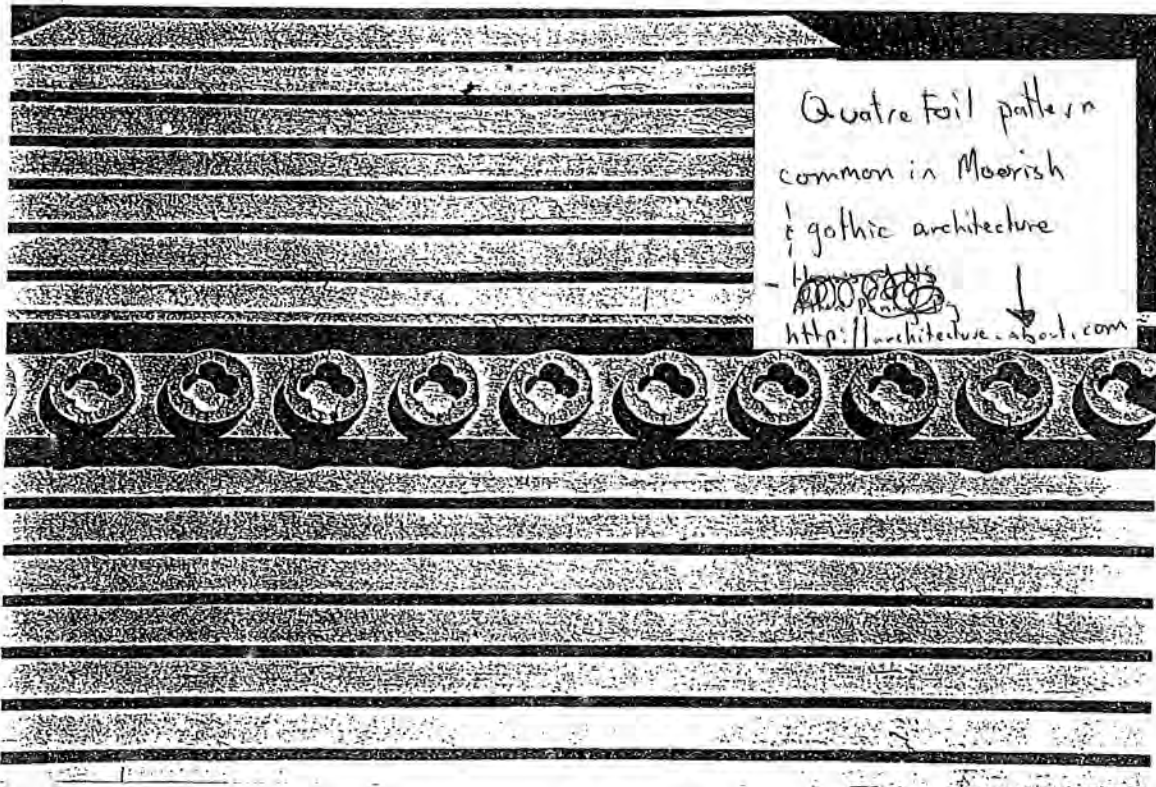




Carved Bardgeboards

Brackets under the eaves

Corner Boards



Quatrefoil pattern
common in Moorish
& gothic architecture
- ~~http://www.moorish.com~~
http://architecture.about.com

Decorative Shingles

Wood Clapboard