

PUBLIC HEARING

Deregistration Captain James Anthony House, Port Wade

AGENDA

Time: 11:00 a.m.

Date: Tuesday, November 19, 2024

Place: Municipal Administration Building, 752 St. George Street, Annapolis Royal, NS

Welcoming Remarks – Warden Diane LeBlanc

The purpose of a Public Hearing is to permit members of the public to make their views known to Council, via oral submissions concerning, solely, the application before Council.

This public hearing has been called in accordance with Section 16 of the *Nova Scotia Heritage Property Act*. At the end of the public hearing the Public Hearing will be closed, and Council will return to its regular session of Council.

Before Municipal Council agrees to deregister a property that is in the Annapolis County Municipal Registry of Heritage Properties, a public hearing is held where the registered property owner is given the opportunity to make comments to Council regarding the heritage deregistration.

The purpose of this Public Hearing is to discuss heritage deregistration of the Captain James Anthony House with the property owner, who is requesting municipal heritage property deregistration for 1625 Granville Road in the community of Port Wade (PID No 05096599) more commonly known as the Captain James Anthony House property.

Council can also use this time to explain what heritage deregistration means and to ensure that the property owner is aware of and in complete agreement with the deregistration of their property as a municipal heritage property.

All questions and comments throughout the public hearing are to be addressed to the Chair.

Re: Captain James Anthony House, Property Deregistration Application

Presentation by Staff – Application Specifics and Request – L. Bent

- We have received an application for consideration of deregistration of the Captain James Anthony House property located at 1625 Granville Road, Port Wade and removal from the Registry of Municipal Heritage Properties.
- Included with this agenda is the staff report submitted to Committee of the Whole at their meeting of September 10, 2024 for reference.

Acknowledgement of Property Owner, Robert Kahn by the Warden.

- Heritage deregistration is a legal process enabled through Section 16 of the Provincial Heritage Property Act.
- You, the property owner of 1625 Granville Road, Port Wade, understand that should Municipal Council agree, by motion, to deregister the property; it will no longer be registered as a municipal heritage property and will be removed from the Annapolis County Municipal Registry of Heritage Properties.
- Do you acknowledge, understand and accept these conditions of municipal heritage registration?

Call for Oral Presentations (open discussion from the floor – public)

Call for questions or comments from Council Members

Next Steps – L Bent

- The process for this type of application when the public hearing is complete is for Council to add this item to the agenda and if affirmative would make a motion to deregister the Captain James Anthony House property and remove from the Annapolis County Municipal Registry of Heritage Properties and deposit a Notice of Deregistration in the Registry of Deeds.

Closing Comments

Adjournment (Warden)



STAFF REPORT

Report To: Committee of the Whole
Meeting Date: September 10, 2024
Prepared By: Linda Bent, Director of Planning & Inspection Services
Report Number: SR2024-60 Deregistration of Municipal Heritage Property
Subject: Captain James Anthony House – Request to Deregister Property

RECOMMENDATION(S)

That Municipal Council hold a public hearing at 11:00 am on November 19, 2024, to consider the deregistration of the Captain James Anthony House, a municipal registered heritage property located at 1625 Granville Road, Port Wade.

LEGISLATIVE AUTHORITY

Heritage Property Act Section 16

BACKGROUND

A request to deregister an existing registered municipal heritage property was received from the current owner of the Captain James Anthony House dated August 17, 2024. The property specifics are as follows:

- a. Civic Number: 1625 Granville Road, Port Wade
- b. Present Use: Residential Single-Family Dwelling
- c. Municipal Heritage Registration Date: June 20, 1995

DISCUSSION

The current property owner, Robert Kahn, has made a request to deregister the property due to great difficulty obtaining homeowners insurance for the property. During a recent conversation with his local insurance company, the insurance company was made aware that the property is a municipally registered heritage property, and they were uncertain if the current underwriter would insure the property based on its heritage status. After much research and discussions, Mr. Kahn discovered that to insure his home, which is a seasonal residence, would cost him an additional \$2,000 per year over and above his existing rate. He is also concerned that his current insurer will cancel his insurance due to the added risk of being a heritage property.

Mr. Kahn's mother requested the heritage registration and while he would like to maintain his mother's wishes, he feels he has no other options but to request the property be removed from the Annapolis County Registry of Municipally Registered Properties instead of risking not being insured or not being able to reasonably afford the cost of insurance.

Section 16(1) of the *Heritage Property Act* states "on the application of an owner of a municipal heritage property or on its own motion, the council may deregister a municipal property where

- (a) *The property has been destroyed or damaged by any cause; or*
- (b) *The continued registration of the property appears to the council to be inappropriate as a result of the loss of the property's heritage value, as identified in the property's heritage file or notice of recommendation, unless the loss of the heritage value was caused by neglect, abandonment or **other action or inaction of the owner,**"*

Mr. Kahn's concern is that his property could be left vulnerable if he cannot obtain homeowners insurance for the property due to the fact it is a municipal heritage property or that it puts an added burden on him financially to place insurance on the property which was predicted to exceed \$2,000 more than his current rate.

While the property originally scored well in 1995 by staff for being of 'Classical Revival' architecture, it is also noted by staff that the architectural of the house is not uncommon in the area. A search of Captain James Anthony garnered only his obituary of 1913 which stated, "he was a much-respected citizen and Deacon of the Baptist Church". It makes no mention of him being a sea captain. A search of local histories such as "Age of Sail in Annapolis County 1760-1925" by Peggy Armstrong and Marguerite Wagner, published in 2000, also makes no mention of Captain Anthony.

FINANCIAL IMPLICATIONS

The property is in the land registration system and the Notice of Deregistration would be required to be filed by our municipal lawyer. This would be covered in the operating budget.

POLICY IMPLICATIONS

None known

ALTERNATIVES / OPTIONS

The option available to Municipal Council is to not consider deregistration of the Captain James Anthony House.

NEXT STEPS

Should Municipal Council decide to consider the deregistration, a public hearing must be held. A public hearing shall be held not less than thirty days after a notice of the hearing is served on the registered owner of the municipal heritage property and published in a newspaper circulating in the area.

Where a municipal heritage property is deregistered, council shall send notice of the deregistration to the registered owner of the property and a copy is to be deposited in the Registry of Deeds.

ATTACHMENTS

Letter from Owner
Municipal Heritage Registration dated June 1995
Staff Report dated January 1995
Site Map of Property Location

Prepared by:

Linda Bent, Director of Planning & Inspection Services

Approved by:

Approval Date:

Chris McNeill
Chief Administrative Officer

(Date)

RECEIVED AUG 17 2024

Municipal Heritage Advisory Committee
c/o Linda Bent, Director of Planning and Inspection Services
752 St. George St.
Annapolis Royal, NS BOS 1AO

Date: 17 August 2024

Re: De-registration of Residential Heritage Property – 1625 Granville Rd., Port Wade

Dear Members of the Committee,

It is with regret that I am asking to de-register The Captain James Anthony House, built in 1853. My mother had applied, and registration was approved , June 20, 1995.

My reason for de-registration is driven by conversations this July with my insurance agent in Annapolis Royal. Due to the escalating premium costs, I asked her for a quote from another underwriting company. During this conversation I mentioned that the house was a Municipal Heritage Property. She looked surprised and said she didn't know this, and that the other company she was considering for me would not insure heritage properties under any conditions. Surprising me, she said she wasn't sure if the underwriting company covering my property now knew it was a heritage property, implying that the house may not be insured. She also admitted that, in general, insurance companies are looking to drop or not insure properties that are to them questionable risks. She said, they only want to insure "perfect properties". I said that if the house was severely damaged I would not be trying to build it back with historical materials. She said that made no difference to the company.

I contacted two other Nova Scotia agencies, one in Annapolis Royal and one out of town. One said that they would only insure my seasonal home if they insured my primary residence. My primary residence is in the US and not insured with that company. The other agency offered two quotes. The quote for coverage for my heritage property would be \$2,000.00 higher annually than my current already high coverage. Given this information, I can only surmise that coverage for heritage properties will increase faster than non-heritage properties. If I inform my current company of the heritage registration I would likely be dropped due to the added risk factor. In short, I can not afford this increased cost, and do not want to be without any coverage.

My mother was happy to have this house registered, and so am I, but not under increased financial hardship. Please grant my request to de-register. This small house is not among other registered houses, and not known locally as historically registered.

Thank you,
Robert Kahn

ADOPTED: MONTH / YEAR

000170

H 2212

NOTICE OF REGISTRATION

TO REGISTER A MUNICIPAL HERITAGE PROPERTY

Pursuant to the Nova Scotia Heritage Property Act, R.S.N.S. 1989, c.199, the

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS

hereby gives notice that the property of Ms. Elizabeth Kahn located at 1625 Granville Road, Port Wade, Annapolis County being property identification number 05096599, field card number 09289000 and described in Schedule "B" hereto annexed, and in a deed recorded Lot 1 in Book 406, Page 225, Document Number 3849 in the Registry of Deeds for the County of Annapolis, has been recommended for registration in the registry of heritage property for the Municipality of the County of Annapolis.

The property has been recommended for registration as a Municipal Heritage Property.

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

- 1) The property shall not be substantially altered in exterior appearance or be demolished without the approval of the Municipality;
- 2) An application for permission to substantially alter the exterior appearance or to demolish the property shall be made in written form only to the Municipality;
- 3) The Heritage Advisory Committee shall be given an opportunity to comment on any application;
- 4) The Municipality may grant or refuse permission or attach conditions;
- 5) If the application is not approved the alteration or demolition may take place at least one year but not more than two years after the date of the application;
- 6) Penalties for violation of the act are a maximum fine of \$10,000.00 for individuals and \$100,000.00 for corporations, with the further right for the Municipality to apply for an order directing the restoration of the property. For further information refer to the Heritage Property Act.

The Heritage Property Act further provides that no person shall substantially alter the exterior appearance of or demolish a building for 120 days after notice of recommendation to register the property has been served, unless the Municipality sooner refuses to register the property.

Adopted: MONTH / YEAR

000171

A copy of this notice has been recorded at the registry of Deeds for the County of Annapolis pursuant to the Act.

SIGNED, SEALED AND DATED at Annapolis Royal, Nova Scotia,
this 11 day of July, 1928

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS

per *W. B. Wards*
Warden

per *Jacques B. Levesque*
Clerk

Adopted: MONTH / YEAR

000172

SCHEDULE "B"

A.L.L. that certain lot, piece of parcel of land situate, lying and being at Port Wade, in the County of Annapolis and Province of Nova Scotia and more particularly bounded as follows:

BEGINNING at an iron bolt distant one hundred and ninety-five feet (195') from the Southeast corner of lands conveyed from Watson Anthony to Gordon Snow, and set at the edge of the Main Highway running from Victoria Beach to Annapolis Royal;

THENCE northerly parallel with the West line of lands of Alfred Armstrong one hundred and forty-five and one-half feet (145 1/2') from an old iron bolt;

THENCE westerly and parallel with the said Highway seventy-nine and one-half feet (79 1/2') to another iron bolt;

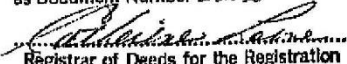
THENCE southerly parallel with lands of Ainsley Morgan a distance of one hundred and sixty-eight feet (168') to an iron bolt set at the edge of the Main Highway;

THENCE eighty and one-half feet (80 1/2') easterly along said Highway to the place of beginning.

000173

Province of Nova Scotia
County of Annapolis

I hereby certify that the within instrument
was recorded in the Registry of Deeds Office
at Lawrencetown in the County of Annapolis, N.S.,
at 12:58 clock P.M., on the 12th
day of July A.D. 19 95 in
Book No. 530 at pages 170-173
as Document Number 2212


Registrar of Deeds for the Registration
District of Annapolis County



file

REPORT TO: [] Annapolis District Planning Commission
[x] Municipality of Annapolis County
[] Town of Annapolis Royal
[] Town of Bridgetown
[] Town of Middleton

[] PAC
[x] HAC - January 30, 1995
[] COUNCIL
[] OTHER _____

DATE: January 17, 1995

FROM: Albert Dunphy, Senior Planner/Development Officer

SUBJECT: Captain James Anthony House, Port Wade

Background

A request was made by Ms. Elizabeth Kahn, the registered owner of the property locally known as the Captain James Anthony House, to have her property registered as a municipal heritage property. Her application dated October 1, 1994 was heard at the December 5, 1994 meeting of the Annapolis County Heritage Advisory Committee. The motion made at this meeting was that the Annapolis District Planning Commission prepare an evaluation of the Kahn property and send a report back to Heritage Advisory Committee for the next meeting of January 30, 1995.

The particulars on this property are as follows:

- A. Civic Number: 1625 Granville Road, Port Wade
B. Present Use of the Property: Residential
C. PID Number: 05096599
D. Assessment Number: 01544519
E. Field Card Number: 09289000
F. Deed Reference: Lot 1 In Book 406, Page 225
G. Property Area: 12,000 sq.ft.

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Discussion

The Captain James Anthony House, now the property of Elizabeth L. Kahn, is a 1½ storey, wood construction, modified vernacular house with strong Classic Revival influences. This house built in 1853, remained in the Anthony family until 1973, whereas it changed hands a total of four more time to come to the present owner, Elizabeth Kahn in 1987. The house is a well kept older home, typifying an architectural styling that is common in the community of Port Wade.

The house, according to local tradition, belonged to Captain James Anthony. However, as reported in the Department of Tourism and Culture, Inventory Site Form, Microfiche Number 43 02 00394 1, it would appear that both James Anthony and Willoughby Anthony, both master mariners, bought lots 117 to 120 and then divided the property.

Architectural Features

As stated previously, the Captain James Anthony House is a very good example of a modified Nova Scotia vernacular influenced with Classic Revival styling. While this particular house has strong Greek Revival influences, the overall classification as a Classic Revival styling is attributed to the fact that Nova Scotia house styling intermixed both Greek and Roman details. Thus the style is more accurately called Classic Revival.

Some of the specific features of this house are:

- A. The decorated pilaster window surrounds with the triangular gable design of a classical temple pediment;
- B. The elaborate entry portico featuring ionic columns and a pediment;
- C. Highly detailed transom and sidelight window surrounds of the entry way;
- D. Detailed return eaves; and
- E. Pine planking interior floors with a curving central staircase.

.../3

Additional features include:

- A. A stone foundation with mortared joints;
- B. Painted wood shingle siding;
- C. 6 over 6 window on the second floor only;
- D. Central Chimney;
- E. Wood Construction;
- F. Medium pitched roof;
- G. Combination window and gable end vents of the attic; and
- H. A panel front entrance door.

Alterations

While the house is in a very good state of repair, some alterations have been performed over time. These alterations include:

- A. A new central chimney;
- B. Asphalt roofing shingles;
- C. Aluminium exterior storm door and windows;
- D. A new concrete cellar entrance way; and
- E. A wood shed addition to the rear of the building (which is evidence by a different eve style, newer roof shingles, a wooden tongue-and-groove back entry door and concrete piers as opposed to the stone and mortar foundation of the main structure).

Site

The house is situated about 100 to 120 feet off the main road on a slight rise. The grounds are well-treed with a shrub perimeter and grass driveway. Small flower gardens are located in the front of the building on each side of the portico.

There is a small vegetable garden to the rear of the house but it is not clear if it located on the immediate Kahn property. The North Mountain as background provides the visual context of this house that remains unimpaired since the time the house was constructed in 1853.

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Recommendation

As part of the heritage property evaluation conducted on December 16, 1994, an evaluation scoring sheet was completed. The summation of the three scoring subcategories defines a total scoring category. With a total of 78 points, the Captain James Anthony House rates as a Category 1 designation. Scoring in this category denotes the property rates *"a priority in the registration process"*

Based on the scoring outcome of the evaluation of the Kahn property in Port Wade, it is recommended that the Annapolis County Heritage Advisory Committee recommend to Council that this property be considered for registration as a municipal heritage property.

ANNAPOLIS COUNTY
HERITAGE PROPERTY EVALUATION FORM

Owner's Name Elizabeth Kahn
 Mailing Address 105 Farm Road, Sherborn, MA 01770
 General Location of Property Port Wade, 1625 Granville Road
 Present Use of Property residential
 Assessment Property I.D. # 05096599
 Owner's Telephone # (508) 655-0667
 Assessed By A. Dunphy Date December 16, 1994

BASIC CRITERIA
EVALUATION DECISIONS

REASONS FOR GRADES

SCORING

I. Development Era, Age

E VG G F/P

A. Era

(Maximum 25)

18

Hicmacs (pre-1604)
 Acadians (1605-1755)
 Planters (1755-1800)
 General Growth (1800-1840)
 Industrial Growth (1840-1890)
 Decentralization (1890-1930)

"Automatic Designation"
 "Automatic Designation"
 25
 15
 (8)
 2

B. Age

Pre-1812
 1812-1840
 1840-1890
 1890-1914

"Automatic Designation"
 20
 (10)
 3

II. Architectural

(Maximum 35)

35

C. Construction _____ 10 6 (3) 0
 D. Design _____ (10) 6 3 0
 E. Site _____ (10) 5 2 0

BASIC CRITERIA
EVALUATION DIVISIONS

REASONS FOR GRADES

SCORING

Annapolis County Heritage Property Evaluation Form (Page 2)

F. Alterations _____	5	(3)	2	0
G. Condition _____	(5)	3	2	0
H. Style _____	10	(6)	3	0

II. Historical Association

(Maximum 40)

25

I. Individual _____	25	10	(5)	0
J. Event _____	25	10	5	(0)
K. Landmark _____	20	(10)	5	0
L. Environment _____	(10)	5	2	0

78

TOTAL SCORE

Total Score Category: (1) 2 3

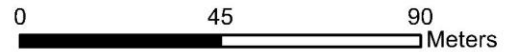
Recommendations by Assessor: Register whole 12,000 sq.ft. property

Reviewed by: A. Dunphy, Senior Planner/Development Officer

Comments: 1) Well kept property, 2) Classical Revival Styling, 3) 1½ storey, 4) medium pitch roof, 5) shingles, 6) portico, 7) Pediment motif over doors and windows, 8) 6 over 6 second floor double hung ground floor, 9) new chimney, 10) new cellar entrance, 11) newer asphalt shingles, 12) new back addition, 13) Plaque - Captain James Anthony c 1853.



1:1,500



ADOPTED: MONTH / YEAR

