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Item No. 4
Halifax Regional Council
August 1, 2017

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY Original Signed _____
Brad Anguish, Director of Parks, Recreation & Communities

DATE: July 17, 2017

SUBJECT: Lighthouses and Assistance to Community Groups

INFORMATION REPORT

ORIGIN

October 21, 2014 Motion of Regional Council:

MOVED by Councillor Adams, seconded by Councillor Hendsbee, that Regional Council request a staff report in regards to:

- a) establishing a fund for the upgrade and/or maintenance of lighthouses;
- b) the staff resources to assist in coordinating with community groups to seek funding from other levels of government; and
- c) refer the matter to the Audit and Finance Standing Committee for consideration.

MOTION PUT AND PASSED

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter ("HRM Charter"):

79 (1) The Council may expend money required by the Municipality for

...
(x) lands and buildings required for a municipal purpose;

...
(av) a grant or contribution to:

...
(v) any charitable, nursing, medical, athletic, educational, environmental, cultural, community, fraternal, recreational, religious, sporting or social organization within the Province,

BACKGROUND

In 2010, the Federal Government decided to divest itself of surplus lighthouses in Canada. Recognizing the potential cultural and heritage value of lighthouses, it adopted the *Heritage Lighthouse Protection Act* as a means through which lighthouses with recognized heritage values could be considered for heritage designation, and surplus lighthouses could be transferred to persons (typically community groups). Requirements for consideration for surplus lighthouses included the submission of a business plan to demonstrate how a proposed use of a property would be economically viable over the long term, while protecting the character of the lighthouse and allowing public access. Under the Act, the federal government received petitions for lighthouse heritage designations and then considers related business cases. A surplus lighthouse will not be designated without a viable business case.

The Act came into effect on May 29, 2010. Nominations for heritage designation were to be submitted by May 2012, and decisions about petitioned designations were to be made by Parks Canada by May 2015. Although no further nominations will be considered, lighthouses previously nominated may still receive heritage designation where a group submits a viable business plan and commits to buy or lease the structure and to maintain it on an ongoing basis.

Regional Council requested a staff report in regards to the establishment of a fund and staff assistance that community groups might use to upgrade and maintain lighthouses within HRM. Regional Council's motion was for this report to be considered by the Audit and Finance Standing Committee, but that would only be applicable if there was direction to establish a funding source outside of Regional Council's annual budget. As a result, this report is being presented to Regional Council.

A subsequent motion was passed at Halifax & West Community Council on May 30, 2017 directing staff to explore the acquisition of land by HRM that would enable public access to the Terence Bay lighthouse. That matter will be the subject of a separate staff report.

DISCUSSION

Status of Lighthouse Protection Initiatives

The Nova Scotia Lighthouse Preservation Society (NSLPS), founded in 1993, is a "non-profit society to benefit all the 150 lighthouses in Nova Scotia." Its objective is to retain as "many lighthouses as possible in the care of local communities because of their heritage value, their symbolic and social meaning to the nearby communities and the public coastal land where many of them are situated." (NSLPS website). When the federal government's lighthouse program was announced, it worked with community organizations and petitioned for 15 lighthouses to receive heritage designation within HRM as follows:

Indian Harbour (Paddy's Head)	Chebucto Head
Peggy's Point (Peggy's Cove)	Maugher's Beach (MacNab's Island)
Betty Island	George's Island
Terence Bay	Devil's Island
Pennant Harbour	Spry Bay Harbour
Sambro Harbour (Bull Point)	Sheet Harbour Passage - Front Range & Rear Range
Sambro Island	Beaver Island

There are a number of factors to consider for any group or organization interested in taking ownership of one or more lighthouses, including the will, capability, and capacity of local groups. In addition, the cultural and community value of a lighthouse must be weighed against the costs involved with maintenance, providing public access and undertaking environmental remediation. Lighthouses that were petitioned for heritage designations continue to be owned and maintained to at least a minimal level by the federal government. Of the 15 petitioned lighthouses in HRM, only the Terence Bay lighthouse has received a heritage designation to date. It was the only one for which a community group submitted a business plan that demonstrated a viable business case for preservation of the lighthouse. Title to the property has not

yet been transferred to the community group, however, as it has been unable to secure necessary easements for access over private property.

HRM Funding and Assistance

HRM does not have any specific policies or programs regarding lighthouse preservation. However, the Regional Plan does speak to the importance of conserving heritage resources for both cultural and economic reasons and lighthouses have an inherent significance, particularly given the municipality's maritime heritage. Lighthouses may be recognized to a greater degree by the municipality through HRM's *Heritage and Culture Priorities Plan* that has recently been initiated. That work may also result in programs to help support the retention of important cultural landscapes and features.

While the federal government is still open to receiving proposals from community groups, it is unclear if any group has the capability or interest to acquire surplus lighthouses in HRM. While HRM does not have a clear mandate for the retention, maintenance and interpretation of lighthouses, it could support a community group initiative through a number of existing programs and initiatives. These include HRM's grant programs and property tax relief program, as well as an ability to apply for provincial funding where a municipal heritage designation has been applied. There are also potential funding sources available from other levels of government and organizations. An overview of these programs are provided below.

Community Grants Program

The Community Grants Program is a centralized program that provides annual cash grants to registered non-profit organizations and charities located throughout the Municipality with project grants of up to \$5,000 and capital grants of up to \$25,000 for initiatives including:

- Capital grants towards purchase of property, including an abutting property or easement for public access (under the federal program, lighthouses would normally be provided to groups for a nominal \$1.00 fee so this would be applicable to the acquisition of supporting lands).
- Grants towards professional fees associated with acquisition such as site survey, legal fees, environmental testing, building condition assessment, building lifecycle plan or conservation plans.
- Environmental remediation, site grading or enhancements.
- Professional fees for marketing plan and financial plans.
- Structural repairs (where the non-profit group owns the property).
- Interpretation panels, site furnishings, directional signs, publications, web-sites, and other similar matters.

The Nova Scotia Lighthouse Protection Society received a total of \$7,000 in grants under the program in 2003 and 2007 for an oral history project to document the lives of lighthouse keepers and their families. To date, there have been no other grants provided for lighthouse-related matters.

The Community Grants Program cannot be used to fund capital work on government-owned real property; therefore, ownership of a lighthouse would have to be formally transferred to a non-profit group. Given that only the Terence Bay lighthouse may be transferred to a non-profit group in the near term, the level of program uptake is expected to be minimal.

Should a community grant in excess of \$25,000 be sought, then a change to the program or an exemption to the grant limit, would be required. Alternatively, HRM could consider special one-off grants outside of the scope of current programs. However, this could have broad implications, as other groups may seek additional funding and this would put a strain on the program.

Property Tax Relief

In addition to the Community Grants Program, organizations may apply for property tax relief through the Tax Relief for Non-Profit Organizations Administrative Order. Should a non-profit group acquire a

lighthouse, they may be eligible to apply under this program to reduce municipal property taxes on the property.

Municipal Heritage Registration

The HRM Heritage Incentives Program (Administrative Order 2014-002-ADM) provides matching grants of up to \$10,000 for eligible exterior conservation work on privately-owned, municipally registered heritage properties, located in HRM and used for residential or commercial purposes. The owner of a lighthouse property may be eligible to apply to this program, depending on the property's ownership, use and heritage registration status. The Province of Nova Scotia offers conservation advice and conservation work grants to non-profit organizations in support of their efforts to properly conserve a registered municipal heritage property.

Staff Assistance

Staff currently provides informal assistance to community groups on a number of initiatives where groups are applying for grant funding from HRM as well as from external programs. The type of assistance varies depending on the initiative and community group and can include provision of supporting documentation, technical advice and historical data. Staff will continue to provide that assistance to any community groups that initiate potential acquisition of any of the surplus lighthouses.

Other Funding and Assistance

Other organizations, such as the National Trust, Parks Canada, and the provincial government have provided funding and assistance for lighthouse preservation.

National Trust's "This Lighthouse Matters" Program

The National Trust is a national charity that advocates action to save historic places, and promotes the care and wise use of our historic environment. The Trust has a program called "This Lighthouse Matters" which seeks to support local groups, provide advice and financial assistance to support the retention of significant lighthouses. In 2015, the Trust in partnership with the Nova Scotia Lighthouse Preservation Society announced total grants of \$250,000 to support lighthouses in nine Nova Scotia communities, all outside of HRM. A crowdfunding program was also started by these organizations to further support community lighthouse preservation efforts.

Parks Canada and Heritage Places Program

The National Cost-Sharing Program for Heritage Places is a program administered by Parks Canada and is open to owners and eligible lessees of designated national historic sites, heritage lighthouses and heritage railway stations. The Program supports Parks Canada's mandate of protecting and presenting places of national historic significance, and fostering the public's understanding, appreciation and enjoyment of these places. To be eligible for the program, an applicant must have secured at least 50% cost sharing. The program will provide up to \$25,000 for technical and planning studies, up to \$25,000 for interpretation projects, and up to \$1 million for conservation projects.

Provincial Government

The provincial government does not have any specific programs dedicated to lighthouse preservation or maintenance, although there are opportunities for funding applications to be made through general grant programs. In some cases, the Departments of Economic & Rural Development & Tourism (NSERDT) and Communities, Culture & Heritage (CCH) has worked with interested community groups by providing advice on developing business cases and issues to consider in taking over a lighthouse. The province could also become directly involved in the preservation of lighthouses that are seen to have a provincial significance although there are currently no plans in this regard.

The provincial Conservation Advice Grant will support fees associated with preparing a conservation report by a professional (such as a licensed architect or engineer) engaged to advise on the exterior conservation or structural integrity of a registered building or monument/grave marker. The maximum grant available will be 50% of the costs to prepare the conservation advice report to a maximum of \$3,000.

The provincial Conservation Work Grant will support costs associated with the exterior conservation of an eligible registered municipal heritage property. Costs to address a structural integrity issue will also be considered. A grant will cover 50% of the eligible conservation work costs to a maximum of \$7,500 every two years for owners of registered municipal heritage property used as places of worship or for a registered non-profit association. Service Nova Scotia also offers a Provincial Tax Rebate (under the Sales Tax Act). Owners of registered municipal heritage properties are eligible for a full rebate of the provincial sales tax paid for materials used on the exterior of the building.

Conclusion

To date, no community group has been successful in acquiring or leasing a lighthouse from the federal government within HRM, although other groups elsewhere in the province have been successful. Although there is no clear role or mandate for HRM in the retention and preservation of lighthouses, the importance of their preservation is well recognized. Should a group be successful in acquiring or leasing a lighthouse, existing HRM programs and those of other levels of government and organizations provide a range of options for funding assistance. Therefore, creation of a separate grant program is not required.

It is noted that the Terrence Bay Lighthouse community group has been partially successful in advancing its interest in the preservation of this lighthouse, but it has not been able to gain an access to this site. This will be the subject of a separate report to Regional Council.

FINANCIAL IMPLICATIONS

None at this time. The ability to support non-profit lighthouse preservation groups presently exists through the Community Grants Program and the Property Tax Relief Program. Staff time devoted to exploratory discussions with the non-profit groups and the Province would be covered through existing business unit operating budgets.

COMMUNITY ENGAGEMENT

There was no community engagement in the preparation of this staff report.

ATTACHMENTS

None

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

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