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Item No. 9.1.3
Heritage Advisory Committee
June 18, 2025

TO: Chair and Members of the Heritage Advisory Committee

FROM: Bill Moore, Acting Chief Administrative Officer

DATE: June 5, 2025

SUBJECT: **Case HRTG-2025-01168: Substantial Alteration to the Municipally Registered Heritage Property at 7895 Highway 7, Musquodoboit Harbour**

ORIGIN

An application by Eastin Projects Ltd., on behalf of the property owner, to substantially alter the municipally registered heritage property located at 7895 Highway 7, Musquodoboit Harbour.

EXECUTIVE SUMMARY

This report reviews a proposed substantial alteration to a registered heritage property located at 7895 Highway 7, Musquodoboit Harbour (Musquodoboit Railway Museum). The proposed alteration includes the removal of an 8-metre portion of the remaining railway track, which is a character-defining element of the property, to accommodate the construction of a common shared driveway from Highway 7 to the nearby Special Planning Area and proposed development (The Birches Nursing Home replacement facility). Staff recommend that the Heritage Advisory Committee recommend approval of the proposed substantial alteration.

RECOMMENDATION

It is recommended that the Heritage Advisory Committee recommend that Regional Council approve the proposed substantial alteration to the municipally registered heritage property 7895 Highway 7, Musquodoboit Harbour, as set out in this report.

BACKGROUND

Existing Site Context

The Musquodoboit Railway Museum at 7895 Highway 7, Musquodoboit Harbour, was registered in the Registry of Heritage Property in 2003. The lands registered include both the lands associated directly with the museum and the historic rail right-of-way (now the Musquodoboit Trailway). While most of the historic rail line has been removed and converted to a hiking trail, a portion of the rail line remains intact. This remaining portion is contained wholly on the museum property (presently PID 41538042).

The subject property is located on the northwestern side of Highway 7, between intersections with West Petpeswick and East Petpeswick Roads (see Map 1). The museum property has an area of 7,251sqm (1.8 acres), while the rail right-of-way contains an additional 522,044sqm (129 acres).

Requested Substantial Alteration

The applicant is proposing to make one substantial alteration to the Musquodoboit Railway Museum property. This alteration consists of removing a portion of track approximately 8 metres in length, from the southern end of the remaining track segment of the historic railway line, as depicted in Attachment B. Based on measurements taken from aerial pictometry, the total length of the remaining track segment is approximately 220 metres. This would equate to a roughly 3.6% reduction in the track segment's total length.

To determine the appropriateness of a substantial alteration, a full understanding of the property's heritage value and character-defining elements is required. As a point of reference, staff have prepared a heritage property summary which outlines the heritage value and character-defining elements for the property (Attachment A). This summary was created using the historic information contained in HRM's heritage property files.

Substantial Alteration Legislation

In accordance with Section 17 of the *Heritage Property Act*, a substantial alteration to a municipal heritage property requires Regional Council approval. The *Heritage Property Act* defines a substantial alteration as "any action that affects or alters the character-defining elements of a property". The character-defining elements of a property are defined as "the materials, forms, location, spatial configurations, uses and cultural associations or meanings that contribute to heritage value and that must be sustained in order to preserve heritage value."

Heritage value is defined as "the aesthetic, historic, scientific, cultural, social or spiritual importance or significance for past, present or future generations and embodied in character-defining materials, forms, locations, spatial configurations, uses and cultural associations or meanings." Therefore, a determination on the appropriateness of a substantial alteration lies in its effect on the property's unique heritage value and character defining elements.

If Regional Council refuses the requested substantial alteration to the heritage property, the owners may choose to alter the heritage property three years from the date of the application, but not more than four years after the date of the application, in accordance with Section 18 of the *Heritage Property Act*. Should the substantial alteration plans be revised, a new substantial alteration application will be required, which will start a new three-year waiting period.

Standards & Guidelines

The *Standards and Guidelines for the Conservation of Historic Places in Canada (2nd Edition)* are used to perform an analysis of the appropriateness of a substantial alteration's impact on a property's heritage value and character defining elements. The *Standards and Guidelines* help to ensure that careful consideration is given to how the proposed alterations may affect the heritage values and character defining elements of the property. The findings of this analysis are provided in Attachment C and summarized in the discussion section of this report.

DISCUSSION

The Remaining Track Segment as a Character-Defining Element

The remaining segment of track from the historic rail line is a character-defining element of the registered heritage property. Considering the *Heritage Property Act's* definition of character-defining elements, this track segment is among the "materials, forms, and spatial configurations" of the property and serves as tangible evidence of the historic layout and use of the property (see section above, titled Substantial

Alteration Legislation). The c.1916 rail line is the reason for the construction of the c.1918 station building and is inextricably linked to the industrial and economic history of Musquodoboit Harbour, the Eastern Shore, and Musquodoboit Valley, by providing a rail connection from Woodside through several Eastern Shore communities, Musquodoboit Harbour, and then further inland through the Musquodoboit Valley to Upper Musquodoboit.

Removing Part of the Remaining Track Segment as a Substantial Alteration

Having established that the remaining track segment is a character-defining element of the heritage property and considering the *Heritage Property Act*'s definition of substantial alteration, the proposed partial removal of a character-defining element will affect or alter said element (see section above, titled Substantial Alteration Legislation). Thus, such an alteration warrants review through the substantial alteration application process in accordance with the Act.

Development Context Warranting this Substantial Alteration

Between March of 2022 and May of 2025, the Minister of Growth and Development and Housing for the Province of Nova Scotia, designated sixteen (16) Special Planning Areas within the Halifax Regional Municipality, in accordance with the *Housing in the Halifax Regional Municipality Act*. Through the designation of Special Planning Areas, there is an expectation of accelerated housing development. One of the Special Planning Areas is PID 40192528 in Musquodoboit Harbour of the Eastern Shore (West) Plan Area, which was designated a Special Planning Area in January of 2023. The Musquodoboit Harbour Special Planning Area is immediately north of the Musquodoboit Railway Museum.

To accommodate the proposed development (The Birches Nursing Home replacement facility) in the Musquodoboit Harbour Special Planning Area, the applicant is required to provide a common shared driveway as secondary access, which must cross a portion of the registered heritage property. This access and related re-grading of the land will necessitate the removal of a small (approximately 8-metre) portion of the remaining track segment. Should the common shared driveway be upgraded to a public road standard in the future, any additional alteration to the tracks would require a separate application at that time.

Standards and Guidelines Assessment

The proposed alteration is very limited in scope, and thus many of the Standards are not applicable. Staff's complete findings are provided in Attachment B, and these findings are summarized below. Only one character-defining element of the property is proposed to be altered (the remaining track segment), and the alteration is proposed to be the minimum change necessary, namely the removal of approximately 8 metres of material (rails and rail ties) from the southern end of the track to accommodate the construction of a common shared driveway.

Standard 1

The objective of heritage conservation is to conserve heritage value, achieved through the minimization of changes to character-defining elements. Spatial relationships can be character-defining and should be taken into consideration where appropriate. Staff find that the proposed alteration conserves the heritage value of the registered heritage property by altering as few character defining elements as possible with as minimal of an intervention as possible, in accordance with Standards 3 and 7. The location of the rail line and its spatial relationship to other elements, such as the station building, remains unchanged.

Standard 3

Per Standard 3, minimal intervention is not rigidly understood as doing the least possible, but rather balancing technical and programmatic requirements with protecting heritage value. The construction of a new common shared driveway across the registered heritage property is a technical/programmatic requirement for the purposes of safe access and egress to the nearby Special Planning Area and proposed development (The Birches). The applicant, in consultation with the Province and HRM staff reviewed access requirements and alternative driveway placements. The proposed alteration was determined to be the most appropriate location for the common shared driveway access. Constructing this driveway access up to

municipal standards involves regrading the embankment along which the rail line formerly ran and removing a small portion of the remaining track. The proposal therefore represents both a necessary and minimal intervention, striking an appropriate balance between technical and programmatic requirements of the new development and Special Planning Area on the nearby lands and protection of the heritage property's heritage value.

Standard 7

In accordance with Standard 7, one should evaluate the condition of character-defining elements to determine the appropriate intervention needed and intervene by the gentlest means possible, respecting heritage value in the process. The impact of the proposed alteration is minimal in terms of only impacting one character-defining element, and by the means of intervention, limiting the removal of track materials to only 8 metres (or 3.6% of the track's total length). This is the smallest possible reduction guided by the technical requirements of the site. The condition of the metal rails is fair and stable. The condition of the wooden railway ties is poor, with the ties slowly deteriorating due to environmental conditions. Staff find the removal of this small section of track will not significantly change the overall form and layout of the track, and the convergence of the through-track with the siding-track remains readily identifiable (see Attachment B), thus maintaining its heritage value.

The cut rail pieces and the wooden ties are proposed to be stored on-site as evidence of the modification, as opposed to disposing of them. The work will also be documented and recorded in HRM's heritage file for the property.

Conclusion

Staff advise that the anticipated impacts to character-defining elements of the Musquodoboit Railway Museum are minimized, and that the property's heritage value and heritage integrity is conserved. The property's character-defining elements are proposed to be retained, with only one character-defining element proposed to be altered. Alternative points of access and methods of intervention have been satisfactorily explored, and the proposed alteration is both necessary and minimal. Finally, the alteration will be documented and the materials removed will not be disposed of, but rather will be retained on-site, ensuring historical honesty. For these reasons, staff recommend approval of this application.

FINANCIAL IMPLICATIONS

The HRM costs associated with processing this application can be accommodated within the approved 2025/26 budget for Cost Centre C340 – Heritage and Planning Information Services. HRM is not responsible for construction and renovation costs.

RISK CONSIDERATION

No risk considerations were identified.

COMMUNITY ENGAGEMENT

The community engagement process for a substantial alteration is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was information sharing achieved through public access to the required Heritage Advisory Committee meeting.

ENVIRONMENTAL IMPLICATIONS

No environmental implications were identified.

ALTERNATIVES

1. The Heritage Advisory Committee may recommend that Regional Council approve the proposed substantial alteration to 7895 Highway 7, Musquodoboit Harbour, with conditions and in so doing should provide reasons for the conditions based upon applicable conservation standards.
2. The Heritage Advisory Committee may recommend that Regional Council refuse the proposed substantial alteration to 7895 Highway 7, Musquodoboit Harbour. This is not recommended for the reasons outlined in this report.

Note: The *Heritage Property Act* does not include appeal provisions for decisions of Council regarding substantial alterations, however, if the substantial alteration application is refused, section 18(3) of the *Heritage Property Act* provides that the owners would be permitted to proceed with their proposal three years from the date of the application.

LEGISLATIVE AUTHORITY

Heritage Property Act, R.S.N.S. 1989, c. 199

By-law H-200, the Heritage Property By-Law

ATTACHMENTS

Map 1 Location Map

Attachment A Heritage Building Summary

Attachment B Letter of Rationale, Plans, and Photos

Attachment C Standards & Guidelines Heritage Staff Evaluation

Report Prepared by: Carter Beaupre-McPhee, LPP, MCIP, CAHP, Planner III – Heritage Property Program,
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Map 1 - Location Map

7895 Highway 7,
Musquodoboit Harbour



Registered Heritage Property



Special Planning Area

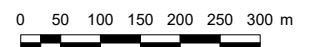


Railway Museum Property
(contains remaining track segment and station building)



Rail Right-of-Way (converted to trail)

HALIFAX



HRM does not guarantee the accuracy of any representation on this plan.

ATTACHMENT A

HERITAGE BUILDING SUMMARY

Musquodoboit Railway Museum, 7895 Highway 7, Musquodoboit Harbour



Character-Defining Elements:

- Arts-and-crafts style station building with:
 - wood-framed construction
 - horizontal single-storey mass intersected by a central two-storey mass
 - low-pitched hipped roof with varied rooflines and cross gable
 - large overhangs supported by brackets
 - wood-trim cantons
 - wood-trim string course
 - vertical sliding sash windows with transoms above most windows and doors
 - clerestory windows on southern facade
 - wood shingle siding with vertical accent siding below stringcourse
 - simple red-brick chimney
- wooden station platform
- remaining track segment from original rail line

Heritage Value:

The Musquodoboit Railway Museum (7895 Highway 7, Musquodoboit Harbour) was added to the Registry of Heritage Properties for the Halifax Regional Municipality in 2003. The property's heritage value is embodied in the 1.5-storey Arts-and-Crafts-style station building, which was constructed in 1918, and the remaining track segment from the original rail line constructed circa 1916. The push for the establishment of a rail line through Musquodoboit Harbour and surrounding area was the result of "an effort to bolster export shipments from the port of Halifax by bringing in raw and manufactured materials from Dartmouth and the Eastern Shore." Cavicchi and Pagano was the contractor for the line's construction, and the line extended from Woodside, through several Eastern Shore communities, Musquodoboit Harbour, and through the Musquodoboit Valley, terminating in Upper Musquodoboit. Intercolonial Railway had constructed station buildings along the line for the convenience and comfort of passengers, with the Musquodoboit Harbour station having been built in 1918. This line is credited with improving the transport of goods in the region and increasing populations of the Eastern Shore and Musquodoboit Valley. The rise of the automobile and highway network spurred a decline in rail travel, and passenger service on this line was discontinued in 1960 with freight operations discontinued in 1975. Efforts by the community, led by local teacher David E. Stephens, resulted in the station building being repaired and the railway museum opened in 1975.

SCHEDULE B

LETTER OF RATIONALE, PLAN, AND PHOTOS

Ian Henteleff
Project Manager
Harbour Garden Village
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902-521-6464

Date: 2025-04-23

To Whom It May Concern,

Re: Letter of Rationale - Substantial Alteration Application (Heritage Railway Track Removal)

I am writing on behalf of Harbour Garden Village in support of our application for a Substantial Alteration to a designated heritage property. The specific alteration pertains to the removal of approximately 8 meters of historic railway track located within PID 41538042, which has heritage designation.

This request arises as part of our proposed development project, which includes the construction of a new road to provide access to the site. While our initial plans avoided any disturbance to the railway track, following extensive consultation with the municipality, we were directed to move the access point. The revised layout, mandated by municipal direction, requires the road to pass through the section currently occupied by the heritage-designated track.

We have explored alternative alignments; however, due to site constraints and municipal requirements, there is no viable alternative access point that would avoid impacting this portion of the track. The proposed removal is therefore limited to the absolute minimum necessary - approximately 8 meters - to accommodate the roadway and ensure public access, emergency response capability, and overall site functionality.

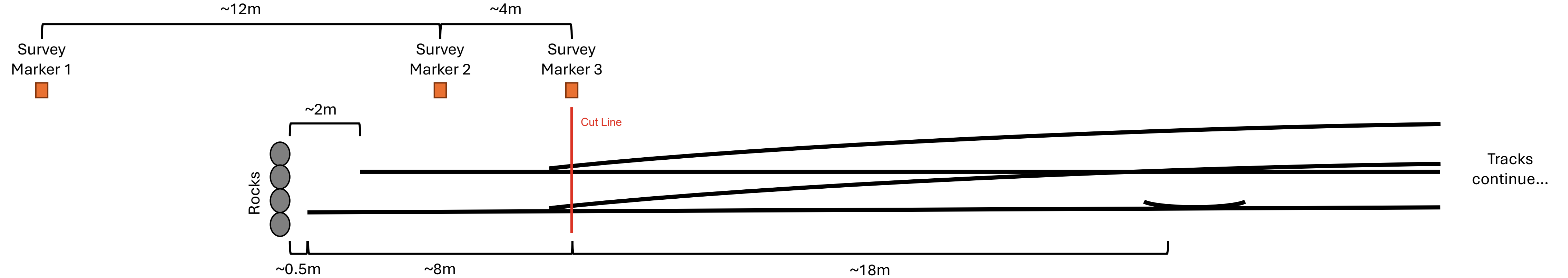
We understand and respect the cultural and historical value of the railway track. Should this application be approved, we are prepared to collaborate with heritage staff to implement mitigation measures, such as interpretive signage, preservation of track materials, or documentation for archival purposes.

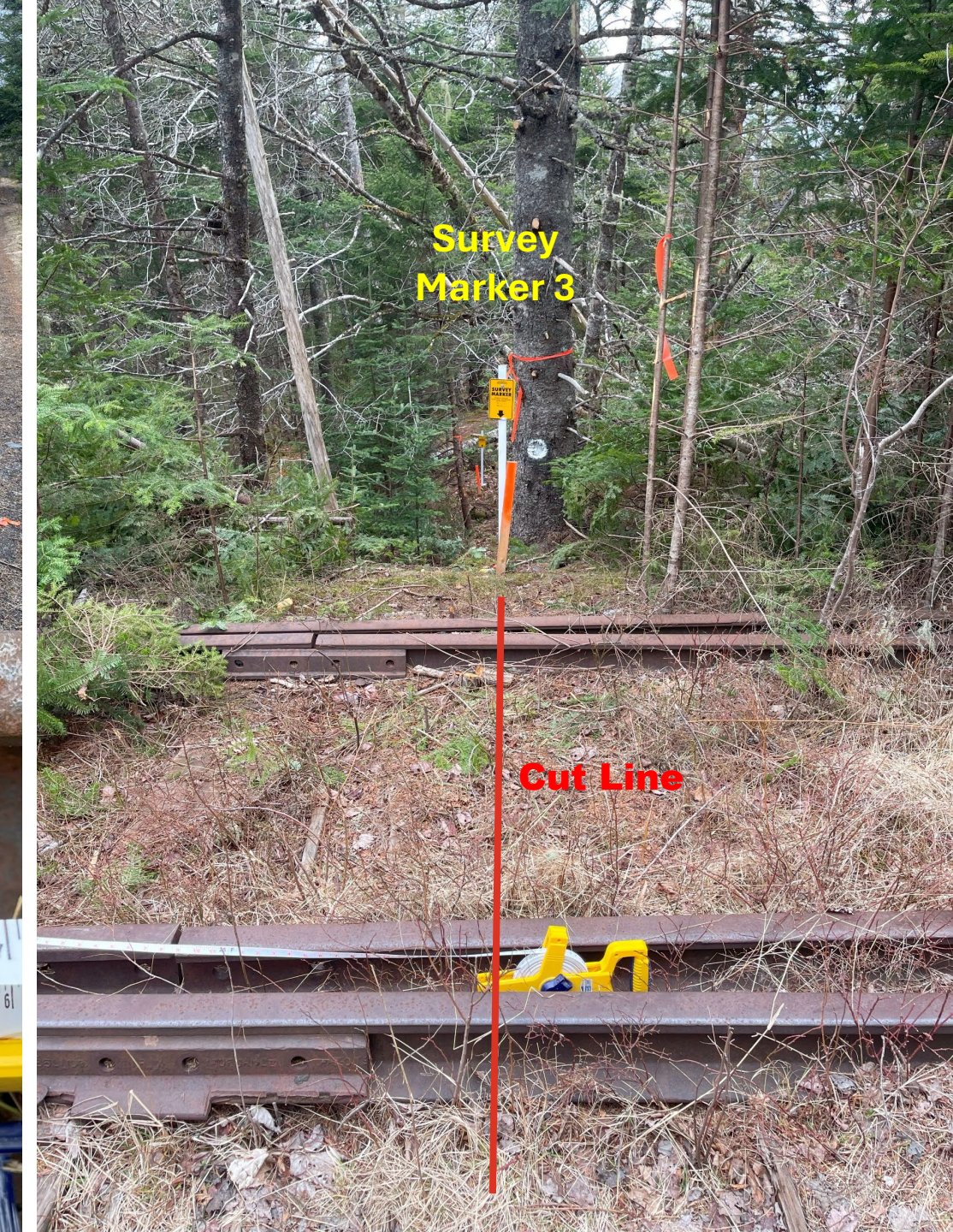
We respectfully submit this application with the understanding that all efforts have been made to balance development needs with heritage preservation priorities. We are committed to acting as responsible stewards of the site's legacy while fulfilling municipal requirements for access and infrastructure.

Please feel free to contact me directly should you require any additional information.

Sincerely,
Ian Henteleff
Project Manager
Harbour Garden Village Inc.

Approximate Plan of Existing Tracks and Survey Markers (as measured on site)





ATTACHMENT C

STANDARDS AND GUIDELINES EVALUATION

The following document reviews the Standards and Guidelines for the Conservation of Historic Places in Canada (2nd Edition) as applied to Case HRTG-2025-01168: Application for Substantial Alterations to the municipally registered heritage property at 7895 Highway 7, Musquodoboit Harbour.

Standards and Guidelines

Standard	Staff Comments
Standard 1 (a) Conserve the heritage value of an historic place. (b) Do not remove, replace or substantially alter its intact or repairable character defining elements. (c) Do not move a part of an historic place if its current location is a character-defining element.	<p>The <i>Standards and Guidelines</i> note that the overarching objective of heritage conservation (a) is to conserve heritage value. Furthermore, they note that the conservation of that value is achieved through (b) the minimization of changes to character-defining elements. Finally, they note that (c) spatial relationships can be character-defining.</p> <p>Staff find that the proposed alteration seeks to conserve heritage value in spite of necessary changes, through minimization of said changes in accordance with Standards 3, 7, & 9. The location of the rail line and its spatial relationship to other CDEs, such as the station building, is not being changed. Only the length of the rail line is proposed to be changed.</p>
Standard 2 Conserve changes to an historic place that, over time, have become character-defining elements in their own right.	N/A
Standard 3 Conserve heritage value by adopting an approach calling for minimal intervention.	<p>The <i>Standards and Guidelines</i> note that minimal intervention is not to be rigidly understood as doing "little, nothing, or the least possible". But rather it is understood to mean identifying interventions which "balance technical and programmatic requirements with protecting heritage value".</p> <p>The applicant, in consultation with the Province and HRM, explored various driveway access options to the associated Special Planning Area and proposed development (The Birches Nursing Home replacement facility). Based on the assessment of site conditions and HRM's Municipal Design Standards, this location and intervention were proposed. This intervention includes necessary grade alterations and impacts only 3.6% of the remaining track segment.</p> <p>Staff are satisfied that alternative driveway placements and designs have been adequately explored and that the current proposal represents both a necessary and minimal intervention, striking an acceptable balance between technical and programmatic requirements of</p>

	the proposed development on nearby lands and protection of the heritage property's heritage value.
Standard 4 Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties, or by combining features of the same property that never coexisted.	N/A
Standard 5 Find a use for an historic place that requires minimal or no change to its character-defining elements.	N/A
Standard 6 Protect and, if necessary, stabilize an historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbing archaeological resources, take mitigation measures to limit damage and loss of information.	Stabilization is not anticipated to be required for the proposed removal of approximately 8 metres of track length. Archaeological resources would be addressed at the point of site intervention. The applicant is required by law to comply with regulations and permitting requirements of the <i>Nova Scotia Special Places Protection Act</i> . The Nova Scotia Department of Communities, Culture, Tourism, and Heritage will be notified by HRM staff of potential site intervention if this proposal is approved.
Standard 7 Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.	The substantial alterations proposed will see minimal changes to one character-defining element (the remaining section of track). A site visit was carried out and the track was documented. The condition of the metal rails is fair and stable. The condition of the railway ties is poor, with the ties slowly deteriorating due to environmental conditions. The intervention proposed consists of cutting the metal rails at survey marker #3 (approximately 8 metres of the southern end of the track, as shown in Attachment B) and storing the cut rail pieces and the wooden ties on-site as evidence of the modification, for historical honesty. This represents a 3.6% reduction in the total length of the remaining section of track, which staff view as the smallest possible reduction. The small section of track to be removed does not significantly impact the overall form and layout of the track, and the convergence of the through-track with the siding-track remains readily identifiable.
Standard 8 Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.	N/A
Standard 9	Storing the cut rail pieces and the wooden ties on-site as evidence of the modification (as opposed to

Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable on close inspection. Document any intervention for future reference.	disposing of them) ensures these materials are not lost and that the proposed changes carried out are identifiable. The work will also be documented and recorded in HRM's heritage file for the property.
Standard 10 Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.	N/A
Standard 11 Conserve the <i>heritage value</i> and <i>character-defining elements</i> when creating any new additions to an <i>historic place</i> or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.	N/A
Standard 12 Create any new additions or related new construction so that the essential form and integrity of an <i>historic place</i> will not be impaired if the new work is removed in the future.	N/A
Standard 13 Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound version of the same elements.	N/A
Standard 14 Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical documentary and/or oral evidence.	N/A