

COUNTY *of* ANNAPOLIS

NATURALLY ROOTED

PUBLIC HEARING

Deregistration Vacant Lands Reuben Potter House Property

Clementsvale

AGENDA

Time: 11:00 a.m.

Date: Tuesday, January 20, 2026

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 ask questions of Council regarding the heritage deregistration.

The purpose of this Public Hearing is to discuss heritage deregistration of the vacant lands once associated with the Reuben Potter House with the current property owner, who is requesting municipal heritage property deregistration for PID 05054275, Quarry Road, Clementsvale.

Council also uses 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: Vacant Lands (former Reuben Potter Property - Deregistration Application)

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

- We have received an application for consideration of deregistration of the vacant lands once associated with the Reuben Potter Property located at Quarry Road, Clementsvale 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 December 9, 2025 for reference.

Acknowledgement of Representative of Property Owner, Maggie Shackleton, by the Warden.

- Heritage deregistration is a legal process enabled through Section 16 of the Provincial Heritage Property Act.
- You, representing the property owner of PID 05054275 Quarry Road, Clementsvale, 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 Council would add an item to the agenda and if affirmative would make a motion to deregister the vacant lands once associated with the Reuben Potter 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: December 9, 2025
Prepared By: Linda Bent, Director of Planning & Inspection Services
Report Number: (SR20xx-x) [number is assigned by the Clerk]
Subject: Vacant Lands Former Reuban Potter Property - Request to Deregister Property

RECOMMENDATION(S)

That Municipal Council hold a public hearing at 11:00 am on January 20, 2026, to consider the deregistration of the vacant lands previously associated with the Reuban Potter House Property, a municipal registered heritage property located at PID 05054275, Quarry Road, Clementsvale.

LEGISLATIVE AUTHORITY

Heritage Property Act Section 16

BACKGROUND

Planning Staff received a written request from Marc Potter dated October 14, 2025 (received via email on October 31, 2025, current owner of PID 05054275, to deregister his vacant lands associated with an existing registered municipal heritage property known as the Reuban Potter House. The property specifics are as follows:

- a. Civic Number: Quarry Road, Clementsvale
- b. Present Use: Vacant Lands
- c. Municipal Heritage Registration Date: January 2, 1992

In 1991, Municipal Council received and approved an application to register a property located at 1213 Clementport Road, Clementsport as a Municipal Heritage Property. At the time, the property consisted of approximately 55 areas which included the house, known as the Reuban Potter House and associated lands to the rear which extended to the Quarry Road. The Notice of Registration was filed at the Registry of Deeds on January 2, 1992. The property was subsequently subdivided on April 12, 1996 creating two lots, one being the lot the Reuban Potter House lot consisting of 2.30 acres and a vacant lot consisting of plus/minus 36 acres.

As per Section 16 of the Heritage Property Act, upon application of a property owner Council may deregister a municipal heritage property where (b) the continued registration of the property appears to Council to be inappropriate after holding a public hearing to consider the proposed deregistration.

DISCUSSION

The current property owner, Marc Potter, intends to place his vacant parcel of land for sale and wishes to have the municipal heritage designation removed from his property to avoid any hinderances or complications.

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,**"

FINANCIAL IMPLICATIONS

The property is in the land registration system, and the Notice of Deregistration must 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 vacant lands once associated with the Reuban Potter 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 January 2, 1992
- Subdivision Approval dated April 12, 1996
- Site Map of Property Location

Prepared by:

Linda Bent, Director of Planning & Inspection Services

Approved by:

Approval Date:

Rob Frost
Chief Administrative Officer

(Date)

Shackleton Taylor Law

Barristers, Solicitors, Notaries

MAGGIE A. SHACKLETON, B.A., J.D.

RACHEL M. TAYLOR, L.B. (HONS), GIPD



October 14, 2025

Municipality of the County of Annapolis

752 St George St
PO Box 100
Annapolis Royal NS B0S 1A0

Dear Municipal Counsel,

RE: REQUEST TO REMOVE HERITAGE DESIGNATION PURSUANT TO HERITAGE PROPERTY BY-LAWS UNDER HERITAGE PROPERTY ACT For PROPERTY KNOWN AS PID 5054275 (Clementsvalle)

I am the current title holder to the above property. I have designated Maggie A Shackleton, as my lawyer, to appear on my behalf to speak to my formal request to de-register my above property as a Heritage Property as I am unable to appear in person.

On or about January 2, 1992 the Municipality of the County of Annapolis pursuant to section 145 of the Heritage Property Act Registered a Designation that a property then owned by Esther M Potter in Clementsvalle on Highway 496 and containing by deed approximately 55 acres be registered as a Heritage Property. Notice of Registration attached as **Schedule "A"**.

On or about April 17, 1996 The Estate of Esther M Potter subdivided the above 55 acre lot into two lots. One containing the house and barns to which the Heritage Designation clearly applies (now being PID 05196936) and a second lot with the remainder lands/ fields containing no structures to which the designation should not apply (PID 05054275 – the parcel I own). Instrument of Subdivision containing the sketch attached as **Schedule "B"**.

In accordance with the Registry of Deeds and Land Registration Act regulations the Heritage Designation attached both parcels. However, the Heritage Designation does not apply to the above PID (created by the subdivision in 1996) as it is vacant land with no structures. As such I am requesting that my property detailed above be de-registered.

Shackleton Taylor Law
7 Commercial Street
Middleton NS B0S 1P0
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Fax: 902-907-0607
rachel@shackletontaylorlaw.ca

Family Paralegal
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Property Purchases Paralegal
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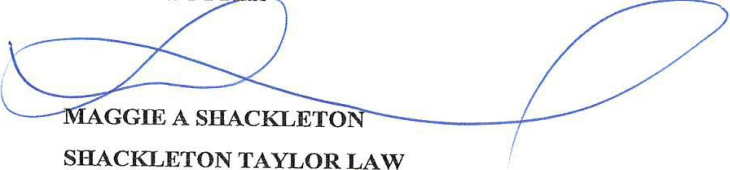
For ease of reference I have also attached the current Parcel Register for my parcel as **Schedule "C"**.

Kind regards,

MARC A POTTER via my Solicitor



MARC A POTTER



MAGGIE A SHACKLETON
SHACKLETON TAYLOR LAW

MAS/smh

Cc:

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SCHEDULE "A"

0 829

#10

NOTICE OF REGISTRATION

MUNICIPAL HERITAGE PROPERTY

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS

Pursuant to Section 14 of the Heritage Property Act, R.S.M.S. 1989, c. 199, the MUNICIPALITY OF THE COUNTY OF ANNAPOLIS hereby gives notice that the property of Esther M. Potter, comprising of approximately 55 acres with farm and buildings located in Clementsville on the south east side of the Clementsport Road, Highway 496 between Clementsville and Clementsport, about 1/2 mile north of the junction of the Clementsport Road and the Clementsville Road, Fieldcard Number 12641000, described in Schedule "A" hereto annexed, and in a deed recorded in Book 217 at Page 444 in the Registry of Deeds for the County of Annapolis, has been registered in the registry of heritage property for the Municipality of the County of Annapolis.

The Heritage Property Act provides that where 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 may be made 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.

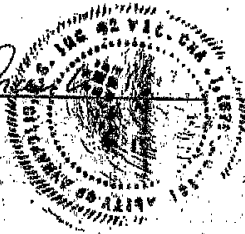
A copy of this notice has been recorded at the Registry of Deeds for the County of Annapolis pursuant to s. 15(3) of the Act.

0 830

of DATED at Annapolis Royal, Nova Scotia, this day, 1991.

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS

Per: *Ronald J. [Signature]*
Municipal Clerk



SCHEDULE "A"

Lot Number 1: BEGINNING on the Southeast side line of the main highway running from Clementsport to Clementsvale, at the North west corner of lands formerly owned by Avarad Potter and now owned by Chipman Potter; thence Southerly along said Chipman Potter's West line of lands to a corner; thence Easterly along Chipman Potter's South line of lands to the West side line of the Quarry Road, so-called; thence Southerly along the West side line of said Quarry Road to the Northeast corner of lands formerly owned by William Brown and now owned by Wilfred Dukeshire; thence Westerly along the North line of lands of Wilfred Dukeshire and continuing Westerly along the North line of lands of the estate of Edward Potter to the East side line of the Clementsport - Clementsvale highway; thence Northerly following the course of the said highway to the place of beginning, containing in all 55 acres, a little more or less. BEING the same lands and premises as were described as Lot Number 1 in a deed from David Potter et ux to the said Ralph W. Potter, bearing date 27 September 1906 and recorded in the Registry of Deeds at Bridgetown, N.S. in Book 133 at Page 278.

Province of Nova Scotia
County of Annapolis
I hereby certify that this is a true copy
of the instrument recorded in the
Registry of Deeds Office at Lawrencetown in
the County of Annapolis, N.S., in Book
No. 480 at page 829-830
on the 2nd day of January A.D., 1991
as shown and true by
my hand and seal this
day of A.D., 19

.....
Registrar of Deeds for the Registration
District of Annapolis County

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 1:00 o'clock P.M., on the 2nd
day of January A.D., 1991 in
Book No. 480 at pages 829-830
as Document Number 10

Catherine [Signature]
Registrar of Deeds for the Registration
District of Annapolis County

SCHEDULE "B"

1187 000604
Instrument of Subdivision

1A

Department of
Municipal Affairs

AN INSTRUMENT RESPECTING THE SUBDIVISION OF LAND IN ACCORDANCE WITH SECTION 87A(1)(a)(b) OF THE PLANNING ACT FOR THE

MUNICIPALITY OF THE County OF Annapolis

LANDS OF: the Estate of Esther Maude Potter

LOCATED AT: River Road, Clementsvalle, Annapolis County, Nova Scotia

Based on the information contained in this Instrument of Subdivision, Lots 96-1 & 96-2 are APPROVED.

IMPORTANT NOTICE:
This approval does not warrant the size, location or boundaries of the lots described in the instrument and the Development Officer has no duty to verify the information submitted by the applicant as to the size, location, or boundaries of the lots.

As a result, these lots may not have access to a public street or highway.

This approval does not in any way imply that the lots created by this instrument would be eligible for any or all of the following permits:

1. Municipal Building Permit
2. Department of Transportation Access and Building Permit
3. Department of Health Permit to install an on-site sewage disposal system
4. Municipal Development Permit

Province of Nova Scotia
County of Annapolis

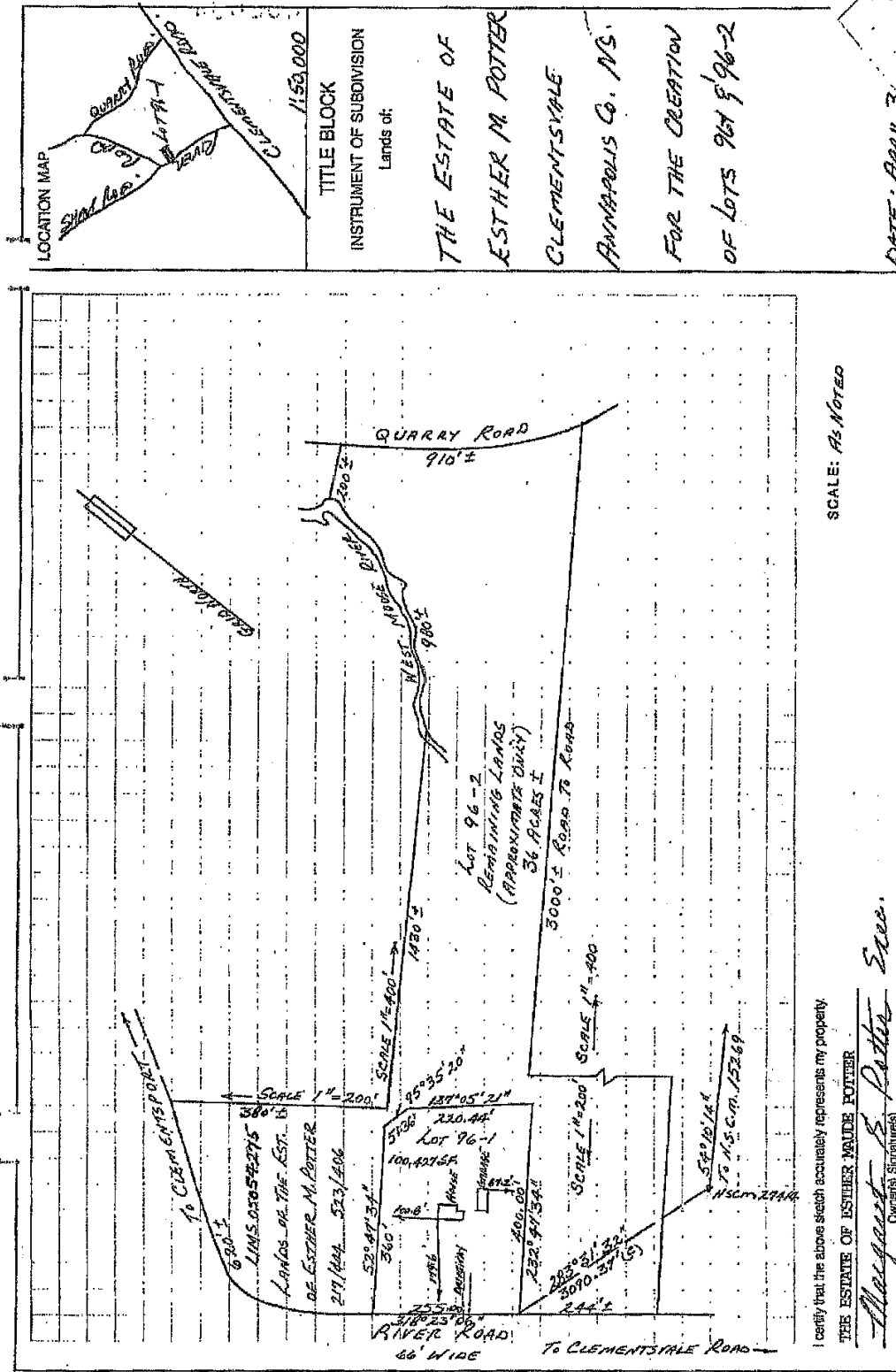
I hereby certify that the within instrument was recorded in the Registry of Deeds Office at Lawrencetown in the County of Annapolis, N. S., at 2:07 o'clock P.M. on the 17th day of April A.D., 1996 in Book No. 541 at pages 604-605 as Document Number 1187

[Signature]
Registrar of Deeds for the Registration District of Annapolis County

[Signature]
MUNICIPAL DEVELOPMENT OFFICER
April 12 1996

Divisions of An Area of Land

Declaration	
Margaret E. Potter, Executrix of the Estate of Esther Maude Potter	
I, we	of <u>Kentville</u>
in the County of <u>Kings</u> , Province of Nova Scotia, do solemnly declare:	
1. THAT <u>the Estate of Esther Maude Potter</u> is the owner(s) of the area of land as shown on the sketch which is <u>a portion</u> of the lands described in a conveyance from <u>the heirs of Ralph Nelson Potter</u> to <u>Esther Maude Potter</u> dated <u>January 28, 1956</u> and Recorded in the Registry of Deeds for the registration district of <u>Annapolis County</u> in Book <u>217</u> at Page <u>444</u> .	
2. THAT <u>the Estate</u> intend to subdivide the area of land as shown on the sketch in this instrument into Lots <u>96-1 & 96-2</u> .	
3. THAT each of the lots proposed to be created is 100,000 square feet in area and has dimensions that would permit a circle of 250 feet in diameter to be contained within its boundaries.	
4. THAT <u>I</u> make this solemn declaration conscientiously believing the same to be true and to have the same force and effect as if made under oath and by virtue of the Canada Evidence Act.	
Declared before me at <u>Annapolis Royal</u>	<i>[Signature]</i>
in the County of <u>Annapolis</u>	<u>MARGARET E. POTTER</u>
Province of Nova Scotia, this <u>16th</u> day of <u>April</u> A.D. 19 <u>96</u>	<u>EXECUTRIX OF THE ESTATE OF ESTHER MAUDE POTTER</u>
<i>[Signature]</i> RODERICK K. MACARTHUR A Barrister of the Supreme Court of Nova Scotia	Owner(s) Signature(s)



SCALE: AS NOTED

I certify that the above sketch accurately represents my property.

THE ESTATE OF ESTHER MAUDE POTTER

Margaret S. Potter
 Secy.
 (Owner's Signature)

