



**Subject:** *Shubenacadie Cenotaph - Lease*  
**To:** Council  
**Date Prepared:** October 7, 2025  
**Related Motions:** C25(282)  
**Prepared by:** Adam Clarkson, Director of Corporate Services  
**Approved by:** Kim Ramsay, Chief Administrative Officer

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### Summary

This report is to advise Council that a lease agreement will not be established with the Shubenacadie Legion Branch No. 111 prior to moving the cenotaph back to its original location. With that, Council will have to assume all risk and liability, future costs for maintenance, repairs to the original base and associated structures at the original Cenotaph location.

September 24, 2025 - Council decision to move the Shubenacadie Cenotaph to the original site (PID 45330214) where it was moved from in Spring 2025.

September 25, 2025 - Staff contacted the Shubenacadie Legion to discuss entering into a lease agreement. Staff also started the process to secure a contractor to complete minor repairs to the base and move the Cenotaph from the Legion back to its original location.

October 3, 2025 - Staff met with Legion representatives to review a draft lease. At that meeting, the Legion confirmed they do not intend to enter into a lease with the Municipality. The Legion will enter into an agreement to maintain the grass. A full summary of that meeting will be discussed further in the report.

### Financial Impact Statement

A budget for the move was established in the September 16, 2025, report presented to committee with a total cost of \$42,000. The breakdown of the costs are as follows:

- \$23,000 for relocating the cenotaph and minor repairs to the original base;
- \$5,000 for repairs to the stairs;
- \$4,000 to remove and dispose of the concrete base at the Legion property; and,
- \$10,000 additional costs associated with re-design of the parking lot.

Council needs to be aware that with no clear lease agreement for the Cenotaph base and structures, all future costs related to maintenance and repair of the monument will be placed on the tax payer.

### Recommendation

This is an information report to inform and update Council that there will not be a lease agreement established with the Shubenacadie Legion and to identify the risks Council is assuming.

Council could consider the installation of a new base. An optional motion has been included should Council choose.

## Recommended Motion

That Council accept ownership of the Cenotaph and supporting structures as it moves back to the Shubenacadie parking lot location.

Should Council choose to install the Cenotaph on a new base the following motion would be needed:  
“That Council approve the installation of a new base at the additional cost of \$7,000”.

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## Background

### Historical Land Lease

December 24, 1921 - Canadian National Railway (CNR) established a lease with Messrs. J. A. Kirkpatrick, Watson Smith and Robert Gass for 1,500 square foot area for war memorial site for \$1 per year.

May 23, 1961 - CNR wrote the Shubenacadie Legion Branch No. 111 that the previous lease holders (Messrs, Gas and Smith) were deceased and as the Legion had taken over the rental and maintenance of the monument, they wished to transfer the lease to the Legion.

August 17, 1961 - CNR wrote Mr. Kirkpatrick as the sole holder of the lease, confirmed correspondence with Legion Branch No. 111 and their willingness to pay and perform the necessary maintenance on the memorial and grounds.

July 28, 2000 - Land deeded to the Municipality of East Hants. The deed references lease with Legion Branch No. 111. The Municipality does not have a copy of this lease.

July 2025 - The Municipality had a title search completed and no lease was found.

Summer 2025 - The Legion reached out to CN and received no response.

October 2025 - Municipal staff reached out to CN and at the time of the report do not have a response.

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## Discussion

### Timeline of Events

September 16, 2025 Committee meeting - it was mentioned that prior to a move being completed a lease establishing the responsibility for long-term maintenance of the monument would need to be established.

September 24, 2025 Regular Meeting of Council - Council decided to move the Cenotaph back to the original location and site.

September 25, 2025 - staff contacted the Legion President at 9:00am with a site visit occurring at 1:30pm. The Legion President provided copies of letters from the 1960's that speaks to a historical lease (letters attached). Municipal staff requested a meeting with the Legion to review a draft lease. The Legion President set a meeting with its Council for October 3, 2025.

October 3, 2025 - a meeting that was held with the Legion to review a draft lease with 14 people in attendance. Discussion summary included the following points:

- A lease is good practice of property management and clearly defines the parameters for present and future selves. Draft lease is attached.

- The Legion confirmed a lease is not an option, but they are open to a service agreement to cut the grass and conduct minor cleaning of the grounds and Cenotaph.
- The Legion suggested the Municipality redo the stairs and base prior to the move.
  - There was recognition that this work would not be possible prior to November 11, 2025, and general consensus of support of this.
  - If Council were to invest in additional work, it should be actioned with a targeted timeline versus “we will move it back after”.
- The Legion noted that rebuilding the base and stairs would improve the aesthetics and lifespan. There was discussion around the original intent for the redevelopment of the parking area was for beautification and this could be a perfect opportunity.
- The Legion also brought up that the stairs create a challenge for accessibility.
- There was acknowledgement by some in attendance that although they like new location at the Legion, it was clear that moving it back is what is needed to be done.
- Structural concerns have not been raised by Municipal staff, but the contractor has identified minor repairs to the base that are required prior to relocating the structure.
- Staff have been working closely with a contractor to arrange the relocation.
- A comment was made regarding a review of cenotaphs throughout the municipality to avoid a similar situation down the road.

October 14, 2025 - Staff spoke with the Legion President and confirmed their intent would be to maintain the grass and garbage, along with minor cleaning of the monument. The Legion President confirmed they are not in a financial position to complete future repairs of the base or Cenotaph.

#### Progress on Cenotaph Relocation

There are minor repairs requiring approximately 10-14 days cure time for the Cenotaph to be relocated including grouting pre-existing cracks, areas that have degraded over time and adding new pins to hold the granite blocks. Staff are working closely with the contractor to fit the relocation into the contractor's schedule in advance of Remembrance Day ceremonies.

Without knowing the integrity of the base, the contractor cannot guarantee its longevity and consideration should be given to putting the Cenotaph on a new concrete base.

It should be noted that as they are trying to fit the relocation into their schedule in between other jobs, moving back by November 11, 2025, may be challenging but is a known goal between the Municipality and the contractor.



### Risk & Liability

The liability risk has been with the Municipality since acquiring the property in 2000. Historically, there have been no municipal funds invested to fix or repair the monument.

Moving forward, Council will be responsible for:

- All liability
- All future repairs and maintenance to the base, Cenotaph itself and associated structures

Moving forward, the site would be maintained to municipal standards. Future decisions for removal or repairs of stairs and landscaping would be the responsibility of the Municipality.

The cost to replace the monument would likely be less than our insurance deductible and would be the burden of the general tax rate.

### LEGISLATIVE AUTHORITY

With the original intent being to enter into a lease for the property and/or subdivide and sell to the Legion, the intent was to have Council approve said lease at the October 21, 2025, Council meeting. The Municipal Government Act requires all leases over 1 year to be approved by Council.

### FINANCIAL CONSIDERATIONS

A budget for the move was established in the September 16, 2025, report presented to committee with a total cost of \$42,000. The breakdown of the costs are as follows:

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- \$5,000 for repairs to the stairs
- \$4,000 to remove and dispose of the concrete base at the Legion property
- \$10,000 additional costs associated with re-design of the parking lot

This does not include estimated future costs to repair and maintain the site and the associated structures.

A new base installed prior to the move would cost an estimated \$7,000 (new base and removal of old base).

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## Alternatives

Council may wish to direct staff otherwise.

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## Attachments

1961 Letters from CNR to Legion and Mr. Kirkpatrick

Letter from resident that attended meeting at the Legion on October 3, 2025