


REVISED Apr 29/14
(Attachment 2 to attached report only)

Item No. 11.4.1
Halifax Regional Council
April 29, 2014

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: 
Original Signed
Councillor Walker, Chair, and Members of HRM Grants Committee

DATE: April 14, 2014

SUBJECT: **Former Allen Heights Fire Station #57: Lease Request Lot A3-
PID#40057465, 5680 St. Margaret's Bay Road, Head of St. Margaret's
Bay**

ORIGIN

Staff recommendation approved at the April 14, 2014, HRM Grants Committee meeting.

LEGISLATIVE AUTHORITY

HRM Charter (2008) Section 63 (1) respecting less than market value leasing of municipal property.

RECOMMENDATION

That Halifax Regional Council approve:

1. Demolition of the former fire station building located at 5680 St. Margaret's Bay Road, Head of St. Margaret's Bay, and retention of vacant land for future municipal recreational use; and
2. Decline the request from the Safety Minded ATV Association to lease the former Fire Station #57 building based on site condition, operating viability, and HRM's future operational requirements.

BACKGROUND

A staff report dated April 3, 2014 "Former Allen Heights Fire Station #57: Lease Request Lot A3-PID#40057465, 5680 St. Margaret's Bay Road, Head of St. Margaret's Bay" was before the HRM Grants Committee on April 14, 2014.

Refer to the 'Background' section of the staff report for further information on the former fire station property.

DISCUSSION

The Grants Committee reviewed and discussed the April 3, 2014 staff report at the April 14, 2014, Grants Committee meeting.

The staff recommendation was approved as set out on page one of this report.

FINANCIAL IMPLICATIONS

As outlined in the April 3, 2014 staff report.

COMMUNITY ENGAGEMENT

The Grants Committee consists of four (4) members of Regional Council as well as six (6) members of the general public. Grant Committee meetings are open to the public. Agendas, minutes and reports are available on the HRM website.

ENVIRONMENTAL IMPLICATIONS

As outlined in the April 3, 2014 staff report.

ALTERNATIVES

None identified by the Committee, although alternatives are outlined in the April 3, 2014 staff report.

ATTACHMENTS

1. Staff recommendation report dated April 3, 2014 "Former Allen Heights Fire Station #57: Lease Request Lot A3-PID#40057465, 5680 St. Margaret's Bay Road, Head of St. Margaret's Bay"

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Jennifer Weagle, Legislative Assistant, 490-6517

HRM Grants Committee
April 14, 2014

TO: Chair and Members of HRM Grants Committee

Original signed

SUBMITTED BY: _____
Greg Keefe, Director of Finance & ICT/CFO

Original signed

Peter Stickings, Acting Director of Planning & Infrastructure

DATE: April 3, 2014

SUBJECT: **Former Allen Heights Fire Station #57: Lease Request Lot A3-
PID#40057465, 5680 St. Margaret's Bay Road, Head of St. Margaret's
Bay**

ORIGIN

August 6, 2013 – Regional Council approve removal of PID#40057465 5680 St. Margaret's Bay Road, Head of St. Margaret's Bay, from the list of potential surplus properties for disposal under Administrative Order 50.

LEGISLATIVE AUTHORITY

HRM Charter (2008) s.63(1) respecting less than market value leasing of municipal property.

RECOMMENDATION

It is recommended that the Grants Committee recommend that Regional Council approve:

1. Demolition of the former fire station building located at 5680 St. Margaret's Bay Road, Head of St. Margaret's Bay, and retention of vacant land for future municipal recreational use;
2. Decline the request from the Safety Minded ATV Association to lease the former Fire Station #57 building based on site condition, operating viability, and HRM's future operational requirements.

BACKGROUND

Presently, 5680 St. Margaret's Bay Road, Head of St. Margaret's Bay comprises three (3) parcels of land as shown in the Site Plan in **Attachment 1**:

- PID#40070872 Lot P-7 is a 2.5 acre land holding containing an HRM-owned ball field. The South-East corner of Lot P-7 also contains a children's playground area beyond the outfield fencing but this is not considered an ideal location for CPTED standards.
- PID#40057465 Lot A-3 contains former Fire Station #57.
- PID#00339804 is a vacant but treed lot to the South of the former fire station that has been under-utilized for the parkland dedication purpose for which it was conveyed to the Municipality. The immediate use appears to be parking in association with the ball field and playground.

In 2011, Fire Station #57 was de-commissioned to coincide with the opening of the Upper Tantallon Fire Station. HRM has no operational requirement for the former building and advanced the property through the internal review process for potential disposal. In February, 2011, HRM received an unsolicited request from the St. Margaret's Bay Road/Boutlier's Point Recreation Association (SMBBPRA) for HRM to retain the property in relation to possible recreational use. In January, 2013, HRM received an unsolicited request from the Safety Minded ATV Association to lease the former fire station located at 5680 St. Margaret's Bay Road, Head of St. Margaret's Bay. See: **Attachment 2**. The property was subsequently removed from HRM's list of surplus properties until a site plan has been developed for existing and possible enhanced recreational amenities and on-site parking.

DISCUSSION

Future Municipal Requirements: The lack of on-site parking in relation to the ball field is considered a public safety issue to avoid spill-over parking on the shoulder of St. Margaret's Bay Road, the children's playground is not appropriately sited, and there may be an opportunity to enhance the site with construction of a multi-sport pad. Hence, Community Recreation is interested in retention of the property while a plan is developed to confirm if the entire site is required, subject to budget capacity.

Lease Request: The Safety Minded ATV Association wish to lease the former fire station property (Lot A-3) for vehicle and materials storage, operation of a canteen and washrooms in relation to the HRM ball field, and general community access. The property is zoned MU-2 Mixed Use under the St. Margaret's Bay Land Use By-law (Districts 1 and 3). The intended use conforms to current zoning. The ATV club envisage a "...long term commitment for many years". Hence, this request is not considered an interim measure for short-term or seasonal storage. See: **Attachment 2**. The club's ability to pay all operating and capital costs, including

any on-site inspection, code compliance, and repairs required as a condition of occupancy (safety) is unconfirmed.

Environmental Concerns: The exact location of the well and septic system is undetermined at this time. Although documentation is lacking with respect to the history of the property it has been confirmed that the former volunteer fire department purchased the property from Imperial Oil and that the former gas station had two underground fuel tanks. The condition of water and sewer infrastructure needs to be confirmed, especially given that the intended use public access and canteen usage. Given the environmental concerns and strategic location of the subject property, it is recommended that HRM demolish the building as soon as possible and retain the land for public recreational use. Timely environmental testing of the site would aid in developing a project budget for consideration in the 2015-16 fiscal year.

Retention vs Property Sale/Lease: The rationale to decline a less than market value lease agreement includes:

- The club has a “user agreement” with the Head of St. Margaret's Bay/Boutlier's Point Recreation Association, that operates the HRM owned Bay Community Centre for a clubhouse and small storage shed located at 15 Station Road, St. Margaret's Bay only 2.4km from this location.¹ The possible expansion of the ATV club's on-site storage at the Bay Community Centre might present a short-term and less expensive alternative.
- The ‘need’ for additional community access at this location has not been confirmed given HRM-owned facilities within 6 km: St. Margaret's Bay Arena (5.2 km/5 minute drive time), the Bay Community Centre (2.4km/3 minutes), and the former Lewis Lake fire station leased to the Bay Community Hall Association (5.8 km/5 minutes).
- The undetermined extent, type and cost of on-site environmental remediation.
- If Council had agreed to a disposal or lease of the former fire station property in accordance with the Community Interest category of Administrative Order 50 the process would have been open to all non-profit organizations and proposals subject to a formal evaluation process. Restricting consideration to one non-profit group in relation to leasing cannot be substantiated: this opportunity has not been publicized and as such denies other community groups equitable access to opportunity, including the baseball teams who use the sports field.

Estimated Holding Costs: The estimated holding costs (building only) for a *vacant building* are estimated to be \$3,000/year. Costs include only nominal heat, building insurance, snow and ice removal, and security. Once the site plan has been confirmed, capital funding in relation to recreational amenities (including playground re-location and parking) could be budgeted according to HRM's overall annual budget capacity and priorities.

¹ The club has use of the building at no charge in lieu of maintenance and operating with access for community groups when the main building at 11 Station Road is over-booked. The lease has not been assessed for tax.

FINANCIAL IMPLICATIONS

Costs related to building demolition and environmental remediation, including site testing, will be incorporated into Project Budget Account No. CBX01162 - Environmental Remediation and Demolition.

Recreation throughout HRM will be revisited this coming year with the renewal of the Community Facility Master Plan (CFMP) which will take into account various recreation amenities throughout the Municipality.

COMMUNITY ENGAGEMENT

Not applicable if the land is retained by HRM for a municipal purpose.

ENVIRONMENTAL IMPLICATIONS

A Level I environmental test is required to confirm potential on-site soil contamination from gasoline and/or furnace oil. The location and condition of well and septic system needs to be confirmed.

ALTERNATIVES

1. HRM could re-direct the ATV Club's request for storage to the St. Margaret's Bay/Boutlier's Point Recreation Association (SMBBPRA) who operate the Bay Community Centre on HRM's behalf. Expansion of the club's storage use at this location may be a more cost-effective alternative. However, any land lease agreement should not exceed the term of HRM's agreement with SMBBPRA which expires in July, 2015.
2. The Grants Committee could overturn the staff recommendation to decline a property lease and recommend Council consider an open solicitation of non-profit groups interested in a short-term lease.

This option is not recommended for the reasons set out in the Discussion section of this report. However, should Council elect to pursue this option it is recommended that a Supplementary Report be prepared to identify risks, operating and capital costs associated with a short-term lease and verify the proponent's ability to self-fund given that heating costs for a building of this size and age would probably be in the range of at least \$1,200 to \$2,000/year and insurance could be expensive if vehicles, including flammable liquids, are to be stored indoors.

ATTACHMENTS

1. Site Plan
2. Letter from Safety Minded ATV Association to HRM.

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/index.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by : Peta-Jane Temple, Team Lead Grants & Contributions, Finance & ICT 490-5469; Diane Moulton, Manager Operations, TPW; Chad Renouf, Real Estate Officer, P&I; Margaret Soley, A/Coordinator Facilities, P&I.

Original signed

Report Approved by: John Henry, A/Manager Community Recreation Services, 490-4734

Original signed

Report Approved by: Peter Stickings, Manager Real Property & Land Management, P&I

Original signed

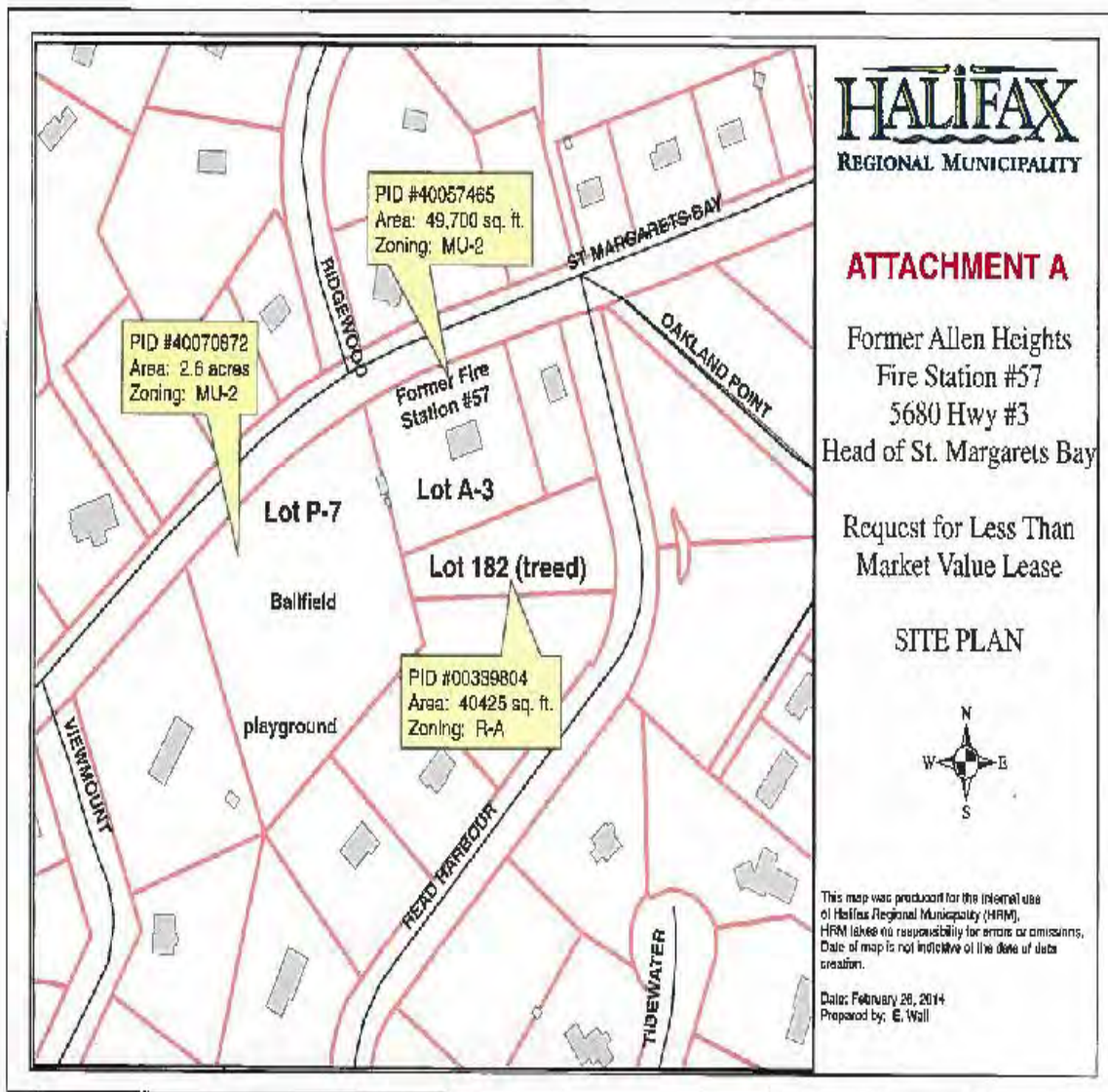
Report Approved by:

Brad Anguish, Director of Community & Recreation Services, 490-4933

Original signed

Report Approved by:

Bruce Fisher, Manager, Financial Policy & Planning, 490-4493



Safety Minded ATV Association

15 Station Road, off Hwy. #3, Head of St. Margaret's Bay

To Tom Crouse
Manager
HRM Real Estate
PO Box 1749
Halifax, NS
B3J 3A5

Hi Tom

I have been advised by Doug Stout/Bill Wiggins since last year of the discussion about the fire dept substation located at the Allen Heights Ballfield, Head Of St Margts Bay, i am a board member of both their organizations[SMBRTTA, and Bay Community Centre].

Our organization would like to discuss an agreement to be considered for being responsible for maintaining and using the building for our use as well as other community organizations, and for the use of the activities that go on at the ball field all year.

We have approx 140 members in our club, and many of them are in the communities in this area, and would like to see this building used for the enjoyment of many residents attending events, or as community groups/assoc.

Some of those uses could be:

>canteen and restroom availability for ball field events or other users.

>Use by other groups for meetings, events, activities, such as an alternative for some of the groups using the Bay Community Centre now[scouts, cubs, dog training, theatre when they need more room due to large events going on.

>storage for signs, posts, trail equipment, place for assembling signage, most storage would be over the winter months.

>some of the associations benefitting from this building would be SMATVA, Bay Community Centre, Rails To Trails[St margts and BLT]ball field assoc, etc.

Smatvas interest would be mainly winter storage of trails equipt/supplies, place to assemble signage /trail related items etc..

We are very involved in trails maintenance involving the rails to trails groups, community trails and events[charity]

We are committed to a network of trails in the WPA lands[and outside the WPA boundary] on the Chebucto peninsula, working with DOE, DNR, TIR, privat land owners.

This will be a long term commitment for many years, and a place to store some of the tools and material would be very usefull,as well as the bays to prepare for the summer use of the multi use trails.

We have many members who are retired and with many skill sets who will volunteer their time to maintain, and for upgrading this building.

We also have stable funding each year, so we have the resources for grounds maintenance through the year[plowing,repairs]and heat and power.

This is a brief outline of what we have plans for, and we look forward to discussing additional requirements with your Dept that may be needed for any such building agreement.

It would be great if we could have the building ready to use for this summer, and SMATVA is willing to proceed at once if an agreement can be signed with HRM.

Sincerely

MIKE MARRIOTT
President/SMATVA
Safety Minded ATV Association
Phone: [REDACTED]
Cell: (902) 430- 6079
E-mail: mikemarriott@bellaliant.net
Website: <http://www.smatva.ca/>