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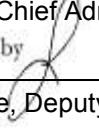
Item No. 11.1.5
Halifax Regional Council
December 9, 2014

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY:

Original signed by 

Richard Butts, Chief Administrative Officer

Original Signed by 

Mike Labrecque, Deputy Chief Administrative Officer

DATE: November 17, 2014

SUBJECT: Cherry Brook Community Centre

ORIGIN

July 22, 2014 motion of Halifax Regional Council:

MOVED by Councillor Nicoll, seconded by Councillor Hendsbee, that Halifax Regional Council request a staff report regarding the status of the former Cherry Brook Community Center, to include:

- a) Ownership status of the land and building;
- b) Safety and security measures for the building; and
- c) Future intended uses of the property and any other HRM land that surrounds the property; and
- d) Any planned/proposed consultation pertaining to future uses of the property.

MOTION PUT AND PASSED

LEGISLATIVE AUTHORITY

The Municipality's powers with regard to real property are under Section 61, 63 and Section 64 of the *HRM Charter*.

RECOMMENDATION

It is recommended that Halifax Regional Council direct staff to:

1. Initiate the process to remove the vacant building at 220 Lake Loon Road, Cherry Brook to achieve necessary safety at the site and retain the land for future community purposes;
2. Initiate a project to develop 220 Lake Loon Road into a park that encompasses a commemorative heritage plaque and potential future trail connection; and
3. Undertake community consultation related to the proposed parkland project at 220 Lake Loon Road and potential future use of the lands at 266 Cherry Brook Road.

BACKGROUND

The former Cherry Brook Community Centre is located at 220 Lake Loon Road. The property was a former school which was converted into a community centre upon closure of the school. The building has not been in use since approximately 1990 and records indicate that the power to the building was disconnected in 2004. Due to the condition of the building, repair and recapitalization was not deemed to be an option. As a result, a tender was issued for the demolition of the building in 2009. However, the local Councillor requested that consultation with the community be completed prior to the demolition. The demolition was not completed and further discussions were initiated with the Lake Loon Cherry Brook Development Association (LLCBDA).

The community consultations have primarily been coordinated with representatives of The Lake Loon Cherry Brook Development Association. The group has been consulting with the overall community and several concerns have been raised. Many of the concerns relate to community issues not directly related to the community centre but rather overall community improvement, challenges and sustainability. These items include potential future development in the area, recreation programming opportunities, community use of Graham Creighton school and trail development, among others. Primary discussion related to the state of the former community centre and focused on the ownership of the building and whether it could be repaired. There was an indication that the Association may be interested in submitting a proposal to repair the building depending on its assessed condition and ownership status.

On July 22, 2014, Regional Council passed a motion directing staff to prepare a report regarding the status of the former Cherry Brook Community Centre. During the discussion, Councillor Hendsbee requested that the report include the status of Project Account No. CBR00069-Cherry Brook Community Ctr Reroofing.

DISCUSSION

There are several areas of consideration that are relevant to the future of the building and property, as follows:

Building and Property Information

Land and Building Ownership

As noted, during the consultation, the primary focus of the discussions with the community was related to the ownership of the building and whether HRM had the legal right to determine the future of the building. As a result of community concerns, HRM Real Estate completed an extensive title search and review of the Halifax County Council and School Board minutes, annual reports, and correspondence dating back the 1930s and determined the following:

- HRM is the owner of the property. Ownership of this property is derived from a June 1951 grant from the Crown to "Trustees of School Section No.58 in the District of Preston" which makes back reference to an earlier grant issued in April 1914. The preamble to the 1951 grant indicates it was made because of an error in description in the 1914 grant. The 1914 grant was to the Trustees of School Section No. 48 and the 1951 grant corrected this to School Section 58. Both documents include the same survey sketch which indicates the existence of a school house on the property at that time.
- The Lake Loon school burned to the ground in December 1951 and a new school was built in 1952.
- The building appears to have been declared surplus sometime in the late 1970s or early 1980s but the exact date is unclear.

Building Condition Assessment

A condition assessment of the building was completed as a result of the consultations with the community. Excerpts from the assessment are included as Attachment 1. Overall, the assessment found significant issues with the building including:

- The Facility Condition Index is estimated at 80% which is four times the recommended level
- Windows and frames missing or damaged
- Evidence of rodent and animal infestation
- Failure of various roof components, some estimated to be 40 year past useful life
- Interior finishes destroyed by water damage, vandals and animals
- Hazmat concerns due to evidence of mold, feces and animal remnants
- Removal of heating, plumbing and electrical services

Based on the facility condition assessment, the amount of deferred maintenance required in the building is \$600,000 on a building with a replacement value of \$730,000, resulting in a conclusion that "The cost estimate to redevelop the current building is excessive and the risks associated with working with the contaminated interior results in the conclusion that this building should be demolished."

Safety and Security

The current state of the building is such that safety concerns have been raised. The building is currently boarded and is not useable. Complaints related to squatters in the building and concerns related to activities occurring in the building have been received. HRM's By-law Enforcement division has responded to three complaints related to the building within the past year.

HRM has assessed the building under the Dangerous and Unsightly Premises By-law as the result of a complaint. This assessment determined that "The current state of the building makes it non-occupiable..." and further recommended demolition of the structure to ensure public safety. This assessment was consistent with the findings of the Facility Condition Assessment.

In addition to safety concerns related to the building structure, there are additional concerns related to its close proximity to a playground structure. With the playground structure adjacent to the vacant building, there is increased risk that young children could access the building. While the building has been boarded and is not accessible, HRM has received calls related to the boards being removed and people in the building. As a result, the building currently poses significant risk to the community and increased liability for HRM.

Potential Future Uses

Community Centre Requirement

With the East Preston Community Centre, North Preston Community Centre and Cole Harbour Place located 6.7km, 7.9km and 3.6km, respectively from this site, there is no municipal requirement for a community centre at this location. Further, the Black Cultural Centre is located 1.8 km away and is able to be used for community events. As well, in 2001, HRM supported the enhancement of the Graham Creighton Junior High School which is within 1.6km of the site with the approval of \$300,000 towards the construction of a community room, gymnasium expansion and storage. HRM has a joint use agreement with the Province and Halifax Regional School Board (HRSB) for access to the school gymnasium and cafeteria; however, there have been challenges related to the access and staff is currently reviewing the agreement and requirements with HRSB to enable improvements to community access.

HRM has also recently invested \$630K into enhancing the gymnasium at Cole Harbour District High School (3.6 KM away) to enable community access to the gymnasium and cafetorium. The gymnasium is now available for community use and completion of the Joint Use Agreement is under way.

Future Use of 220 Lake Loon Road

While there is no municipal requirement for a community centre at the site, there is value in retaining the property for the site for a commemoration of the community history as well as potential future integration with trails in the area. Recognition of the history and prominence of the site are important aspects to be honored to highlight the role of the area in HRM's past. Also, as a prominent corner in the community, the site is a natural and historic gathering place for residents. While the building has not been able to be used for past number of years, the property has retained the sense of community gathering and continues to be the community gathering corner. As a result, the site should be preserved and developed with an appropriate commemoration.

There was a plan for commemoration on the property in the past which resulted in the construction of a base for a commemorative plaque outlining the history of the community and site. However, the plaque was never completed. Further, the Preston Area Trail Plan, completed in 2008, outlined the site as a potential trail head and connection point for the Preston Area Trail (Attachment 2). Both of these uses would complement one another and could form the basis of a commemoration and passive park site that would allow the continuation of the social cohesion that has historically occurred at the site. While work on other portions of the trail is required to fully implement the Preston Area Trail, work on the site at 220 Cherry Brook Road can commence prior to the completion of the rest of the trail as it would support the use of the site as a community gathering corner in the interim until the remainder of the trail is connected. Therefore, it is recommended that Council direct staff to initiate a project for the site that encompasses these uses and consult with the community on the development of the project.

Adjacent Lands

Another aspect which has raised both concerns and expectations in the community is the purchase by HRM of 266 Cherry Brook Road, adjacent to and surrounding 220 Lake Loon Road in 2009. The property was purchased for potential future municipal use including parkland and parking. At 8.9 acres (3.6 hectares) with access points to Cherry Brook and Lake Loon Roads (Attachment 3), the subject property does provide the opportunity for multiple uses. The parcel and all adjacent land have a residential zone which allows for development of single dwelling units.

The Regional Plan envisions relatively low development growth opportunities in this area. This general area is included in Rural Commuter Designation and outside of any future growth centres. It is not expected that in the near future major residential development will be located in this area. However, based on the current zoning, residential development of the property is possible.

Currently, there are no defined plans for the future use of this property. Regional Council was presented with potential options that could be accommodated on the site in a confidential staff report in 2008. However, there has been no council direction for the future use of the property. During the discussions with LLCBDA, it became clear that there are varying degrees of concern related to potential development and use of the property. In order to better understand the community interest in the use of the property, it is recommended that the community consultation on the development of parkland at 220 Lake Loon Road include the future of the property at 266 Cherry Brook Road. In preparation for that consultation, staff will undertake an assessment of the properties as to their capability and relative position within the overall parks and open space network. This will assist in determining how and what portions are of greatest public value.

Account CBR00069

The above noted capital account was created in the 1997-98 capital budget. The budget included \$170,000 for the reroofing and miscellaneous repairs to the Cherry Brook Community Centre. There was no funding source identified which indicates the funding was either debt servicing or capital from operating. As the capital account was created prior to HRM's current financial system, there are limited details related to the history of the expenditures from that capital account prior to 1999.

The facility condition assessment confirmed that the roof project was not completed. Over the past 15 years, approximately \$31,000 was used for some minor expenditures related to the building and property. In 2014, there was \$134,826 remaining in the account. Based on the Capital Surplus Reserve (Q103) policy, the remaining funding was transferred to the Reserve when the account was closed due to inactivity.

Conclusion

The current state of the vacant building at 220 Lake Loon Road creates significant safety concerns for the community and potential liability for HRM. The facility condition assessment shows that there are several significant issues with the building and which would require significant cost to repair. Further, with multiple community and recreation facilities within close proximity of this property, there is no requirement for a recreation facility at the site. However, there is value in retaining the property for commemoration of the community history, enhancement of the community gathering corner and potential future integration with trails in the area. Therefore, it is recommended that the vacant building be removed which will improve the safety for the community and work be initiated on a parkland plan that integrates commemoration of the history of the property,

FINANCIAL IMPLICATIONS

The cost to demolish the building is estimated to be approximately \$150,000 and would be funded from Account CBX01162 Environmental Remediation & Demolition.

Budget Summary:	<u>Project No. CBX01162 - Environmental Remediation/Building Demolition</u>
	Cumulative Unspent Budget \$5,879,986.95
	Less: Demolition (estimate) \$ 150,000.00
	Balance \$5,729,986.95

Funding required for the proposed park project including trail head and site development along with commemoration components would be submitted in future capital budget submissions and subject to Council approval.

COMMUNITY ENGAGEMENT

Consultation has taken place through the LLCBDA, who have undertaken consultations and completed regular updates to the community. Should staff's recommendation be approved, further consultation would be completed on the development of the site as parkland.

ENVIRONMENTAL IMPLICATIONS

A pre-demolition report will be prepared to properly handle any identified hazardous materials according to environmental regulations.

ALTERNATIVES

1. Council could direct staff to retain and recapitalize the building and lease the building to the community for use. Since there is no municipal requirement for the building, there is no case to be made for HRM to expend taxpayer funding to repair it. In this scenario, ongoing costs that would be required to operate the facility would be the responsibility of the group leasing the facility; however, there would be risk to HRM for potential requirement or expectation of funding for the ongoing operation of the building. This alternative is not recommended.
2. Council could direct staff to remove the building and refer both properties (220 Lake Loon Road and 266 Cherry Brook Road) for review in accordance with Administrative Order 50. This alternative is not recommended for the reasons provided within this report.

ATTACHMENTS

- Attachment 1: Excerpts from the Building Condition Assessment by Capital Management Engineering Limited
Attachment 2: Trail Concept Plan
Attachment 3: HRM Owned Parcels

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

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Executive Summary

General Description

Capital Management Engineering Limited (CMEL) was retained by the Planning and Infrastructure Department of the Halifax Regional Municipality to complete a building condition assessment, and twenty-five year capital plan for the property known as Cherrybrook Community Hall located at 220 Lake Loon Road, Lake Loon, Nova Scotia.

The purpose of the assessment was to provide a general overview of the present condition of the site and building components and to provide an opinion of probable costs to remedy any identified physical deficiencies over an evaluation period of twenty-five years.

Property Description

Cherrybrook Community Hall is located at 220 Lake Loon Road in Lake Loon, Nova Scotia. The property is bordered by forested lands to the north, a playground to the east, Lake Loon Road to the south and a residential property to the west. Access to the building is directly off Lake Loon Road. There is no vehicle parking on the site. The building on the property is a single storey building with a developed walk out basement on the rear elevation that used to contain a community centre and previous to that a local school. The property was reported to have been initially developed in 1951 with an addition completed in approximately 1960. The original building has a sloped roof and the addition is to the west of the original structure and has a flat roof.

The building has been reportedly abandoned since at least 1990 with power being disconnected in 2004. The building is currently boarded up with no access. To facilitate the assessment temporary building access was provided by removing the hoarding and accessing the building via the main entrance by an extension ladder. There has been no water, sewer, or sanitary services for the last ten years.

There is, and has been significant bird and rodent activity in the building in addition to substantial water ingress and standing water that are continuing to deteriorate the building components. As a result the estimated costs developed in the capital plan include the premiums associated with working in and around the additional environmental and health hazards which were identified.

Overall Condition and Limitations

At the time of the assessment the site and building appeared to be in an unsafe condition. The site was covered with building debris and was overgrown. The building, although boarded up, has had a long term infestation of animals evident by decomposing birds and rodents. We would classify the building as unsafe and a significant health hazard in its current state.

The cost estimate to redevelop the current building is excessive and the risks associated with working with the contaminated interior results in the conclusion that this building should be demolished as soon as possible. If it is determined that a reinstatement of the current building is preferred, a detailed hazard assessment should be undertaken and contractors bidding or undertaking the work be informed of the required safety measures that need to be in place to properly protect their workers.

In the interim, the site should be made as secure as possible to deter people for entering the building and or being exposed to site debris.

The current Facility Condition Index (FCI) has been conservatively estimated in excess of 80%. If the building was redeveloped the actual FCI will almost surely increase as additional costs could be anticipated as a result of areas of hidden damage and or safety procedures that will need to be put in place during the renovation. This further supports the prior conclusion that the building should be demolished.

The statements made in the Executive Summary are subject to the same limitations included in the Closure section, and are to be read in conjunction with the remainder of this report.

Appendix B - Photo Log



Photo 1: Front Elevation.



Photo 2: Cedar shingle cladding with significant areas of rotted wood and missing shingles.



Photo 3: Concrete foundation. No cracks or other visible damage.



Photo 4: Windows and doors covered with plywood sheets. Most glass panes broken or missing. Wood stairs and decks removed from building.



Photo 5: Ceiling with significant water and mold damage.



Photo 6: Interior finishes destroyed by water damage, animal inhabitancies, and vandalism.



Photo 7: Damaged and missing drywall.



Photo 8: Missing dry wall with burned wooden partition



Photo 9: Exposed roof deck with significant mold and rot damage.



Photo 10: Suspended ceiling broken and detached.



Photo 11: Bathroom stalls with disconnected water closets and urinal.



Photo 12: Existing kitchen stoves



Photo 13: Kitchen cupboards including sink in kitchen space.



Photo 14: Stage area, visible damage to ceiling and dry wall.



Photo 15: Disconnected Oil Fired Hot Water Boiler



Photo 16: Electrical panel heavy rusting, no longer hooked to power utility.



Photo 17: Sump and Expansion Tank.



Photo 18: Expansion tank in Boiler room

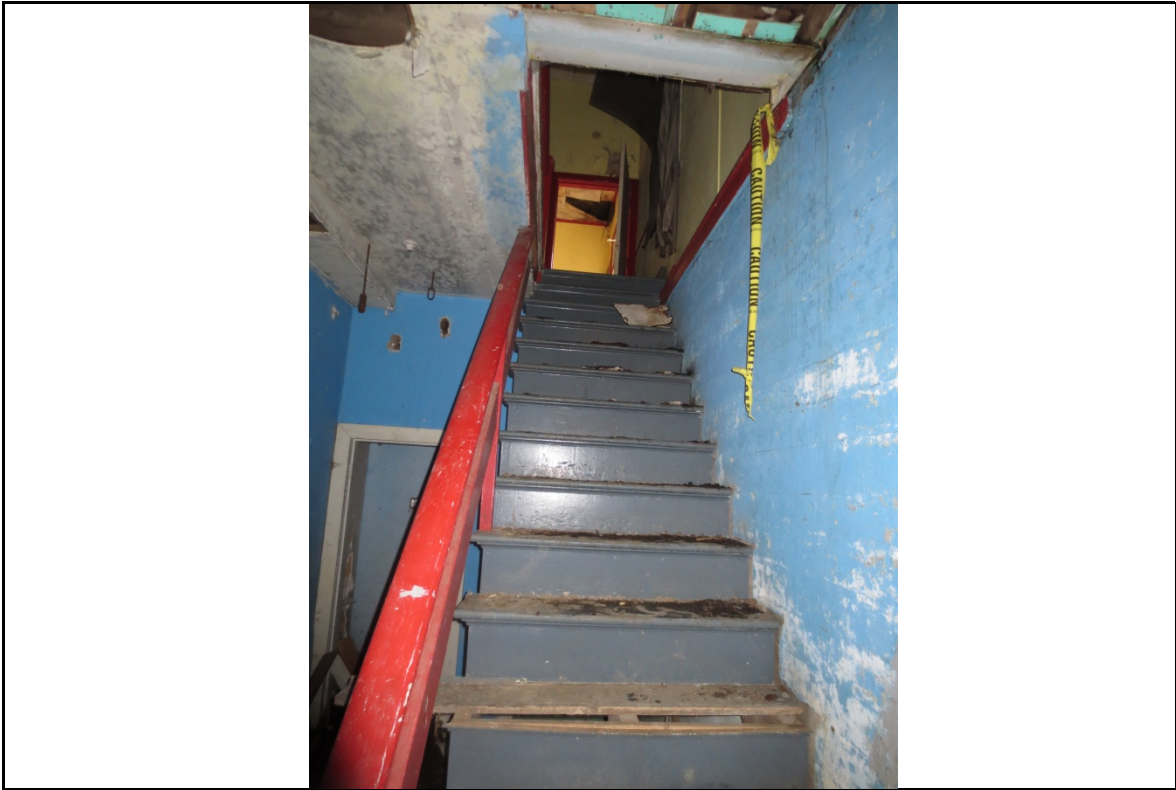


Photo 19: Interior staircase to basement missing treads.



Photo 20: Missing treads on Stairs



Photo 21: Main floor OWSJ in addition



Photo 22: Animal carcass and feces.



Photo 23: Concrete walls in basement.



Photo 24: Standing water in basement



Photo 25: Playground adjacent to site.



Photo 26: Exterior wall with door leading to basement.



Photo 27: Eavestroughs and downspouts with pieces missing.



Photo 28: Overgrown landscape.

LEGEND STREAMS EXISTING REGIONAL TRAILS PROPOSED REGIONAL TRAILS & ACTIVE TRANSPORTATION ROUTES EXISTING ROAD LAKES / OCEAN	Attachment 2				
	Griffiths Muecke Associates In association with Gordon Ratcliffe Landscape Architects				
	project: Trail Concept Plan				
	drawing title: Study Area Context				
	date: January 2008				
	scale: as noted				
sheet: Map 1					

