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**Item No. 6**  
**Halifax Regional Council**  
**January 27, 2015**

**TO:** Mayor Savage and Members of Halifax Regional Council

*Original Signed by Director*

**SUBMITTED BY:** \_\_\_\_\_  
Brad Anguish, Director, Parks & Recreation

**DATE:** January 12, 2015

**SUBJECT:** Administrative Order 50 – Disposal of Surplus Real Property – Latter Pond Lane

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**SUPPLEMENTARY INFORMATION REPORT**

**ORIGIN**

September 9 2014, motion of Halifax Regional Council:

MOVED by Deputy Mayor Fisher, seconded by Councillor Karsten that Halifax Regional Council defer the property at Latter Pond Lane, Herring Cove PID#40000051(Attachment C) pending information back from staff in regard to availability of funding for community purposes in the account # to be provided by Councillor Adams.

**LEGISLATIVE AUTHORITY**

*HRM Charter* Section 79 1 (k), (x) and (av): The Municipality may expend money on recreation programs, land and buildings required for municipal purposes and grants and contributions.

## **BACKGROUND**

The former Herring Cove Fire Station and community hall (PID#40000051) was replaced with a new station in June 2011 adjacent to the old facility. With the opening of the new fire station, the former station was determined to not be required for municipal purposes. As a result, it was presented to Regional Council for consideration of deeming it surplus on September 9, 2014. Council deferred decision on the property pending a report outlining the availability of the remaining Herring Cove Treatment Plant Community Integration Fund for community purposes.

As part of the Harbour Solutions Project, water and sewer infrastructure was installed in the Herring Cove area along with the sewage treatment plant. As part of that project, a Community Liaison Committee (CLC) was established in Herring Cove on February 12, 2004. The process for the selection of the committee members was outlined to Regional Council in an Information Report in December 2003. The process did not include approval of the committee or terms of reference by Regional Council. Therefore, HRM Solicitor outlined at the time that, "The Committee was not appointed by HRM Council and is not a committee of HRM. As such, it is not governed by the Rules of Procedure of HRM Council or its committees".

As well, the Herring Cove Treatment Plant Community Integration Fund was provided for community projects. The funding was included in the overall Harbour Solutions total budget approved by Regional Council in October 2002 and allocated in Harbour Solution internal order CSE00398). Further, on April 27, 2004, Regional Council approved operating funds for the CLC as well as a "Policy for Expenditures from Community Integration Funds". That document outlined that approval of capital expenditures from the fund would follow a process which "...parallels that of any other capital project approved by Council during the year." Regional Council then "reaffirmed the Harbour Solutions budget" during an In Camera meeting on June 22, 2004.

Based on the work of the CLC, two municipal park projects were proposed to be constructed with the funding. The first proposed project was the creation of an ocean front trail and park at the Herring Cove Treatment Plant site at Hospital point, which was to include a public vehicular access and lookout. The second proposed project was the creation of a trail and swimming location at Big Latter Pond, near the former Herring Cove Fire Station. To ensure the community was involved in the process, in 2010, Regional Council established the Herring Cove Advisory Steering Committee (Committee) to help provide community input into the projects. During their tenure, the Committee discussed the possibility of transferring the former Fire Hall to the community for use as a Community Centre, however, the exact condition and future use of the facility had not been confirmed when the Committee submitted their final report to the Western Community Council on May 28, 2012.

## **DISCUSSION**

On May 24, 2005, Regional Council approved funding for the projects through "the allocation of \$300,000 from the Harbour Solutions Project, Community Integration Fund to be used for community trails at the future Wastewater Treatment Plant (WWT) site and for recreational uses at the Latter Pond area of Herring Cove, as per the recommendation of the Herring Cove Community Liaison Committee and consistent with the Policy for Expenditures from Community Integration Funds"

Within the allocation of \$300,000 for the two proposed park projects, \$100,000 was assigned for the Latter Pond project and \$200,000 for the Hospital Point project. These funds were assigned to capital account CPX01328 – New Parks and Playgrounds. In addition to the funding provided by Harbour Solutions Project, HRM also planned an additional \$42,000 for Latter Pond and an additional \$100,000 for Hospital Point. Upon the completion of the HSP, there was \$47,165 remaining in the Herring Cove Community Integration Fund, which was also transferred to the capital account CPX01328 - New Parks and Playgrounds. As a result, there was total funding in the amount of \$489,165 available for the proposed parks, with \$347,165 currently remaining.

### Status of Park Projects

Of the two municipal park projects, only a portion of the Latter Pond project was completed. To date, approximately \$142,000 has been spent on trails in the area of Latter Pond. There were issues with land ownership and, as a result, HRM was not able to acquire the land required to construct the park/swim area. Future construction of the site would be dependent on the availability of the necessary lands and additional funding.

The development of the Hospital Point trail has not been completed due to various challenges. The integration of the plant and trail onto the site poses several challenges including security requirements, restricted driveway access, turnaround space, and fencing requirements, which means the current concept plan cannot be implemented as originally proposed. Furthermore, the land on which the sewage treatment plant is located is to be transferred to Halifax Water which may also require changes to the concept plan. In order to complete the Hospital Point trail project, these items will need to be addressed in an updated design. A new design should also consider alignment with HRM's Active Transportation Functional Plan which was enacted subsequent to the selection of the Hospital Point trail project.

In 2006, Regional Council approved the Active Transportation Functional Plan, which provides a 25 year framework for the "implementation of walking and bicycling facilities and programs in the Municipality". With the approval of the Active Transportation Functional Plan and the subsequent Making Connections: 2014-2019 Halifax Active Transportation Priorities Plan, the creation of trails to support active transportation opportunities is HRM's focus. The trail at Hospital Point was not included in either document as a recommended site as the location and configuration are not ideal for an active transportation trail. There are other properties in the area that would be better suited.

### Status of Financial Funding

A summary of the project account and remaining funding is as follows:

Budget Summary: Project Number CPX01328 – New Parks and Playgrounds

Committed funds:	Hospital Point/Latter Pond Parks	\$300,000
	HRM Capital Budget	\$142,000
	Herring Cove Community Integration	<u>\$ 47,165</u>
	Subtotal	\$489,165
Less:	Latter Pond Project	<u>\$142,000</u>
<b>Balance</b>		<b>\$347,165</b>

With the transfer of the funding to a capital account approved by Council, the funding is intended to be used for the two parks projects proposed by the community committee. While the projects as outlined were approved by the Herring Cove Advisory Steering Committee, final decisions related to the projects and use of funding resides with Regional Council.

### Former Fire Station & Community Centre

The Herring Cove Advisory Steering Committee had expressed interest in the utilization of a portion of the former fire hall building as a community centre. To that end, the final minutes from the Committee outlined that confirmation of the potential community use of the building was pending. While there have been multiple references to the potential use of the building by the community, there has been no official community submission which demonstrated the ability to operate the facility without additional support from HRM.

The Fire Station structure was inspected in 2007 and was deemed structurally unsafe by BMR Structural Engineering of Halifax. The deficiencies are considered severe, including the fact that the building does not meet the requirements of the National Building Code of Canada. The study determined that the costs to complete the necessary work to ensure the building meets the minimum requirement under the National Building Code would be approximately the same as required to build a new building. There is a

newer community centre attached to the Fire Station. It has some maintenance deficiencies but it is in significantly better condition than the fire station portion.

While Regional Council does have the option to use the remaining funding for repair of all of or a part of the former fire station building, there is no municipal need for the building for recreation purposes. Currently, there are existing community facilities within 12 kms which can accommodate community recreation requirements, including:

- Spryfield Lions Rink & Recreation Centre;
- Captain William Spry Centre;
- Chocolate Lake Recreation Centre;
- Adventure Earth Centre;
- Harrietsfield Community Centre; and
- Herring Cove Provincial Park.

HRM recreational programming is also currently being provided at the St. James United Church-Sambro and at the Herring Cove Junior High.

The Community Facility Master Plan (CFMP) indicates that, “service providers need to be aligned in order to maximize their financial viability, and to minimize competition between service providers. CFMP criteria for Category 1 facilities (community centres) suggest a best-case scenario of approximately 15,000 residents to form a strong population base per facility, along with an expectation of a five to ten minute drive time.” The population and drive times for several of the six facilities listed above overlap and indicate a potential over-supply of community centres in the area. Since the building is not required for municipal purposes, it was recommended that the former fire station be demolished due to its state and that the community hall portion be declared surplus by Regional Council at the September 9, 2014 meeting. The recommendation included that the building be categorized in the community stream which would allow for formal submissions for the building for community purposes.

### **Options for Council**

There are capital funds remaining from the Herring Cove Treatment Plant Community Integration Fund as outlined above. Regional Council has several options for consideration for the remaining funding, such as:

1. Continue to explore the purchase of the lands and complete Latter Pond
2. Complete Hospital Point Trail
3. Reallocate the funding to other community projects
4. Close out the project and release the funding
5. Reinstatement of the Herring Cove Advisory Steering Committee to obtain feedback on future use of funding.

The process for each option varies slightly. In the first two options, Regional Council has already provided direction and the funding included in the capital budget is assigned to these projects for updated direction. Reallocation of the funding to other projects or closing out of the existing capital projects would require a new motion from Regional Council. In addition to revising the proposed use of the funding, Regional Council would be required to remove the requirement for the CLC to recommend capital expenditures. The Policy for Community Integration Funds required capital expenditures to be recommended by the CLC and as such, Regional Council would need to amend that aspect in order to consider using the funds for an alternate use.

The reinstatement of the Herring Cove Advisory Steering Committee would also require direction from Regional Council. The terms of reference indicated that the committee would serve for a period of eighteen (18) months from the first meeting held by the Committee. Since the Committee completed its mandate over two years ago, Regional Council would need to direct that it be reinstated using HRM’s current process for creation of an advisory committee.

While Regional Council does have the authority to use the remaining funding to effect repairs to the former fire station, based on the current state of the building, it is not recommended as it requires extensive repairs. Should Regional Council choose to consider repairs to the community hall portion of the building, it is recommended that the building be first declared surplus pursuant to Administrative Order 50 and placed in the community stream as the building is not required for municipal purposes due to the existing supply of recreation facilities in the area. Processing the property through the community stream of Administrative Order 50 would verify any community interest in the property and allow all community groups an equitable opportunity to potentially pursue community use.

**FINANCIAL IMPLICATIONS**

The financial implications are outlined in the Discussion section of this report.

**COMMUNITY ENGAGEMENT**

Both the Herring Cove Community Liaison Committee and the Herring Cove Advisory Steering Committee were comprised of citizens from the community of Herring Cove.

**ATTACHMENTS**

None

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A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

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