

HALIFAX REGIONAL MUNICIPALITY

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HALIFAX REGIONAL COUNCIL  
COMMITTEE OF THE WHOLE MINUTES

March 29, 2011

PRESENT:

Mayor Peter Kelly  
Deputy Mayor Jim Smith  
Councillors: Steve Streach  
Barry Dalrymple  
David Hendsbee  
Gloria McCluskey  
Darren Fisher  
Bill Karsten  
Jackie Barkhouse  
Mary Wile  
Jerry Blumenthal  
Dawn Sloane  
Jennifer Watts  
Russell Walker  
Debbie Hum  
Linda Mosher  
Stephen Adams  
Brad Johns  
Robert Harvey  
Tim Outhit  
Reg Rankin  
Peter Lund

REGRETS:

Councillors: Lorelei Nicoll  
Sue Uteck

STAFF:

Mr. Richard Butts, Chief Administrative Officer  
Mr. Martin Ward, Acting Municipal Solicitor  
Ms. Cathy Mellett, Municipal Clerk  
Ms. Sheilagh Edmonds, Legislative Assistant  
Ms. Krista Tidgewell, Legislative Assistant

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**1. CALL TO ORDER**

Mayor Kelly called the meeting to order at 10:04 a.m.

**2. APPROVAL OF THE MINUTES – None**

**3. STATUS OF PROJECT (CAPITAL) BUDGET AND CHALLENGES**

A report dated March 13, 2011 was submitted from the Chair of the Long Term Arena Strategy Committee.

A staff report dated March 25, 2011 in regard to the Canada Games Oval was submitted.

A staff report dated March 23, 2011 in regard to the Community Centre & Artificial Turf Enhancement – Bedford High School was submitted.

Correspondence was submitted from the following: Peggy Cameron and Beverly Miller, Co-chairs of the Friends of the Halifax Common; Sarah MacKeigan, Cathy Bray, Sam Fisher, Sheilagh Hunt (two submissions), Troy Woodland, Marcel Boudreau, Sandy Stackhouse, Janet Brush, John Wesley Chisholm, Pete Smith, Joan Harbison and George Perry, Elizabeth Pearo, Evan Petrie, Norman Graham, Linda MacDonald, Norah Topping, Dwight McCracken, B.D. Hawkins, Susanne Frauzel, Deborah Fraser, M. Abbott, Peg MacInnis, Jeannette Janssen, Andrew Thorne, Wilma Needham, Kathryn Morrison, and Emera.

**Overview – Staff Presentation**

Mr. Phil Townsend, Director, Infrastructure and Asset Management addressed Council and advised that he would provide an overview on the current status of the budget in order to give some context in regard to today's discussion on the Oval and the Bedford West Community Centre.

In his remarks Mr. Townsend advised that Council needs to consider two matters, the first being, to accommodate the Oval and Bedford West Community Centre in 2011/2012 to 2013/14 Project Budget and secondly, accommodating projects under consideration into future budgets while balancing recapitalization needs. Mr. Townsend advised that, currently, there is a funding shortfall of \$6 million and this does not include the Oval or the Bedford West Community Centre.

At 10:10 a.m. Councillor Lund entered the meeting.

At 10:12 a.m. Councillor Hendsbee entered the meeting.

At 10:14 a.m. Councillor Barkhouse entered the meeting.

Mr. Townsend reviewed funding options for the Oval and Bedford West Community Centre over three years, which included the following: Corporate and private funding;

2010/11 operating surplus; defer capability projects to future years; increase tax rates; reduce base funding. He pointed out that staff was not in favour of reducing base funding. Mr. Townsend explained that in Year 1, if \$1 million could be raised by corporate and private sponsorship, if \$1 million could be raised from the operating surplus, and if \$1 million in capability projects could be deferred, then that would leave \$1.25 million to put on the tax rate, which would amount to approximately ¼ of a cent on the rate and would work out to an average household (\$282,000 assessed value) of \$7 a year. In Year 2, if \$2 million of capability work was deferred and if continued, the rate increase would also cover the shortfall. In Year 3 a deferral of \$1 million in capability work would allow the suggested rate increase to cover off the need to fund the projects.

Mr. Townsend reviewed the options for dealing with the five year future capability funding shortfall of \$175 million.

In conclusion Mr. Townsend advised that should Council decide to support one or both projects, staff is seeking guidance on the funding options presented. Following this, staff will return to Council with the budget reflecting this guidance. He added that in the short term, both projects are feasible and there is limited impact on the budget if the planning strategy he presented was followed.

### **Long Term Arena Strategy – Oval Recommendation**

Mr. Paul Dunphy, Director of Community Development, addressed Council and advised that although staff believed the skating oval would be popular among the public, it never anticipated it would be as popular as it turned out. He added that staff has collected concrete numbers as to how many people attended the oval, how many want to see it remain, and how many people checked the schedule on the website.

Mr. Dunphy then introduced Mr. Doug Rafuse, Manager of Service Delivery, Community Development and Mr. Peter Bigelow, Manager, Real Property Planning who provided an in-depth overview of the proposed permanent skating oval, including site selection and design.

Highlights of the presentation are as follows:

- Reasons why people wanted to keep the oval include: it made the Common safe; the location was easy to find and highly visible; the shape was more conducive to skating; and the Common was turned into a vibrant place.
- Reasons given for opposing the oval include: affordability by HRM; limited benefits; plenty of lakes or indoor areas to utilize; traffic and parking noise; privatization of a public space; the Common is protected as a green space
- The sports community was very supportive of retaining the oval
- With regard to the size and configuration, the larger size would be required and the oval configuration provides an overall safe layout to suite individuals at different skill levels

- Four sites were considered for a permanent oval, i.e. North Common, Central Common, Wanderer's Grounds, and the Garrison Grounds.
- Criteria included: ability to accommodate up to 5000 people, impact on other uses, ownership (one site is owned by Parks Canada), proximity to the users; support facilities, access and transit.
- The North Common was deemed to be the best site; the impact would be that it would lose a ball field and a soccer field, however, the ball field was closed two years ago, and with regard to soccer, Council is moving ahead with an artificial turf facility elsewhere. It would also impact on the sport of Ultimate Frisbee which is played in this area.
- Maintaining the nature of the Common can be accomplished by ensuring there are not a lot of fences or concrete; appropriate grading to have it blend in with the grading around it; keeping the centre of the oval green and creating the flexibility to use it for summer events, such as Ultimate Frisbee.
- For 2011/12 the total operating cost would be \$410,000, with \$360,000 being new money.
- The projection is that the oval could be open as long as 90 days of winter use.
- If approved, the work would be done in two phases in 2011/12 and 2012/13.
- The Capital Budget cost implication is \$3.75 million of new money for Phase 1, and approximately \$1.4 million for Phase 2.
- Staff is suggesting that any donations received be applied to the capital upgrade.
- Council direction will be required with regard to naming rights and advertising.

Staff responded to questions from members of Council.

Councillor McCluskey advised that she did not think it would be appropriate for companies such as Molson or Coors to be advertisers.

In reference to Mr. Townsend's presentation, Councillor Barkhouse expressed concern that the implementation of the Woodside Ferry may be negatively impacted.

In response Mr. Townsend advised that the strategy would in no way jeopardize the ferry, adding that the design work is proceeding this year and the purchase will be in the following years. He added that it will not impact on the current delivery date of the ferry.

In response to a question by Councillor Dalrymple, Mr. Dunphy advised that if Council approves the oval today, it is only approving the concept, and that it will have to become part of the budget which will be presented to Council in a few weeks.

Councillor Streach entered the meeting at 11:44 a.m.

Councillor Blumenthal indicated his support for the oval project, but noted that he had a concern of accepting any sponsorship from companies who supply alcohol. He suggested that Emera's sponsorship could come in the form of free electricity for the oval. Councillor Blumenthal questioned whether staff has considered security and safety.

In response Mr. Bigelow explained that the intent is to erect temporary fencing around the oval. He added that staff has secured the French Barricades that were used during the Canada Games.

Council recessed at 11:53 a.m.  
Council reconvened at 1:03 p.m.

Councillor Karsten noted the importance of planning ahead for new and future assets so that HRM does not find itself within an operating deficiency. He provided examples of maintenance issues within his District.

**MOVED by Councillor Rankin, seconded by Councillor Sloane, that Halifax Regional Council:**

- 1. Make the Canada Games Oval permanent on the Halifax North Common;**
- 2. Direct staff to include the required capital and operating funds for the Canada Games Oval in the proposed 2011/12 Project and Operating Budget as outlined in the budget implications section of this report;**
- 3. Direct staff to immediately engage consulting services as outlined in the discussion and budget implications sections of the March 25, 2011 staff report, funded from the advanced project account CBX01268 Consulting – Buildings, until a full funding strategy is approved by Council as part of the 2011/12 budget;**
- 4. Authorize staff to accept donations to put toward the capital costs of making the Canada Games Oval permanent; and**
- 5. Provide direction to staff as to whether or not to entertain proposals for corporate naming rights and other commercial advertising at the Canada Games Oval.**

Council entered into discussion with the following being noted:

- the oval in terms of investment will probably have the highest participation rate of any of HRM's recreation facilities
- caution should be exercised in consideration of deferral of other capital (ie. new sidewalks); HRM has an ongoing commitment to achieve community safety
- the Audit and Finance Committee will be reviewing the project's ways and means
- the community has stated throughout HRM that the oval is a project that should be done
- the oval is a unique resource; ability to accommodate people and allow flexibility as a social centre

- benefit of a potential world class facility; draw in speed skating community
- the demographic using the facility that can not normally be reached (ie. young women)

Councillor Watts asked the Municipal Solicitor and staff to clarify the following concerns being raised by HRM residents:

- the Commons as a historic site and the legal implications of placing a structure like the oval on the Commons
- the environmental impacts of the oval (ie. high energy use)
- commercialization on the Commons; opportunity of having concession stands along the street as oppose to being on the Commons
- unsightly fencing; emphasize that there would be no fencing except for temporary barricades during the Winter season
- paving of the Commons; whether the oval goes against the 1994 policy to minimize or have no additional paving on the Commons
- the possibility of having donation boxes at the facility

Mr. Martin Ward, Municipal Solicitor, advised that the Commons is part of a trust that is bestowed on the Municipality and is to be used for the common, public use and benefit of the town of Halifax. He indicated that anything that comes within that phrase (ie. improvements to the Commons such as structures) falls within the ability/requirements of that trust. The site is designated as a historic site and Council can make ordinances or By-laws to protect the Commons. Mr. Ward further indicated that Ordinance 10 regulates the use of the Commons; however, this regulation is for private citizens, not the Municipality, meaning individuals are not permitted to build structures on the Commons.

Mr. Gallagher indicated that the most cost effective solution for the first phase of the Canada Games was to have a basic system in place that would work, as the future location of the chiller plants was not known at that time. He clarified that the chiller plants will have to be integrated into HRM's energy management systems. The chillers can be upgraded, which would reduce the operating costs. Mr. Gallagher provided a number of examples to increasing their energy performance:

- link the chiller's performance through an energy management system
- schedule the chillers and pumps to the time of day and activities taking place
- install ice sensors
- reduce ice thickness
- use heat recovery off chillers to heat the buildings

Mr. Peter Bigelow, Manager, Real Property Planning, Infrastructure and Asset Management, advised that as identified in the March 25<sup>th</sup> staff report, HRM would be relying on the french barricades and not chain link fencing; however, during special events security may be required. He further indicated that the vending guidelines within the 1994 Plan is a guideline and has no legislative authority. The guidelines permit temporary vending on the Commons in association with special events; however, HRM already has permanent vending sites on the Commons at the Public Gardens, to offer a

level of visitor services. There is opportunity on the Commons to have a more permanent approach to vending if that is desirable or to permit vending trucks along the street; both of these options are subject to detailed design and public consultation.

Councillor McCluskey questioned the difference between the operating costs figure within the staff project update report and the oval report. She further asked staff to identify whether the following is within the oval's operating budget:

- cost to keep refrigeration units operating, what expertise will be required to maintain the units
- whether tariffing is included within the operating costs
- cost to replace the ball fields in another HRM location
- cost to replace the sand sub-surface with a concrete base and other improvements to the site (ie. washrooms, warming huts, equipment shelters)

Councillor McCluskey expressed concern with the \$4.29 million figure, commenting that it is a risk until cost estimates are prepared to a higher degree. She further asked what number of HRM staff would be required to maintain the site.

Mr. Gallagher noted the following:

- \$3.75 million dollars is for the complete hardening of the oval, which includes the concrete slab, structural base, new drainage system, underground duck bank, lighting, to get the oval up and running for 2011/2012, as well as the chiller system and inner grass; staff must ensure that the slab will last for 25 years
- other funds have been identified to integrate the oval project with other HRM projects that are approved within the 2010/2011 budget
- some accessory buildings are included within the \$1.4 million for the 2012/2013 budget
- there are a number of options to replace the ball field by improving existing fields on the Peninsula; the replacement is estimated to cost approximately \$150,000-200,000

Councillor Hendsbee entered the meeting at 1:40 p.m.

Councillor Wile requested staff provide the following:

- a list of what HRM owes on its completed capital projects
- a list of future capital projects being considered or that have been approved by Council

She further suggested the option of placing sponsor's logos/names within the ice surface.

In response to questions raised by Council, the following was noted by staff:

- the Canada Games Host Society purchased three of the chillers at \$100,000 each and has given HRM the right of first refusal; a sale price has yet to be determined
- HRM is responsible to ensure that CGHS recovers the cost of the chillers; however, it is not anticipated that HRM would receive the chillers for free



- the total outstanding debt ratio for the BMO Centre (formerly 4 Pad Arena) and Canada Games Centre is projected at \$275 million as of March 31, 2011, which is a \$5 million decline from the previous year
- information respecting HRM's funding gap for its capability projects for the past 3-5 years will be presented as part of the 2011/2012 budget debate

Further points and suggestions noted by Council:

- that HRM market the oval throughout Atlantic Canada as a winter destination
- whether discussions have been held with HRM's hotel operations regarding obtaining room levy tax to offset operating costs
- increased revenue for surrounding businesses
- review merits of implementing mandatory helmet laws for usage on the oval
- option of having the oval on the Central Common rather than the North Common; use of buildings near by such as washrooms and a place to store the Zamboni; centralized parking, district heating, lighting capacities, lack of wind and noise issues, further distance from residential homes
- possibility of inline and roller skating during Summer months
- discussion on HRM's policy/practices in regard to alcohol sponsorship of recreation facilities

The following clarification was provided by staff in response to questions raised by members of Council:

- emergency generators are not included within this project, as an electrical building was built on the Commons in 2010
- Canada Revenue Agency initiated the survey respecting the average age of first alcohol use in Nova Scotia; the survey results are posted on CRA's website
- on February 14, 2011 Council passed a motion directing staff to build a budget based on the existing level of services from the previous year, holding the tax rate flat, having the expenditure growth constrained within CPI and MPI on the operating budget; HRM will be able to fall within CPI and MPI, with last years services plus the addition of the operating costs for the oval, if approved

Councillor Fisher asked whether staff has reviewed the possibility of using the heat from the chillers towards heat recovery for neighborhoods. Mr. Gallagher indicated that once consultants are in place an analysis could be undertaken.

The motion before Council:

**MOVED by Councillor Rankin, seconded by Councillor Sloane, that Halifax Regional Council:**

- 1. Make the Canada Games Oval permanent on the Halifax North Common;**
- 2. Direct staff to include the required capital and operating funds for the Canada Games Oval in the proposed 2011/12 Project and Operating Budget as outlined in the budget implications section of this report;**

3. **Direct staff to immediately engage consulting services as outlined in the discussion and budget implications sections of the March 25, 2011 staff report, funded from the advanced project account CBX01268 Consulting – Buildings, until a full funding strategy is approved by Council as part of the 2011/12 budget;**
4. **Authorize staff to accept donations to put toward the capital costs of making the Canada Games Oval permanent; and**
5. **Provide direction to staff as to whether or not to entertain proposals for corporate naming rights and other commercial advertising at the Canada Games Oval.**

**MOTION PUT AND PASSED.**

In lieu of the time frame, Mayor Kelly asked whether Council wished to defer Item 4 to the next Committee of the Whole session or continue with discussion.

**MOVED by Councillor Rankin, seconded by Councillor Wile, that the Halifax Regional Council defer Item 4 - Community Facility Master Plan – Project Updates to the next Committee of the Whole session to be held on April 5, 2011.**

**MOTION TO DEFER ITEM 4 PUT AND PASSED.**

Council recessed at 3:08 p.m.

Council reconvened at 3:27 p.m. without Councillors Mosher and Stretch in attendance.

**Community Centre & Artificial Turf Enhancements – Bedford High School**

The following was before Council for review:

- A copy of the presentation dated March 29, 2011 entitled: Bedford-Hammonds Plains Community Centre and Artificial Turf Enhancement.
- Staff report dated March 23, 2011.

Ms. Betty Lou Killen, Community Development, delivered a presentation to the Council.

**MOVED by Councillor Lund, seconded by Councillor Outhit, that Halifax Regional Council:**

1. **Approve entering into a joint partnership with the Province to add a community centre and regulation size artificial turf sport field to the new high school in Bedford-Hammonds Plains at an estimated price of \$10.7 million and include the appropriate funding in the 2011-12 and future budgets as outlined in the budget implications section of the March 23, 2011 staff report; and**

**2. Direct staff to return with the final details of the Bedford-Hammonds Plains Area Rate during 2011-2012 Budget.**

Council entered into discussion with the following points being noted:

- residents are in support of an area rate to build the facility
- the artificial turf should be identified as a Regional field; attracting more tournaments
- a question of whether, on a go forward basis, there should be any more area rates as these types of facilities are being used by residents all over HRM
- the importance of maintaining the enhanced gym
- the cafetorium is a compromise for a theatre and cafeteria
- possibility of increasing the general tax rate; potential discussion for future budget years

Staff responded to questions of clarification respecting:

- the facility's layout – cafetorium and gym
- the facility's accessibility (ie. elevators)
- comparison to Citadel High School's gym; no area rate, private fundraising

**MOTION PUT AND PASSED.**

- 4. COMMUNITY FACILITY MASTER PLAN – PROJECT UPDATES**
- Staff Presentation (to be circulated)
  - Staff Report
  - Peninsula Recreation Facility and Services Review
  - Dartmouth Sportsplex Revitalization and Renewal Project
  - Halifax Forum Revitalization Report

This matter was deferred to the next Committee of the Whole session to be held on April 5, 2011.

**5. ADJOURNMENT**

The meeting adjourned at 4:13 p.m.

Cathy J. Mellett  
Municipal Clerk