

# HALIFAX

P.O. Box 1749  
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**Item No. 14.1.3**  
**Halifax Regional Council**  
**September 5, 2017**

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

Original Signed by 

**SUBMITTED BY:** \_\_\_\_\_  
Jacques Dubé, Chief Administrative Officer

**DATE:** June 26, 2017

**SUBJECT:** Lease – North Preston Recreation Field – 857 Upper Governor Street

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## **ORIGIN**

This report originates from a December 21, 2016 recommendation from the Community Planning and Economic Development Standing Committee (CPED) and a January 10, 2017 motion from Regional Council:

“That Regional Council direct staff to ...2. Negotiate a long-term lease or purchase with Halifax Water;” for a non-regulation sized recreation field at 857 Upper Governor Street, North Preston.

## **LEGISLATIVE AUTHORITY**

The recommended action complies with the Halifax Regional Municipality Charter:

Section 61(5)a: *“The Municipality may acquire property, including property outside of the Municipality, which the Municipality requires for its purposes or for the use of the public.”*

Section 79: *“The Council may expend money required by the Municipality for*

*(k) recreational programs;*

*(x) lands and buildings required for municipal purposes;*

*(ah) playgrounds, trails, including rails develop, operated or maintained pursuant to an agreement made under clause 73(c), bicycle paths, swimming pools, ice arenas and other recreational facilities;*

*(ai) public grounds, squares, halls, museums, parks, tourist information centres and community centres*

*(ii) that are required to be made under a contract lawfully made by, or on behalf of, the Municipality.”*

The report complies with the Corporate Real Estate Transaction Policy, as approved by Regional Council on October 8, 2002.

### **RECOMMENDATION**

It is recommended that Halifax Regional Council enter into a twenty (20) year lease with Halifax Regional Water Commission for a recreation field located at 857 Upper Governor Street.

### **BACKGROUND**

At a March 2013 community meeting with the local councilor, HRM staff and Halifax Water staff, discussed the community's lack of access to public green space and the fact that the elementary school does not have a sports field.

Subsequently on July 19 2016, Halifax Regional Council passes a motion requesting a staff report on the feasibility of the subject site for a recreation field.

On January 10, 2017, Regional Council directed staff to include funding in the amount of \$450,000, project number CP000004, for the construction of a non-regulation sized recreation field in the 2017/18 capital budget for Council's consideration and enter into negotiations with Halifax Water to consider a long term lease or acquisition of a 3.9 acre lot located at 857 Upper Governor Street (PID 00639856), directly across from the local elementary school.

### **DISCUSSION**

Halifax Water owns property at 857 Upper Governor Street, North Preston. The property is approximately 4 acres in area and is rectangular in shape (See Attachment 'A'). The property once accommodated the community school. The school has been removed and the site now contains a parking lot from the former school, vegetated area and a water reservoir.

The water reservoir is owned and maintained by Halifax Water and forms part of the water distribution system for North Preston. It is located near the southeast property boundary and does not represent an impediment to the development of a recreation field. The existing driveway services the reservoir and will also be shared with the recreation field users.

Halifax Water has owned the property since 2012 when it was purchased at a tax sale. Halifax Water's interest is in the water tower portion of the property and is supportive of a community recreation field being situated on the remainder of the lot.

Halifax Water's preference is for HRM to secure property rights through a long term lease at a nominal fee. Selling the property to HRM would result in Halifax Water seeking approval of the Utility and Review Board to sell an asset that was recently acquired. The suggested nominal rent of \$1.00 has been agreed upon by Halifax Water.

The lease will allow for a recreation field, parking area and driveway access.

Construction of the recreation field is anticipated to begin late summer/early fall 2017 with completion prior to the end of this calendar year.

**Table 1 Business Terms:**

<b><i>Property Address</i></b>	857 Upper Governor Street, North Preston
<b><i>PID</i></b>	00639856
<b><i>Landlord</i></b>	Halifax Regional Water Commission
<b><i>Tenant</i></b>	Halifax Regional Municipality
<b><i>Rent</i></b>	\$1.00
<b><i>Term</i></b>	20 years
<b><i>Proposed Development or Use</i></b>	Recreation field, parking, driveway access
<b><i>Lease Area (total)</i></b>	Approximately 2 acres (subject to survey)
<b><i>Commencement Date</i></b>	September 2017

**FINANCIAL IMPLICATIONS**

There are no significant financial implications associated with the recommendations of this report. There is a small OCC (Operating Cost from Capital) to maintain the field; this was addressed as part of the Approved 2017/18 Capital Budget.

**RISK CONSIDERATION**

There are no significant risks associated with the recommendations in this Report. The risks considered rate Low.

**COMMUNITY ENGAGEMENT**

No community engagement is necessary for the leasing aspect of the project. Engagement occurred as part of the planning of the project.

**ENVIRONMENTAL IMPLICATIONS**

Implications not identified.

**ALTERNATIVES**

There are no recommended alternatives.

**ATTACHMENTS**

Attachment 'A' – Property Site Plan

A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

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# HALIFAX

## ATTACHMENT 'A' PROPERTY SITE PLAN

