

HALIFAX

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Item No. 14.1.10
Halifax Regional Council
December 12, 2017

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed by



SUBMITTED BY:

Jacques Dubé, Chief Administrative Officer

DATE: December 5, 2017

SUBJECT: Kiwanis Club of Dartmouth Building Proposal - Kiwanis Grahams Grove Park

ORIGIN

- September 8, 2016 Harbour East-Marine Drive Community Council motion:

MOVED by Councillor McCluskey, seconded by Councillor Karsten, that Harbour East-Marine Drive Community Council request that staff:

1. Work with the Kiwanis Club of Dartmouth to improve the public benefit of the current proposal and address the following concerns:
 - a. Inclusive public programming;
 - b. Barrier-free access to the building;
 - c. Lease agreement consistent with other HRM partnerships; and
 - d. Cost recovery for HRM services
2. Return to Regional Council with a revised proposal and recommendation for Council's consideration. **MOTION PUT AND PASSED**

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter:

Section 61(3) The property vested in the Municipality, absolutely or in trust, is under the exclusive management and control of the Council, unless an Act of the Legislature provides otherwise

Section 63 (1) The Municipality may sell or lease property at a price less than market value to a non-profit organization that the Council considers to be carrying on an activity that is beneficial to the Municipality

Section 63 (2) A resolution to sell or lease property referred to in subsection (1) at less than market value shall be passed by at least a two thirds majority of the Council present and voting.

Recommendation on page 2

RECOMMENDATION

It is recommended that Halifax Regional Council direct staff to:

1. Include a new multi-use building at Kiwanis Grahams Grove Park with a net budget of \$800,000 for consideration in the 2019/20 capital budget process to be prioritized against other capital priorities;
2. Return to Regional Council to confirm the funding commitment once the building design is complete; and
3. Negotiate leases for space in the new building with the Kiwanis Club of Dartmouth and the Dartmouth Dragon Boat Association and return to Regional Council for approval of the resulting lease agreements, such that they are in place for the opening of a new building.

BACKGROUND

The Kiwanis Club of Dartmouth (KCD) is a registered charity and regional chapter of Kiwanis International, a global volunteer organization. Kiwanis clubs are established in more than 80 countries worldwide and are dedicated to supporting children and young adults, as well as responding to individual community needs. Since KCD was chartered in 1943, the organization has developed a variety of annual fundraising events for charitable reinvestment in the Dartmouth community. Historically, the organization has made major contributions to the construction of parks and playgrounds, including the Dartmouth Ferry Terminal Park playground and Kiwanis Sullivan's Pond Fountain.

In 1971, through the help of municipal grants, KCD developed the park located at 45 Grahams Grove. Recognizing the \$75,000 contribution, the City of Dartmouth officially sanctioned the park as "Kiwanis Grahams Grove Park". Today, the HRM-owned 5.43-acre park includes a gravel parking lot, washroom facilities, open field, boat house, picnic tables, benches and multi-use trails. The park is located on the north-eastern shore of Lake Banook and is used by the community for recreational canoe/kayaking, dog walking and general park use.

On April 7, 2016, KCD gave a presentation to Harbour East-Marine Drive Community Council (HEMDCC) outlining a proposal to construct a permanent building at the Kiwanis Grove Park in Dartmouth (Attachment 3). HEMDCC requested a staff report on the proposal.

On September 8, 2016, staff presented a report to HEMDCC which assessed the proposal based on public benefit, cost analysis and policy alignment. The assessment indicated some potential challenges with the proposal. As a result, HEMDCC directed staff to work with KCD on their proposal to ensure it met certain criteria including: inclusive public programming, barrier free access to the building, a lease agreement consistent with other HRM partnerships, and cost recovery for HRM services.

DISCUSSION

Current Use of the Park

Since 2007, KCD has operated a seasonal ice cream canteen from a trailer and hosted a long standing annual Christmas tree lot for approximately 15 years on the site. KCD's seasonal canteen operations are compliant with HRM vendor licenses in accordance with By-law C-501. Their annual Christmas tree lot operations are compliant with Nova Scotia Department of Natural Resource Christmas Tree Broker or Vendor/Producer Registration. As well, the current canteen operations and building proposal are allowable under the Dartmouth Land Use By-Law. Currently, HRM provides snow removal in the parking lot for access to Kiwanis Christmas tree sales and absorbs the cost of water and power to the canteen.

The Kiwanis Grahams Grove Park and the surrounding area is used by the community for several passive and active recreation activities. The Park is also heavily used through HRM event bookings. Between May and October 2016, there were over a dozen HRM scheduled events on Lake Banook, the largest of which involved approximately 3000 participants and spectators.

The current parking lot has periods of concern; therefore, any plan would require maximization of the available parking spaces. There are also ongoing concerns related to access to the site during scheduled events which restricts park usage. However, staff has reviewed current event booking procedures in order to minimize any impact to park use during events.

Original Building Proposal

KCD proposed to provide and install a permanent modular facility at Kiwanis Grahams Grove Park to house a canteen, office space and community space, operated by the organization. The proposal included primarily exclusive use of the proposed building, but KCD stated the intention of their proposal was to animate the park by providing a hospitality service (ice cream canteen) and a community space which could be booked by event organizers and community organizations on a cost recovery basis.

In addition, the organization was requesting a less than market value lease from HRM for either a 20 year term or a 27 year term to conclude with the Club's 100th anniversary in 2043. During the term of the lease, the organization would manage the facility and pay ongoing maintenance, insurance and all utility costs. The proposal did not include replacement of the aging HRM washrooms located directly behind the current structure and did not include a barrier free building with public access to washrooms, drinking water or opportunities for open and inclusive public space.

Subsequent to HEMDCC's direction, staff met with the Kiwanis Club in Fall 2016 and, after some discussion, requested KCD provide HRM with an opportunity to review additional park amenities which were not addressed in the original Kiwanis submission. A review would include all amenities and user groups located within the park. The issue of ensuring that any design would facilitate barrier free access was agreed to by both parties.

Revised Building Approach

After additional consultation with KCD, a revised approach is recommended which would include a process to build a new facility on site, which would replace all existing structures, including the aging washrooms, a storage facility, as well as the current Kiwanis canteen structure. A new structure would incorporate the requirements of KCD to meet their mandate, as well as provide new amenities for additional park users. A preliminary concept of a multi-use structure is shown in Attachment 2.

The proposed concept would allow barrier free access to public washrooms, as well as boat storage on site for other park user groups. This concept would also enable the KCD to operate their facility throughout the year, which would include their seasonal canteen and the annual Christmas tree lot.

With this updated approach, the building would be owned by HRM with KCD leasing their space requirements, versus the original proposal in which KCD would own a building on site and gift it back to the municipality in 2043. KCD has indicated support for this new approach (Attachment 1). KCD will still be able to offer their meeting space to be booked by the public, at hours they can accommodate based on their seasonal staffing and volunteer capacity.

The public washrooms and the boathouse building both require significant upgrades/replacement, which is not currently budgeted in the ten-year capital plan. Economy of scale and maximization of the Park space would be able to be achieved through a multi-use building on the site. The preliminary cost estimate for the facility is between \$800k to \$1M. Upon completion of a project scope and preliminary building design, staff would return to Council to seek approval and confirm the funding commitment.

Staff would negotiate a 20 year exclusive less than market value lease agreement for a portion of the building with KCD, which would be subject Regional Council approval. HRM would be responsible for the public washrooms and any capital repairs required for the facility. The lease agreements would outline the complete terms and conditions, which is subject to negotiation by all parties. Furthermore, any proposed less than market value lease would be subject to review by the Grants Committee, prior to consideration by Regional Council.

The proposed building site plan offers the following functional outcomes:

- The proposed location for the new building has good access from the parking lot, beach and boat dock;
- Existing utility services, electrical, water and sewer, are in proximity;
- Ground elevation is higher at the new proposed location thereby mitigating flooding;
- Consolidation of individual buildings into one reduces impact on the Park's green spaces and vegetation;
- Loss of trees outlined in the original proposal would be mitigated by the new proposed location;
- Removal of existing washroom and canteen would allow for a better designed park entrance; and
- Vegetation buffer between park and residential houses to the west would be able to be maintained and enhanced with the new proposal building location.

The Dartmouth Dragon Boat Association

Another user of the facilities at Kiwanis Grahams Grove Park is the Dartmouth Dragon Boat Association (DDBA). This non-profit society, incorporated in 2009, was established to promote and foster dragon boat paddling within HRM. The DDBA offers numerous public programming, including HRM Day Camps, recreational and competitive paddling, and Blind/Partially Sighted paddling programs. The DDBA entered into a lease agreement with HRM in 2009 for use of the boathouse building at the Park. Since that time, the group has continued to grow its programming and has maintained the small building that it uses primarily as storage for its boats. HRM would offer a new agreement to utilize a part of the new facility upon completion. In discussions between staff and DDBA, concerns have been raised that any new facility be located and structured to minimize impact to the Park. Those considerations would be taken into account in the project scope work.

New Building Contributions

KCD has proposed to provide up to \$250,000 for the construction of a new multi-purpose facility in exchange for a long-term less than market value lease. The facility would be owned by HRM and, in addition to the use by the Kiwanis, the intention would be to enable public washroom access with the design. Additionally, part of the facility would encompass new boat storage for the Dartmouth Dragon Board Association (DDBA), which would be negotiated through a separate lease agreement. The DDBA has indicated that they would prefer a separate building for the storage of their boats, however, a single purpose build facility would provide economy of scale and minimize the amount of parkland space being encompassed by buildings.

FINANCIAL IMPLICATIONS

This project is currently not funded in the 10 year Capital Plan.

Pending Council direction, staff would include net funding of \$800k in the proposed 2019/20 capital budget to reflect the preliminary cost estimate and proposed cost sharing by KCD. The scope of work for the facility would further refine the estimate and building design. Upon completion of the scope of the work, updated budget information would be outlined for Regional Council's consideration of the 2019-20 Capital Budget.

RISK CONSIDERATION

There are no significant recommendations outlined with the recommendations in this Report. The risks considered rate Low. To reach this conclusion, consideration was given to financial, operational and reputational risks.

COMMUNITY ENGAGEMENT

The KCD and the DDBA Board of Directors are comprised of community members.

ENVIRONMENTAL IMPLICATIONS

No environmental implications at this time.

ALTERNATIVES

- Alternative 1: Regional Council could choose not to include the project for consideration in the 2019/20 capital budget process.
- Alternative 2: Regional Council could direct staff to return with a proposed agreement on the Kiwanis Club of Dartmouth's original proposal.

ATTACHMENTS

- Attachment 1: Letter from Kiwanis Club of Dartmouth
Attachment 2: Site Map
Attachment 3: Kiwanis Club of Dartmouth Original Proposal

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Bruce Chisholm, Partnership Coordinator, Community Partnerships, 902 490 1214



Kiwanis Club of Dartmouth

Dartmouth Seniors Service Centre
45 Ochterloney Street
P.O. Box 321
Dartmouth, N. S., B2Y 3Y5

The Manager
Halifax
Attention Mr. Mike Ryan

**Subject: Kiwanis Grahams Grove Park
Community Building Project**

Dear Mr. Ryan.

On behalf of our Committee and the Kiwanis Club of Dartmouth let me say it was a pleasure meeting with you last month to review and discuss the adjustments and new improvements your group has suggested regarding the park Pavilion. Its also clear that the combined ideas and commitment from both sides has laid a strong foundation to ensure this project can move forward and be a great success.

Following our last meeting with you we returned to our Club and presented the full combined ideas regarding the proposal and again have received unanimous consent and support from the Club. Kiwanis is looking to be involved long term with this project and our commitment to donate \$250,000.00 is just the start. We are committed to working collaboratively with HRM towards this end creating an outcome which will provide infrastructure to Kiwanis Grahams Grove Park which will positively impact the needs of all citizens

Moving forward we will work with you on the finer details including our multi-year lease. The Kiwanis Club of Dartmouth looks forward to being a major tenant in the building. Along with offering community use of our space we will be operating our seasonal Canteen, seasonal Christmas tree sales, and an office for both Kiwanis and the community at large, all for non-profit and charitable purposes.

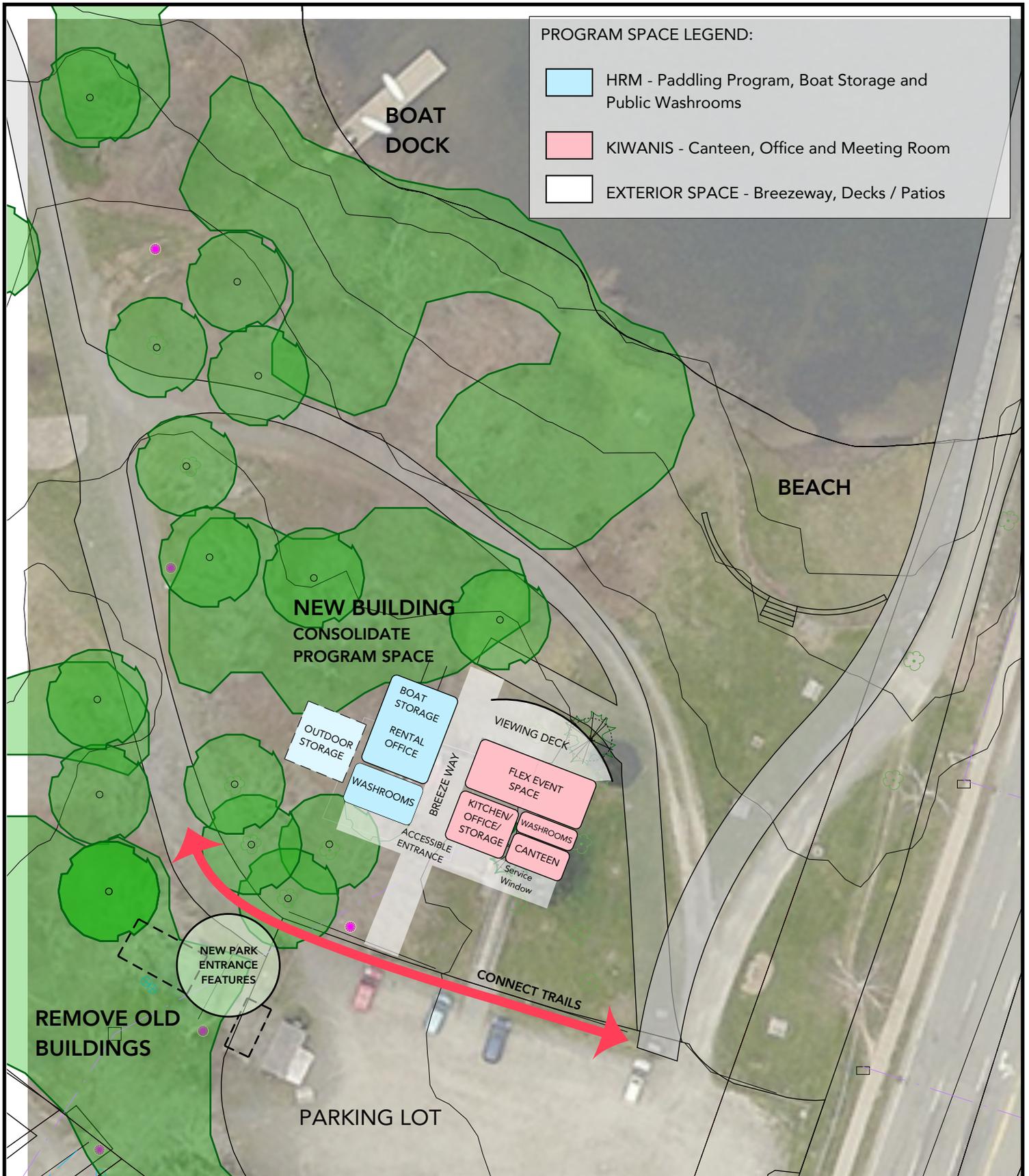
A proposed initial lease of 20 years or up until the Club's 100th Anniversary in 2043 will be our first goal. At renewal we will look to extend our partnership for a similar time or will surrender our space back to the Municipality in line with our original gift.

Kiwanis is built on helping the community. HRM is a valued partner in the continued strategy of Kiwanis projects and initiatives throughout the municipality and we trust that this project will be recognised as supporting our mutual objectives to improve the quality of life for all citizens. The Grahams Grove Park Pavilion is a great fit.

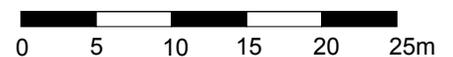
Original signed

Yours truly,

Heather Conrad
President
Kiwanis Club of Dartmouth



Attachment 2 - Site Map



Community Centre Project Kiwanis Graham's Grove

Attachment 3 - Kiwanis Club of Dartmouth Original Proposal

Graham's Grove History

The construction of the Rotary decimated the Corner and left the area adjacent to the lake unused and inaccessible. The later widening of the lake course between Lakes Banook and MicMac left a scarred shoreline at the outer limit of the area.

Development Of Park

The Kiwanis Club Organization had a tradition of constructing parks and playgrounds in their local areas for the benefit of the citizens

In the early seventies with the help of municipal grants, Kiwanians raised funds to make the park happen.

Kiwanian Club along with Kiwanians Neil Young and Doug Pettigrew, worked to improve the Graham's Grove site shaping what we see today. In Recognition for the work done, the city named the park after Kiwanis



Kiwanis Building Benefits:

- ✓ Kiwanis Kones /Canteen and Christmas Tree lot
- ✓ Summer Social and sporting events H.Q.
- ✓ Summer concerts series such as Kiwanis Music Festival (8,000 kids served)
- ✓ Sponsored events for schools (ie. Pumpkin Carving, Snow/Ice Sculptures)
- ✓ Kiwanis / Community Ice skating Hot chocolate events
- ✓ Excess storage shed for Kiwanis equipment, signs etc
- ✓ Foundation building block for additional projects for the community

Possible additions added to location in future: Play ground sets, Dragon Fountain (Miller Lake), etc.

Kiwanis Community Contributions

One of many contributions the Kiwanis Club of Dartmouth has made to the community is the water fountain at Sullivan's Pond.

Serving a dual purpose, the fountain provides an aesthetic value with its varied spray and color change capabilities as well as the filtering of the water through the spray function reducing weed growth as well as the challenges that come with sitting water.



Compliance With City Mandate

On June 10, 2014, Regional Council passed a motion related to the **Downtown I'm In report** to activate public spaces in the Urban Core;

One of the recommendations was **More activation of public spaces including temporary commercial uses in public spaces.**

- HRM Park and Recreation's mandate to create vibrant communities;
- HRM Municipal Charter's purpose to develop and maintain safe and viable communities.



Operating Provisions

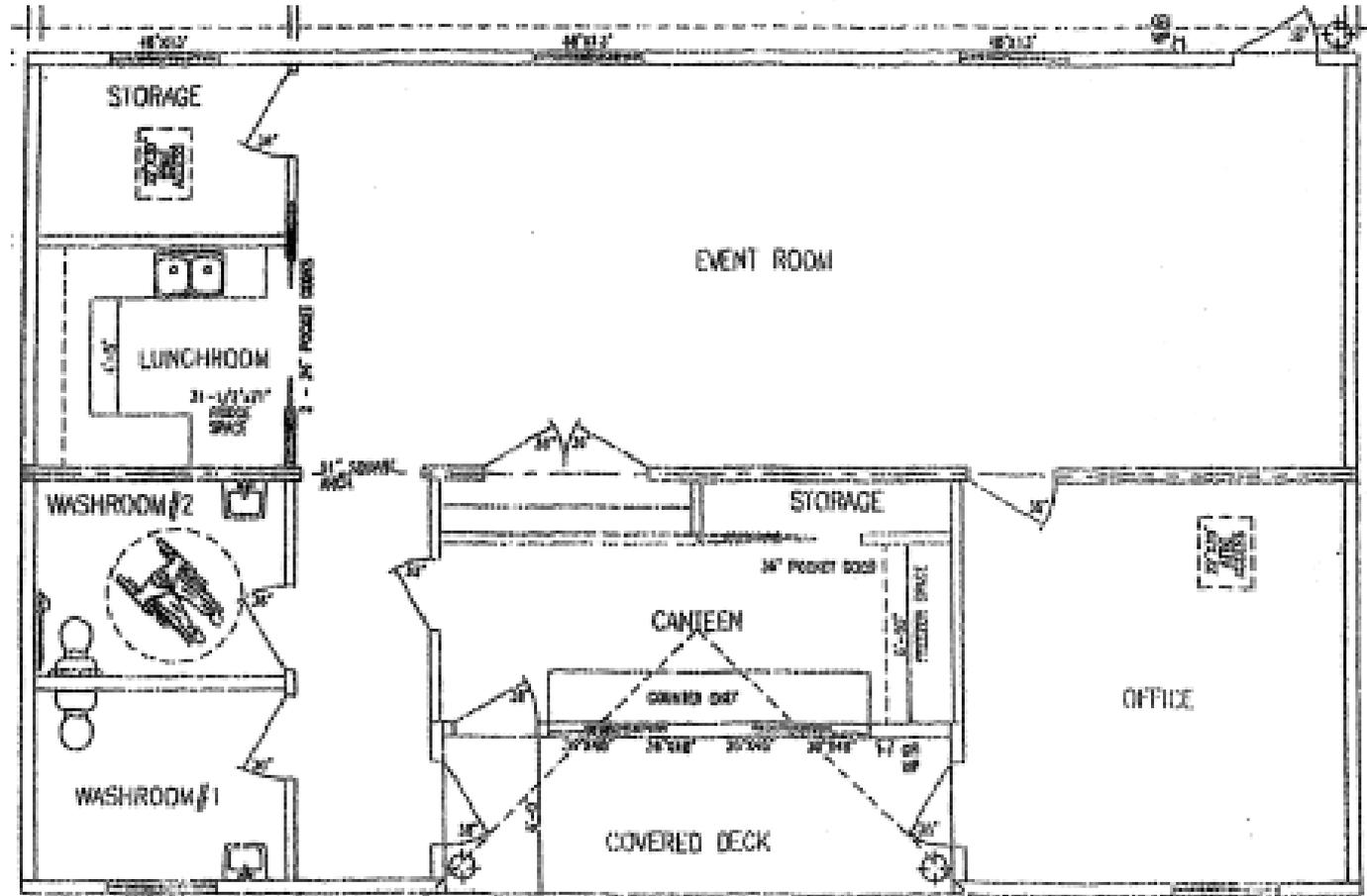
A multi year lease for the Dartmouth Kiwanis Club is requested from the Municipality to have a 32 ft by 50 ft. Building. Along with community use, operate a Seasonal Canteen and operate a Seasonal Christmas Tree Sale Lot all for non-profit and charitable purposes.

A minimum lease of 20 years or up until the Club's 100th Anniversary in 2043 at which time the building will be gifted to the Municipality.

Building Futures

(Back Building)

32 X 50



(Front Building)

Community Centre Project Kiwanis Graham's Grove

