


HALIFAX

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Item No. 14.1.8
Halifax Regional Council
May 24, 2016

TO: Mayor Savage and Members of Halifax Regional Council
Original Signed by 

SUBMITTED BY: _____
John Traves, Q.C. Acting Chief Administrative Officer
Original Signed by _____
Jane Fraser, Acting Deputy Chief Administrative Officer

DATE: May 5, 2016

SUBJECT: Former Halifax County Regional Rehabilitation Centre Lands – Cole Harbour

ORIGIN

- December 10 2013 Halifax Regional Council motion:
Moved by Councillor Nicoll, seconded by Councillor Hendsbee that Halifax Regional Council adopt the Cole Harbour Basin Open Space Plan as a policy guideline and implementation framework contributing to:
 - Public open space land planning
 - Open space programming and service delivery
 - Integrated open space, land-use and infrastructure planning**MOTION PUT AND PASSED UNANIMOUSLY**
- September 9, 2014 Halifax Regional Council motion:
Moved by Councillor Dalrymple, seconded by Councillor Hendsbee that a staff report be brought forward in regard to the Windsor Junction Road, Ross Road and Cole Harbour Road being removed from the list of roads included in "Roads to be removed – candidate on-road bike routes: within 3 months"
MOTION PUT AND PASSED UNANIMOUSLY

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, Section 61 (1) The Municipality may acquire and own property granted or conveyed to the Municipality either absolutely or in trust for a public or charitable purpose. (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. (5) The Municipality may (a) acquire property, including property outside the Municipality, that the Municipality requires for its purposes or for the use of the public; (b) sell property at market value when the property is no longer required for the purposes of the Municipality;

Section 79 (1) The Council may expend money required by the Municipality for; (k) recreational programs; (x) lands and buildings required for a municipal purpose; (ah) playgrounds, trails, including trails developed, operated or maintained pursuant to an agreement made under clause 82(c), bicycle paths, swimming pools, ice arenas and other recreational facilities;(ai) public grounds, squares, halls, museums, parks, tourist information centres and community centres.

RECOMMENDATION

It is recommended that Halifax Regional Council:

- 1) Designate approximately 16 hectares of the lands associated with the Former Halifax County Rehabilitation Centre PID, #00402982, as parkland as outlined in Attachment 2;
- 2) Direct staff to work with the Cole Harbour Parks and Trails Association to create the necessary connections from Bissett Park to Cole Harbour Lawrencetown Heritage Park through the Rehabilitation Centre Lands; and
- 3) Direct staff to review the remainder of the property under the Administrative Order 50 process for potential disposal.

BACKGROUND

Rehabilitation Centre and Lands

The Halifax County Rehabilitation Centre (Rehab Centre) operated first under the auspices of the County of Halifax then the Province of Nova Scotia at 255 Bissett Road in Cole Harbour. Open from 1941 until 2002, it was one of a series of facilities in the area focused on social welfare and chronic physical and mental illness beginning in the late 1800's. Eventually the facility and its board concentrated solely on mental health. Despite being operated by the Province beginning in the 1980's, ownership of the property remained with the Municipality. When the facility closed, the lands and building were returned to the control of the Halifax Regional Municipality.

The approximately 20.5 hectare site sits atop a drumlin that is characteristic of the area. The height of land provides views of Bissett Lake, Dartmouth/Halifax, Cole Harbour Marshes and the Atlantic coastline. Approximately 11.5 acres of the site are open field and the remaining 9 acres forested. The property includes 700 m of shoreline on Bissett Lake. That shoreline is characterized by steep slopes (average 17%) unable to accommodate any structures. There are presently no buildings remaining on the site. A 30 m to 60 m treed riparian buffer also lines the shoreline offering protection of Bissett Lake. Immediately across Bissett Road from the site is the Cole Harbour Lawrencetown Coastal Heritage Provincial Park owned by the Province of Nova Scotia (Attachment 1).

Demolition of Buildings

In 2010, after several years as a rented film set, Regional Council directed staff to demolish the vacant buildings due to their degraded state, challenges securing the ten buildings against vandalism, and a lack of municipal requirement. The demolition process required treatment of hazardous and contaminated material from the buildings (e.g. lead paint, concrete, asbestos) and hydrocarbons from decades of heating fuel and vehicle maintenance. All work was done in accordance with Nova Scotia Environment permits and regulations. During the demolition, samples from under the main building revealed that original construction had used contaminated ash material from a nearby incinerator as a compacted granular subbase. This occurred in the 1940's before environmental standards against such practice were in place. It was determined that the best course of action was to:

- 1) Keep the material and the building's thick floor slab in place; and
- 2) Place a further 400mm clay cap designed to shed water over top of the slab.

This resulted in a large area at the top of the drumlin which is off limits to future development and cannot be punctured. Instead, it must be left as open space with no improvements penetrating the clay cap. The work was in accordance with permits and inspections from Nova Scotia Department of the Environment. The site continues to be monitored with monitoring wells in place and visual inspections as outlined in the Risk Management Plan approved by Nova Scotia Department of the Environment.

With the completion of the site containment, decisions on the future of the property can now be determined.

DISCUSSION

Land Use Zoning and Municipal Servicing

The Rehab lands are zoned as P2 - Community Institution. This allows for the public institutions, denominational buildings (churches), works depots and public parks and open spaces. The area to the north is zoned R1 which allows single family residential, and the area to the south is zoned R7 which allows rural lot residential dwellings. A small section of the Rehab lands at the north of the property adjacent to the R1 zone is within the Municipal Service Boundary and is serviced with both sewer and water. The remainder of the property is outside the Service Boundary and is not serviced with municipal sewer and water. A municipal water lateral which served the former Rehab buildings does extend onto the property but has been capped.

Cole Harbour Open Space Plan and Regional Active Transportation Plan

In 2011, Regional Council approved the Cole Harbour Open Space Plan as guidance for parks and public open space decision making in the area. That plan identifies an important potential open space connection between Bissett Park and Cole Harbour Provincial Park through the Rehabilitation Centre lands. The Plan also identifies important views from the Rehab Lands west to Bissett Lake and the urban areas, and east to the Cole Harbour Marshes and rural areas. The Plan recommends retention of areas of the Rehab Lands as an extension of Bissett Lake Park in order to achieve a connected park and trail system involving the Cole Harbour Common, Colby/Forest Hills Trails, Bissett Lake Park and the Cole Harbour Lawrencetown Heritage Provincial Park. That connected system is intended to be the center piece for public open space for the area providing sport and recreation, active transportation, preservation of community and cultural identity, water access and contact with nature.

The Making Connections 2014-19 Halifax Active Transportation Priorities Plan also identifies this greenway corridor as one of several near term priority projects for the Region. The proposed completion date for this objective is 2019. The plan is to link to currently completed AT trails including the Salt Marsh Trail. The AT plan also identifies this as part of the designated Trans Canada Trail. The Trans Canada Trail Foundation has set a target completion date of 2017 for that connection. In order to meet that timeline, the Cole Harbour Parks and Trails Association has indicated an interest in obtaining permission to plan and construct trail connections on the former Cole Harbour Rehabilitation Centre Lands in accordance with the Regional Active Transportation Plan.

Most of these open space elements were determined when the community of Cole Harbour grew during the 1960's, 70's and 80's. The work of the Cole Harbour Open Space Plan and Active Transportation Plan capitalizes on the elements. The Cole Harbour Parks and Trails Associations are active partners in this regard, having built some of the important public trails in the Region such as the Salt Marsh Trail. They have requested permission to commence detailed design and construction of the trail linkage across the Rehab lands in order to be able to construct this section of trail in 2017.

Establishment of Parkland

Currently, the parcel is essentially acting as parkland. Through the approval of the first recommendation outlined in this report, Regional Council would be officially designating the outlined parcel as a municipal park. Since access to the site already exists through the driveway off Bissett Road, only administrative functions would need to be completed to ensure it is properly included in the inventory for maintenance, signage, etc. There would be limited changes to certain areas of the site such as planting of trees so as to not damage the membrane covering the contamination. The regulations and approvals related to the containment require that risk of puncture of the membrane be managed.

Designation of the parcel as a park will also enable HRM to then enter into an agreement with the Cole Harbour Parks and Trails Association for development of the trail connections. While the site is relatively large and open with access from Bissett Road, the development of the trail linkage would provide additional access to the site through connection to the Trans Canada Trail. That additional connection would improve the CPTED (Crime Prevention Through Environmental Design) aspects of the site.

Other Considerations

The Off-leash Service Review adopted by Regional Council in 2015 highlighted a lack of off-leash areas within the Cole Harbour community. Additionally, the Province of Nova Scotia has contacted the Municipality for assistance in relieving the use of the adjacent provincial park as an off-leash area contrary to the *Provincial Parks Act*. The Rehab lands, subject to public consultation, may contain areas suitable for creation of an off-leash area. Regional Council directed staff to prepare an Administrative Order which will enable the implementation of the policies approved in the Off-leash Service Review. That Administrative Order is expected to be presented for Regional Council's consideration in the summer of 2016.

The Municipality is increasing recreation activity on the Cole Harbour Common by building an artificial sports field on the Bell Annex site. This will improve conditions for active sport users in the community and create a campus for sport usage on the Cole Harbour Common. No sport field requirements have been identified for the Rehab lands at this time, although a former field associated with the hospital exists and may be of future use.

The history of the site is of cultural interest within the region. It remains an example of the area's significant farming past, as well as an example of the evolution of public welfare and health care. There are many stories associated with this site and the former County Farm site (now within the Provincial Park). Local historians have expressed interest in some type of recognition/interpretation of this former use of the property. Creation of a public park would allow for consideration of such recognition in the future, however, more research and council direction to pursue that aspect would be required.

Retention of portions of the Rehabilitation Centre Lands for Municipal Purpose

Analyzing the objectives of the Cole Harbour Open Space Plan and Halifax Regional Active Transportation Plan, along with the opportunities and constraints created by the demolition of the former buildings and current water and servicing regulations, provides for the following recommended approach for the future of the overall site:

- Retain the capped contaminated areas associated with the former buildings at the top of the hill as public park;
- Provide vehicular access to the site through the former driveway to the site opposite the Provincial Park access and trail head;
- Link the Rehab lands to the Provincial Park and Bissett Lake Park through visual and trail connections;
- Retain the steep slopes and shoreline as protection for Bissett Lake;
- Protect views to the lake, surrounding community and Cole Harbour marsh by maintaining them within public ownership;
- Retain adequate public lands to accommodate future district requirements such as off-leash areas;
- Retain a small portion of the Rehab lands within the Municipal Service Boundary for future park needs requiring water and sewer;
- Work with the Cole Harbour Parks and Trails Association to create recreation and active transportation trails through the park;
- Phase opening the site for public use in accordance with the pace of park improvements;
- Review flanking portions of the former Rehab Centre property (approximately 4.5 hectares in total) not required for parkland purposes in the Municipality's internal Real Property Review process for consideration for other municipal uses or to be designated as surplus by Council under Administrative Order 50 Respecting the Disposal of Surplus Real Property.

In order to achieve this overall approach for the future of the lands of the former Rehab Centre, it is recommended that HRM retain that portion of the site required for parkland purposes and direct staff to review the remaining portions of the site under Administrative Order 50 for potential disposal as surplus property.

As noted, the development of trails across the site is an important aspect of the continued implementation of Halifax Regional Active Transportation Plan. With the previous trail success enabled by the partnership between HRM and the Cole Harbour Parks and Trails Association, it is recommended HRM continue work through that partnership to develop a trail through the Rehabilitation Centre lands to enable connections from Bissett Park to Cole Harbour Lawrencetown Heritage Park. The detail design of the trail will help inform the final configuration of lands which should remain park.

FINANCIAL IMPLICATIONS

There are no immediate financial implications associated with designation of this land as park. Once Council begins to approve improvements to the site, the associated capital and operating funds would need to be allocated. Those improvements would be subject to capital budget approval of Regional Council and would include an operating cost of capital allocation amount to cover incremental operating expenses.

Potential revenues from the sale of any lands deemed surplus would be returned to Q101 in accordance with the Sale of Lands policy.

RISK CONSIDERATION

The risks associated with the site have been addressed through the demolition of the buildings and site containment. There are no significant risks associated with the specific recommendations in this Report. The retention of the land for parkland purposes would likely result in requests for future improvements. The risks associated with the financial impact of any future expectations regarding the lands would be managed through the annual capital and operation budget process and subject to Regional Council's approval. The risks considered rate Low.

COMMUNITY ENGAGEMENT

The Rehabilitation Centre lands were considered under the public consultations associated with the Cole Harbour Open Space Plan. Public feedback from surveys, workshops and stakeholder meetings was incorporated into the creation of the direction for the Rehab lands found in the plan.

The Halifax Active Transportation Plan involved public consultation through public meetings, survey and stakeholder sessions.

ENVIRONMENTAL IMPLICATIONS

Residing contamination remains on the site. It is currently being managed by HRM through implementation of a Risk Management Plan approved by Nova Scotia Department of Environment. Monitoring continues as part of that plan. The site is deemed suitable for public park purposes under environmental regulations.

ALTERNATIVES

Alternative 1: Regional Council could direct staff to retain all of the property for parkland

Alternative 2: Regional Council could direct staff to only retain the lands necessary for the Active Transportation routing and bring forward the remainder of the lands into the Administrative Order 50 Process. However, the containment on the site restricts the potential use of the majority of the site.

ATTACHMENTS

Attachment 1 – Site Context Plan
Attachment 2 – Site Plan

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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**Cole Harbour Lawrencetown
Coastal Heritage Park**

**BROOKVIEW DR
BISSETT RD**

COLBY DR

**Bissett Lake
Park**

**Proposed Area
To Be Retained**

**Capped
Area**

View to Cole Harbour Marshes

View to Colby Village & Dartmouth

Bissett Lake

- HRM Park
- Former Rehab Property
- Provincial Park
- Potential Surplus Properties
- Parcels
- Existing Trails
- Proposed Trail Connections
- Viewplanes

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Meters