

# HALIFAX

P.O. Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**Item No. 18.1**

**Regional Council  
March 5, 2019**

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

Original Signed by 

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

**DATE:** March 4, 2019

**SUBJECT:** Lease of Point Pleasant Park Lodge

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## ORIGIN

May 3, 2018 Point Pleasant Park Advisory Committee motion:

MOVED by Colleen Paschal, seconded by Ian Austen

**THAT Point Pleasant Park Advisory Committee recommends that Halifax West Community Council:**

- 1. endorse an extension of a 1-year lease of Point Pleasant Park Lodge to the Sable Island Institute ending February 28, 2019;**
- 2. request a staff report on the best use of the Lodge in meeting the goals of the Point Pleasant Park Comprehensive Plan. PUT AND PASSED UNANIMOUSLY.**

July 30, 2018 Halifax and West Community Council motion:

MOVED by Deputy Mayor Mason, seconded by Councillor Walker

**THAT Halifax and West Community Council:**

- 1. Endorse an extension of a 1-year lease of Point Pleasant Park Lodge to the Sable Island Institute, ending February 28, 2019;**
- 2. Request a staff report on the best use of the Lodge in meeting the goals of the Point Pleasant Park Comprehensive Plan. MOTION PUT AND PASSED.**

## LEGISLATIVE AUTHORITY

*Halifax Regional Municipality Charter*, Subsection 63(1) states (in part) that:

### **Sale or lease of municipal property**

- (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.

Administrative Order 58, Respecting Delegation of Certain Authorities, Sections 12 and 13.

**RECOMMENDATION ON PAGE 2**

## **RECOMMENDATION**

It is recommended that Halifax Regional Council direct the Chief Administrative Officer to:

1. Endorse an extension of a 1 -year lease of Point Pleasant Park Lodge to the Sable Island Institute at less than market value, until February 28, 2020; and
2. Request a staff report on the best use of the Lodge in meeting the goals of the Point Pleasant Park Comprehensive Plan.

## **BACKGROUND**

The Point Pleasant Park (PPP) Lodge is a Victorian era stone structure which was built in 1897 to house the Superintendent of the park. From 1897 until 1983, several Superintendents lived in the Lodge at which point the building required substantial interior and exterior repairs. Since amalgamation in 1996, the Lodge remains unoccupied by Parks staff, but still serves as a reminder of the park keepers who made it their home. From 1996 until present day, the building has been used as an art center and for limited Recreation Programming.

In 2018, Sable Island Institute requested short term use of the building, which was provided under a 1-year scheduling agreement. The Sable Island Institute (SII) is a registered, not-for-profit organization that develops and conducts a wide variety of Sable Island programs, including environmental monitoring, biodiversity surveys, arts and culture projects, and public outreach. The groups mission is to support and promote the protection and conservation of the natural and cultural values of Sable Island through research, collaboration, and education.

In May 2018, the Point Pleasant Park Advisory Committee (PPPAC) received a presentation from the Sable Island Institute asking for the Committee's support in endorsing a 10-year less than market value lease. It was also noted that Parks Canada had sent the Institute a letter of support.

The PPPAC Committee wanted to know if there was any other interest in using the space and if the public had been given an opportunity to submit proposals to lease the Lodge. The Committee was supportive of extending the use of the facility by Sable Island Institute for another year, but wanted to understand if there were other groups interested in the space or if it could be used by HRM as a park amenity.

As a result, the PPAC requested that Halifax & West Community Council endorse an extension of the 1-year rental agreement with the same terms and conditions, which was expiring on February 28, 2019.

## **DISCUSSION**

The short-term usage of the Lodge by the Sable Island Institute was approved through a 1 -year rental agreement, pursuant to Section 13 of Administrative Order 58, Respecting Delegation of Certain Authorities. That section delegates authority to staff to enter into an agreement whose term does not exceed one year. It further provides authority to consider below market value terms for not-for profit entities providing service that is deemed beneficial to the municipality. The request for an extension of the use of the Lodge by SII could not be considered by staff and would require the approval of Regional Council under AO58.

On July 30, 2018, Halifax & West Community Council approved a recommendation from PPPAC to endorse an extension of the current 1-year rental agreement with SII. However, under AO58 and HRM Charter, approval of a less than market value lease requires the approval of Regional Council.

Through the work staff is currently doing on the completion of the staff report outlined in recommendation 2 of Halifax and West's motion, it was determined that the endorsement of the lease extension required Regional Council's approval. Since the agreement expired at the end of February, the group is currently occupying the Lodge without a valid lease. Therefore, the purpose of this report is to ratify Halifax & West

Community Council's endorsement of the lease extension. That will ensure the work by SII continues while the requested staff report is completed and able to be considered by Halifax & West Community Council and subsequently Regional Council.

### **FINANCIAL IMPLICATIONS**

If Regional Council endorses and extension to the current rental agreement for a 1-year term, the quarterly sum of \$1250.00 would be paid to the municipality. Over a 1-year term, if there are no provisions for increases through the subsequent report to Regional Council, the 1-year total would be \$5,000.00.

### **RISK CONSIDERATION**

There are no significant risks associated with the recommendations in this report. The risks considered rate low. To determine this, consideration was given to financial, operational and legal matters.

### **COMMUNITY ENGAGEMENT**

Community Engagement is not applicable with this report. The Point Pleasant Advisory Committee is an advisory committee to the Halifax and West Community Council and is comprised of 10 members of the public and member of Regional Council.

### **ENVIRONMENTAL IMPLICATIONS**

None identified.

### **ALTERNATIVES**

1. Regional Council may choose to direct the Chief Administrative Officer to not extend the 1-year rental agreement with the Sable Island Institute while work on the subsequent staff report is completed. This would result in SII having to vacate the building.
2. Regional Council may choose to direct the Chief Administrative Officer to enter into a market value lease with SII for the use of the Lodge until the subsequent staff report is completed.

### **ATTACHMENTS**

None.

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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.

Report Prepared by: Alana Tapper, Superintendent Parks West, 902.490.6534

Report Approved by: Original Signed by   
Denise Schofield, Director of Parks and Rec, 902.490.4933

Financial Approval by: Original Signed by   
Jane Fraser, Director of Finance, Asset Management and ICT/CFO, 902.490.4630

Report Approved by: Original Signed by   
John Traves, Director of Legal, Municipal Clerk and External Affairs 902.490.4219

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