



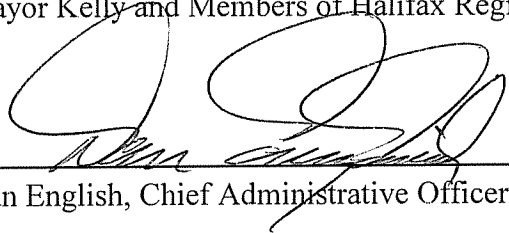
PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

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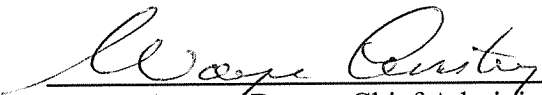
Public Hearing
Halifax Regional Council
August 7, 2007

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:



Dan English, Chief Administrative Officer



Wayne Anstey, Deputy Chief Administrative Officer - Operations

DATE: June 22, 2007

SUBJECT: Street Closure - Bartlin Road Right-of-Way, Dartmouth

ORIGIN

At its meeting of July 3, 2007, Halifax Regional Council authorized staff to set a date for a public hearing for consideration of HRM Administrative Order SC-45 concerning the closure of a portion of the Bartlin Road right-of-way, Dartmouth, as shown on Attachment "A", and approved the conveyance of the right-of-way, subject to approval of the street closure, to Twin Lake Development Limited, containing approximately 12,336 square feet (*subject to survey*).

RECOMMENDATION

It is recommended that Council close the portion of the Bartlin right-of-way, Dartmouth, as shown on Attachment "A".

BACKGROUND

In July 2006, Harbour East Community Council approved an application by Twin Lakes Developments Ltd. for a rezoning from R-2 to R-3 and a development agreement to permit a twelve (12) storey multiple residential building off Prince Albert Road at Bartlin Road, Dartmouth.

The development agreement incorporated lands owned by HRM, more specifically the Bartlin Road right-of-way, and a portion of PID 00136051, the Alderney School property. It is the closure of the Bartlin Road right-of-way that is the subject of this report.

In July 2007, Halifax Regional Council authorized the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale with Twin Lake Development Ltd. for the Bartlin Road right-of-way subject to the street closure.

DISCUSSION

Bartlin Road is a dead end street that runs off of Prince Albert Road in the Grahams Grove area of Dartmouth. The road surface is substandard with no curbing or sidewalk, and the road does not terminate with a cul-de-sac bulb. The purchaser has done a land assembly which surrounds the majority of the right of way. With consideration of the land assembly done by the developer, the road right of way has been deemed surplus to the requirements of the Municipality by the Municipality's Right of Way Engineer.

As part of the approved development agreement, the developer is relocating the existing walkway that runs from Bartlin Road to the school property. The existing gravel walkway is steep and is susceptible to washing out during heavy rains. The developer will be upgrading the walkway to include a paved surface. When completed the walkway parcel, approximately 11,522 sq. ft., will be deeded to the Municipality. The area of the right of way to be closed is approximately the same as the area of the walkway parcel to be deeded to the Municipality; therefore, the exchange has been recommended.

BUDGET IMPLICATIONS

The Purchaser will be responsible for all costs associated with the Street Closure, including, but are not limited to, appraisal, survey, environmental, advertising, and HRM legal costs.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

None.

ATTACHMENTS

Attachment "A" - Site Plan

Attachment "B" - Administrative Order SC-45

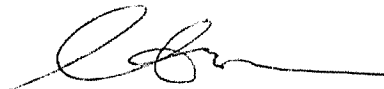
Attachment "C" - Site Photography

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Tom Crouse, Acquisition & Disposal Manager, Real Property, Transportation & Public Works
490-5931

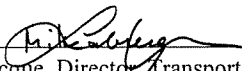


Report Reviewed by: _____
Peter Stickings, Manager Real Property, Transportation & Public Works
490-7129



Financial Review by: _____
Catherine Sanderson, Senior Manager, Financial Services 490-1562

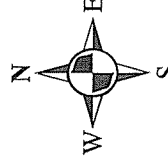
Report Approved by: _____
Mike Labrecque, Director, Transportation & Public Works 490-4855



ATTACHMENT 'A'

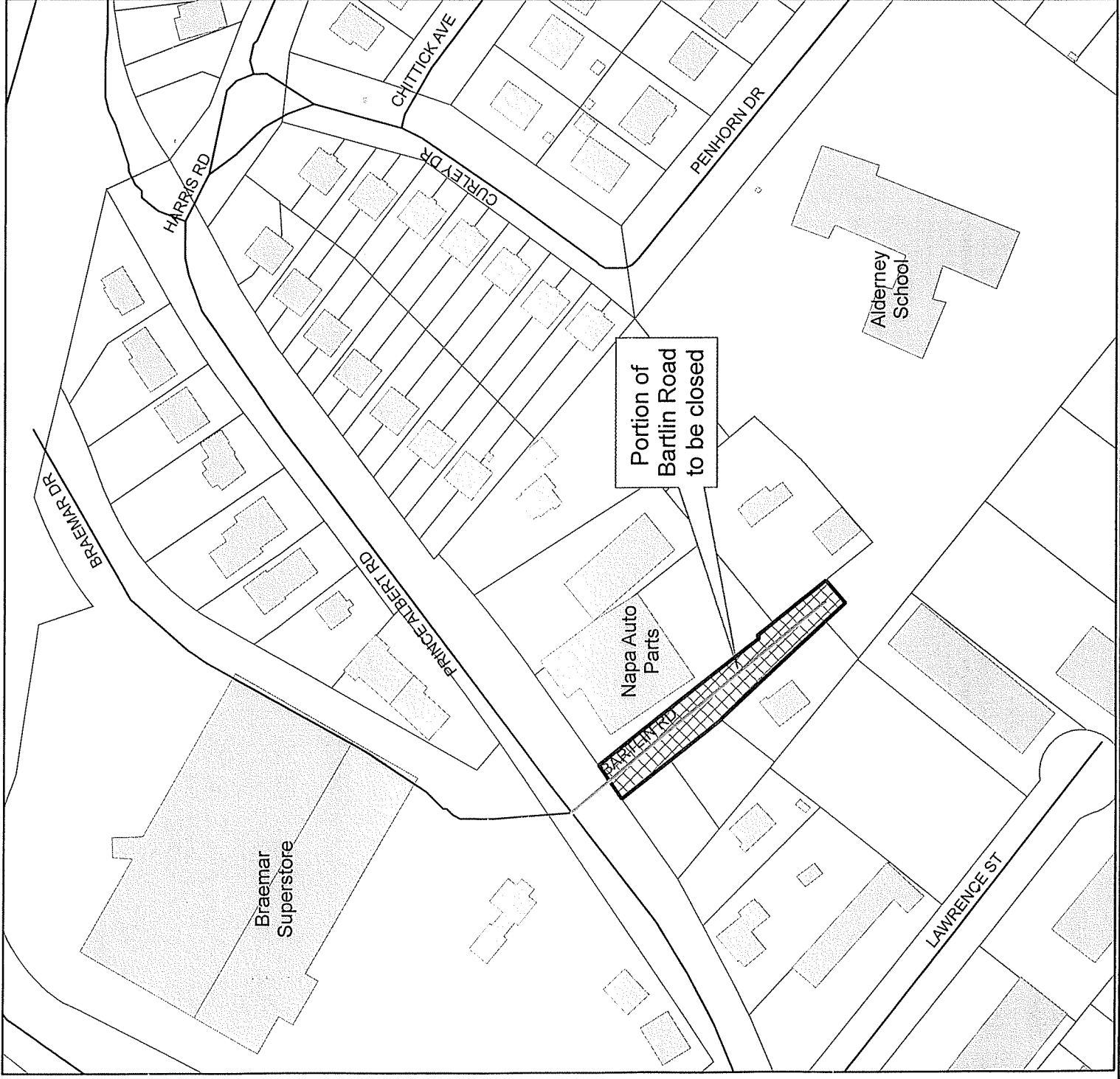
STREET CLOSURE -
BARTLIN ROAD
Right of Way
Dartmouth, N. S.

SITE MAP



This map was produced for the internal use of Halifax Regional Municipality (HRM). HRM takes no responsibility for errors or omissions. Date of map is not indicative of the date of data creation.

Date: July 17, 2007
Prepared by: E. Wall





PO Box 1749
Halifax, Nova Scotia
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HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER NUMBER SC-45
RESPECTING CLOSURE OF A PORTION OF

Bartlin Road

BE IT RESOLVED AS AN ADMINISTRATIVE ORDER of Council of the Halifax Regional Municipality pursuant to Section 315 of the Municipal Government Act as follows:

1. A portion of Bartlin Road, Dartmouth, Nova Scotia more particularly described in Attachment "A" is hereby closed.

I HEREBY CERTIFY THAT the foregoing Administrative Order was duly adopted by Halifax Regional Council, the ____ day of _____, 2006.

Mayor

Municipal Clerk

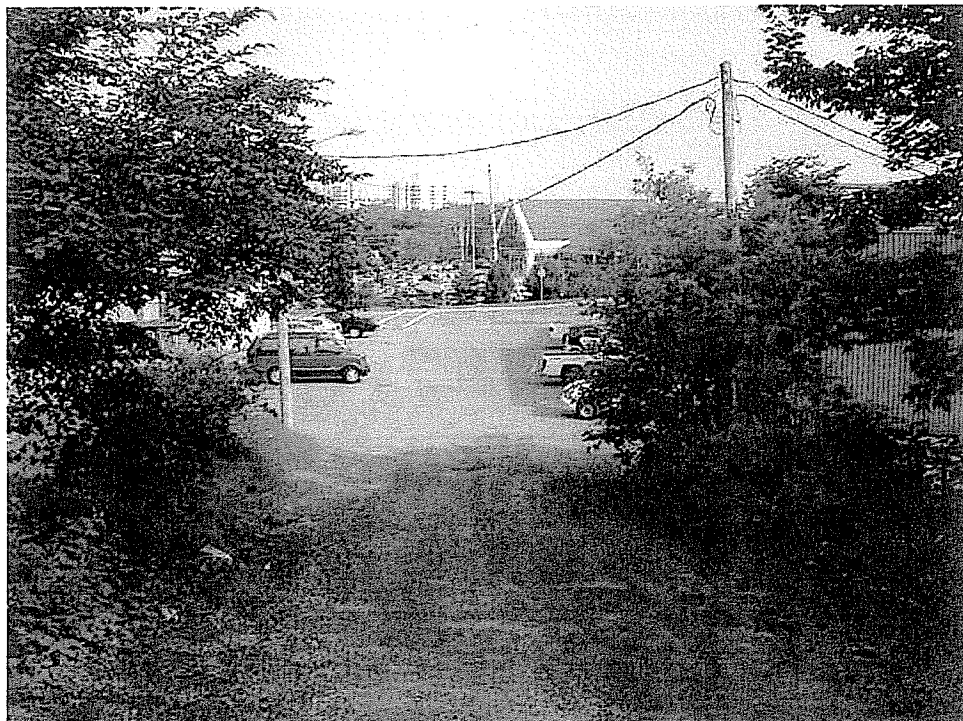
I, Jan Gibson, Municipal Clerk of Halifax Regional Municipality, hereby certify that the above-noted Administrative Order was passed at a meeting of Halifax Regional Council held on _____, 2006.

Jan Gibson, Municipal Clerk

ATTACHMENT "C"
Street Closure - Bartlin Road, Right-of-way, Dartmouth
SITE PHOTOGRAPHY



Bartlin Road as seen from Prince Albert Road



Bartlin Road facing northerly