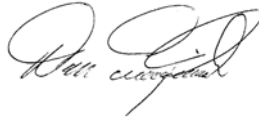


**Item No. 11.1.8**

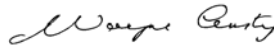
**Halifax Regional Council  
October 21, 2008**

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

**SUBMITTED BY:**



\_\_\_\_\_  
Dan English, Chief Administrative Officer



\_\_\_\_\_  
Wayne Anstey, Deputy Chief Administrative Officer - Operations

**DATE:** September 26, 2008

**SUBJECT:** **Parkland Withdrawal for Property Acquisition 104 Park Road,  
Musquodoboit Harbour**

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**ORIGIN**

A solicited request was made by the Halifax Regional Municipality (HRM) to the Eastern Shore Recreation Commission expressing an interest in acquiring **PID # 40591471, 104 Park Road, Musquodoboit Harbour** as shown and described on the Site Plan attached hereto as Attachment "A".

**RECOMMENDATION**

It is recommended that:

1. Halifax Regional Council approve the withdrawal of \$3,001 from the Parkland Reserve Q107, and increase the gross budget of Capital Account CPX01149, Park Land Acquisition by \$3,001 for the acquisition of **PID # 40591471, 104 Park Road, Musquodoboit Harbour**, as per the terms and conditions section of this report.

**BACKGROUND/DISCUSSION**

The subject property is a 6 acre parcel of land that is developed with a ballfield. The ballfield is essential recreational space which is used extensively by the community. The community desired lighting for the ballfield and Regional Council approved the capital expenditure in the 2008/2009 capital budget. At that time, the Eastern Shore Recreation Commission was under the impression that HRM was the owner of the property. HRM's initial request to Eastern Shore Recreation Commission to have the property conveyed stemmed from research indicating that the property had never been conveyed to HRM. Staff also learned the ballfield is partially developed on abutting HRM land with the majority of the ballfield development on the subject property.

Currently, a liability exists for the Eastern Shore Recreation Commission in that the public is utilizing a recreational space that is uninsured. The Eastern Shore Recreation Commission has agreed to convey the property to HRM for \$1.00 to eliminate the liability and to see the lighting installed as planned. The installation of the lighting requires NSP receive an easement over the land. HRM is unable to provide an easement over lands not owned by HRM.

The recommended terms of acquisition are outlined below.

**Terms and Conditions of Transaction**

<b><i>Property Address</i></b>	PID # 40591471, 104 Park Road, Musquodoboit Harbour
<b><i>Site Area</i></b>	6 acres
<b><i>Zoning</i></b>	MU (Mixed Use) Zone
<b><i>Vendor</i></b>	Eastern Shore Recreation Commission
<b><i>Purchaser</i></b>	HRM
<b><i>Appraised Value</i></b>	Not Applicable
<b><i>Purchase Price</i></b>	\$1.00
<b><i>Deposit</i></b>	Not Applicable
<b><i>Property Taxes</i></b>	To be adjusted at closing
<b><i>Proposed Development or Use</i></b>	Public Parkland
<b><i>Closing Date</i></b>	Within 30 days of receiving municipal and provincial approvals.
<b><i>Special Conditions</i></b>	<ul style="list-style-type: none"><li>HRM to complete survey and legal description.</li></ul>

**BUDGET IMPLICATIONS**

Expected funds in the amount of \$3,001, are available in Parkland Reserve Q-107 and would be assigned to Capital Account - CPX01149, Park Land Acquisition. The availability of funds has been confirmed by Financial Services. Applicable adjustments to the Purchase Price include, but are not limited to, appraisal, survey, environmental, deficiencies, legal, marketing and administrative costs. Environmental and or deficiency allowances resulting from the Purchaser's due diligence inspection, if required, shall be to a maximum of 15 percent of the purchase price.

**Budget Summary:      Capital Account - CPX01149, Park Land Acquisition**

Cumulative Unspent Funds	\$	0
Plus: Q107 funding	\$	3,001
Less: Property Purchases	\$	1
Legal Fees (Maximum)	<u>\$</u>	<u>3,000</u>
Balance	\$	0

No further budget implications are expected with this conveyance.

The estimated cost of this project is \$3,001.

**FINANCIAL MANAGEMENT POLICIES BUSINESS PLAN**

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

If approved, this report will decrease reserve contributions.

**ATTACHMENTS**

Attachment "A" - Site Plan

If the report is released to the public, a copy can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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Gary Young, Parkland Planner, IAM 490-7174



Report Reviewed by: \_\_\_\_\_  
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\_\_\_\_\_   
Peter Bigelow, Manager, Real Property Planning, IAM 490-6047

Financial Approval by: \_\_\_\_\_  
Debbi McCaig, Manager, Accounting Operations 490-7222



Report Approved by: \_\_\_\_\_  
Michael Labrecque, Director, TPW 490-4855



\_\_\_\_\_   
Cathie O'Toole, Director, IAM 490-4825

Site Plan

