

**Item No. 9.1**

**Halifax Regional Council**

**December 10, 2013**

**January 14, 2014**

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


**SUBMITTED BY:**

Original signed by



Richard Butts, Chief Administrative Officer

Original Signed by



Mike Labrecque, Deputy Chief Administrative Officer

**DATE:** November 7, 2013

**SUBJECT:** Street Closure – Parcel B and Parcel T-1, Bluewater Road, Bedford

---

**ORIGIN**

This report originates with a request from the developer of Lot K-1B-3A, to close a portion of Bluewater Road right-of-way (Parcel B and Parcel T-1), as shown on Attachment “B”, necessary to facilitate the market disposal of the surplus right-of-way and to allow for the commercial development of his property.

**LEGISLATIVE AUTHORITY**

The recommended action complies with HRM Charter Section 325 (1); street closure. The property was declared surplus and categorized as “Extraordinary Properties” under Administrative Order 50, for disposal at market value, subject to a street closure, by resolution of Regional Council on April 23, 2013.

**RECOMMENDATION**

It is recommended that Halifax Regional Council:

1. Set the date for a Public Hearing for consideration of HRM Administrative Order No. SC-75, concerning the closure of a portion of the Bluewater Road right-of-way, Parcel B and Parcel T-1, Bedford (Attachment A); and
2. Direct staff to close the portion of Bluewater Road right-of-way, Parcel B and Parcel T-1, as shown on Attachment B, subject to the conclusion of the Public Hearing.

**BACKGROUND**

In January 2003, HRM sold Lot K-1B-3A, an abutting property to the subject Road Reserve made up of Parcel B and Parcel T-1, with the condition in the Agreement of Purchase and Sale that Parcel B and Parcel T-1 (the current Road Reserve) shall be retained by the Municipality. If, in the future, the Municipality declared the Road Reserve surplus, the disposal of the land would be negotiated between the owners of Lot K-1B-3A and Lot K-1B-1FA, the other abutting property owners.

In the summer of 2012, the owner of Lot K-1B-3A submitted plans for the development of their property. The proposed development includes three commercial buildings, the first being built at the end of the road reserve. The developer was not proposing to construct a road over the road reserve; however, wanted to have a driveway access to the building and install service laterals to the building over the road reserve parcels.

**DISCUSSION**

The subject road reserve is 23,761 square feet in total area, and is located off of Bluewater Road, which is off of Kearney Lake Road in Bedford. Both parcels were deeded to the former Town of Bedford, and their intended purpose was that of a road reserve in order to gain access to lands behind the existing lots along Bluewater Road, and for the possible future extension of a road to further back lands.

Following the sale of Lot K-1B-3A in 2003, there was no need to build a road on the road reserve as the developer intends to develop multiple buildings on one large lot, as is permitted in the ITI (Light Industrial) Zone. Therefore, the developer is not required to build the road for street frontage purposes, as he is not intending to subdivide his lands.

The developer is proposing to run his driveway and service laterals up the road reserve to his building. Staff has reviewed the proposal and determined that Parcel B and Parcel T-1 (Road Reserve) are not required for Municipal purposes, the road reserve should be closed and the land sold to the abutters, as per the 2003 Agreement of Purchase and Sale.

The closure of the subject parcel will facilitate the sale of lands which was the subject of a previous Administrative Order 50 approval by Regional Council, and a Transaction Approval Report under the authority of the CAO.

<b>Key Terms and Conditions</b>		
<b>Parcel Identifier</b>	Parcel B, Bluewater Road	Parcel T-1, Bluewater Road
<b>PID Number</b>	41096009	40540320
<b>Area</b>	13,239 sq. ft.	10,522 sq. ft.
<b>Conditions</b>	<ul style="list-style-type: none"><li>At this time, Council is being asked to formally close a portion of Bluewater Road, Parcel B and Parcel T-1, as shown on Attachment B</li></ul>	

### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with the recommended street closure.

### **COMMUNITY ENGAGEMENT**

A public hearing will be required for the recommended street closure, as per Section 325 of the Halifax Regional Charter, as the entire width of the right-of-way is being closed.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this road closure.

### **ALTERNATIVES**

Council could choose not to approve the Street Closure and retain the road reserve. This is not recommended as the road reserve has been deemed surplus to municipal requirements.

### **ATTACHMENTS**

Attachment A – Administrative Order # SC-75

Attachment B – Plan of Parcel B and Parcel T-1, Bluewater Road, Bedford

---

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Tom Crouse, Acquisition & Disposal Manager, Real Estate, Planning & Infrastructure

Report Approved by: \_\_\_\_\_  
Peter Stickings, Manager, Real Estate & Land Management, P&I 490-7129

Report Approved by: \_\_\_\_\_  
Christopher Davis, P.Eng., Supervisor, Right-of-Way, TPW, 490-7462

Report Approved by: \_\_\_\_\_  
Jane Fraser, Director, Planning & Infrastructure, 490-7129

Report Approved by: \_\_\_\_\_  
David Hubley, P.Eng., Acting Director, TPW, 490-4855

---

**ATTACHMENT A**

**Street Closure – Portion of Bluewater Road, Parcel B and Parcel T-1, Bedford  
Administrative Order #SC-75**

**HALIFAX REGIONAL MUNICIPALITY**

**ADMINISTRATIVE ORDER NUMBER SC-75**

**RESPECTING CLOSURE OF A PORTION OF**

**BLUEWATER ROAD, BEDFORD**

**BE IT RESOLVED AS AN ADMINISTRATIVE ORDER** of Council of the Halifax Regional Municipality pursuant to Section 325 of the Halifax Regional Municipality Charter Act as follows:

1. A portion of Bluewater Road, Parcel B and Parcel T-1, Bedford, 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 \_\_\_\_\_, 2013.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Municipal Clerk

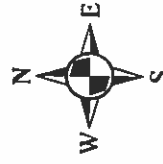
I, Cathy Mellett, Municipal Clerk of Halifax Regional Municipality, hereby certify that the above-noted Administrative Order was passed at a meeting of Halifax Regional Council held on \_\_\_\_\_, 2013.

\_\_\_\_\_  
Cathy Mellett, Municipal Clerk

**ATTACHMENT "B"**

Street Closure - Parcel B  
and Parcel T-1  
Blewater Road

**SITE PLAN**



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: March 26, 2013  
Prepared by: E. Wall

