
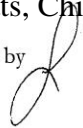


Item No. 11.1.4
Halifax Regional Council
January 28, 2014

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: December 12, 2013

SUBJECT: Street Closure – Portion of Claremont Street, PID 40956354, Halifax, NS

ORIGIN

This report originates with a request from the landowner of Lot 21 and Lot 22 on Claremont Street, to close that portion of Claremont Street right-of-way east of Maxwell Avenue, as shown on Attachment “B”, to facilitate the market disposal of the surplus road reserve to said landowner.

LEGISLATIVE AUTHORITY

The recommended action complies with HRM Charter Section and 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 August 6, 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-76, concerning the closure of a portion of the Claremont Street right-of-way, PID 40956354, Halifax, as shown in Attachment “A”; and
2. Direct staff to close the portion of Claremont Street right-of-way, PID 40956354, as shown on Attachment “B”, subject to the conclusion of the Public Hearing.

BACKGROUND

In December 1986, the former City of Halifax City Council approved the closure and sale of a portion of Claremont Street and Regent Road, from Windsor Street to Maxwell Street. The purpose of this right-of-way closure facilitated the sale of these lands to a local developer who, in turn, consolidated them to adjacent Lots 13 through 20, as shown in Attachment B. The consolidated lands were then developed with a 39 unit townhouse development, which presently exists along a private driveway known as Ashton Lane in Halifax (see Attachment C).

In order to maintain street frontage and access for Lot 21, a 24 foot wide section of Claremont Street was retained by the City of Halifax as a road reserve for this lot.

The surplus road reserve forms an approximate area of 2,955 square feet, which intersects with Maxwell Avenue and is off of Windsor Street in Halifax. The land is characterized as a heavily wooded and undeveloped road reserve that is at grade and general level with Maxwell Street, and gently sloping north to south toward Ashton Lane, the private roadway which the reserve abuts and extends along. Ashton Lane allows access to the townhouse development from Maxwell Avenue and Windsor Street.

In August 2013, under Administrative Order 50, City Council declared the subject road reserve surplus to municipal requirements and categorized the property as extraordinary due to its status as street right-of-way.

DISCUSSION

The land has remained in a raw state since the development of the Ashton Lane townhouse project. It has not been improved as a driveway to Lot 21 because the owner, or estate representative, has remained the same since the time of the initial Claremont Street closure. The owner of Lot 22 and Lot 21, for which this right-of-way was reserved, notified HRM staff of their interest in acquiring the surplus road reserve to assemble and consolidate with their existing lots for future redevelopment.

The closure of the surplus road reserve 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. The size, configuration, historical context, and current use of the existing undeveloped surplus road reserve, would dictate that a market sale to the abutters, the owner of Lots 21 and 22, would logically follow in sequence.

Key Terms and Conditions	
Purpose	Street closure for disposition purposes
Street	Claremont Street
PID Number	40956354
Area	+/- 2,955 square feet

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 street 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-76

Attachment B – (1) Plan of PID 40956354, Claremont Road, Halifax

Attachment C – (2) Plan of PID 40956354, Claremont Road, Halifax

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.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: Brad Bakke, Real Estate Officer, Real Estate & Land Management, P&I 490-5332

Report Approved by: Tom Crouse, Acquisition & Disposal Manager, Real Estate & Land Management, P&I 490-7129

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

Report Approved by: Taso Koutroulakis, P.Eng., PTOE, Manager, Traffic & Right of Way, TPW, 490-4816

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 Claremont Street, PID 40956354, Halifax, NS
Administrative Order #SC-76**

HALIFAX REGIONAL MUNICIPALITY

ADMINISTRATIVE ORDER NUMBER Admin Order #SC-76

RESPECTING CLOSURE OF A PORTION OF

CLAREMONT STREET, HALIFAX

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 Claremont Street, PID 40956354, Halifax, Nova Scotia more particularly described in Attachment “B” is hereby closed.

I HEREBY CERTIFY THAT the foregoing Administrative Order was duly adopted by

Halifax Regional Council, the ____ day of _____, 2014.

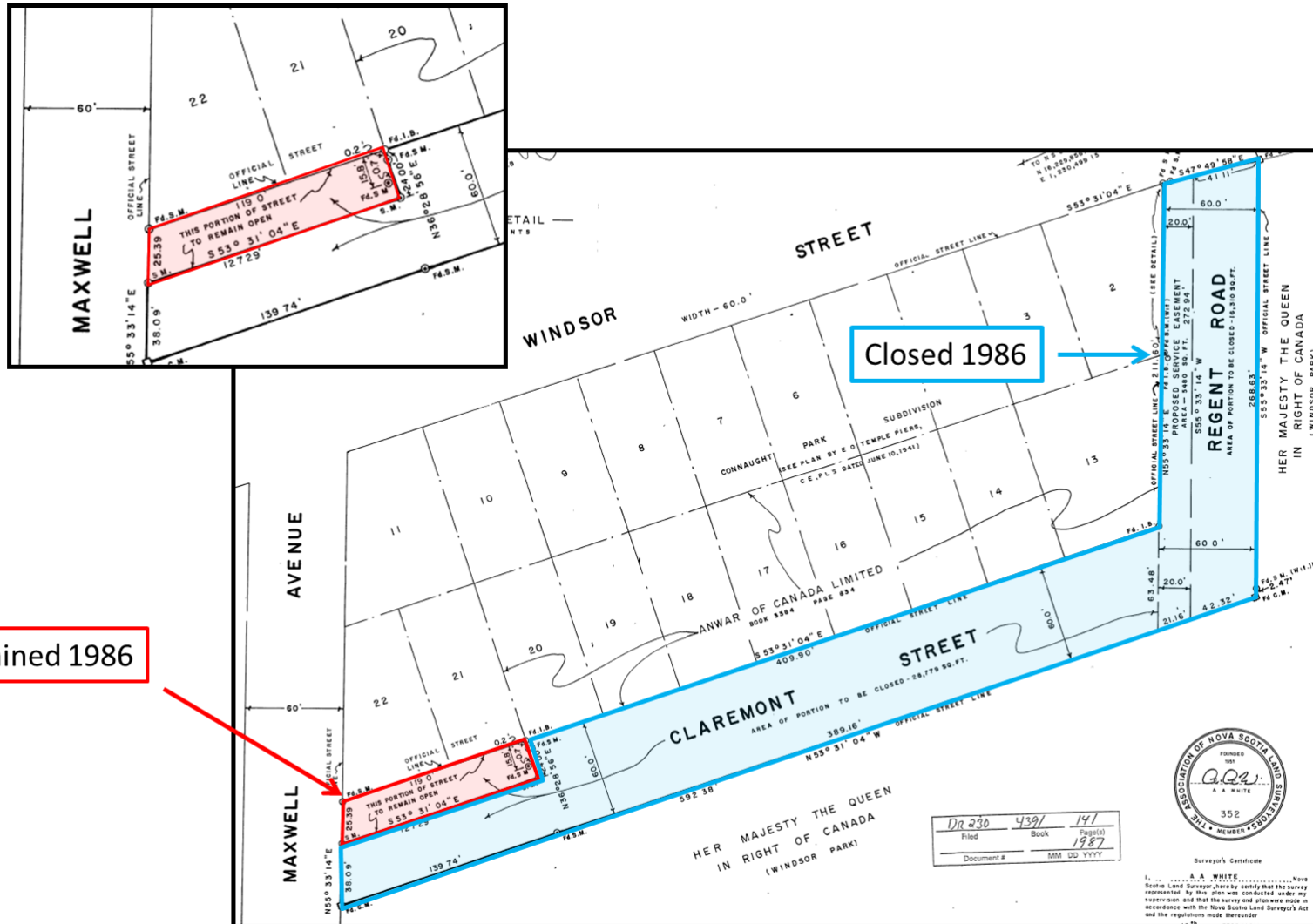
Mayor

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 _____, 2014.

Cathy Mellett, Municipal Clerk

Attachment "B"
SITE PLAN – +/- 2,955 square feet



Attachment "C"
SITE PLAN - +/- 2,955 square feet

