

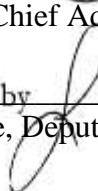
Item No. 11.1.9

Halifax Regional Council

June 10, 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: May 07, 2014

SUBJECT: Right-of-Way Acquisition – Inspiration Drive, Porters Lake

ORIGIN

This report originates for HRM to acquire land, to facilitate the acceptance of Inspiration Drive as a formal right-of-way.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, Chapter 39, Section 318 (3); no road, or allowance for a road, becomes a street until the Council formally accepts the road or allowance, or the road or allowance is vested in the Municipality according to law.

RECOMMENDATION

It is recommended that Halifax Regional Council

1. Approve the acceptance of the parcel known as Inspiration Drive, Porters Lake, as shown as Parcel ID-1 on Attachment “A”, Plan No. 13-2184-0;
2. Authorize the Mayor and Municipal Clerk to enter into two Easement Agreements for portions of PID 40372476, identified as Parcel TTE-1 and Parcel TTE-2 on Plan No. 13-2184-0. as per the key terms and conditions outlined in Table 1 of this report; and
3. Approve this section of Inspiration Drive as a formal right-of-way.

BACKGROUND

The Porters Lake area was identified in 2006, under the Regional Plan as a Rural Commuter Centre in terms of its existing function and potential for growth.

In 2008, the Halifax Regional School Board (HRSB) reconfirmed capital construction funding needs for a new Consolidated Elementary School in Porters Lake.

In May 2008 the HRM Community Facility Master Plan, prepared by Asbell Management Innovations Inc. (Recommendation No. 23), indicated that HRM coordinate with HRSB on the construction of a community access gym/community centre in conjunction with the new Consolidated Elementary School at Porters Lake. HRM staff met with HRSB staff to discuss HRM initiatives for the Porters Lake area, including the MetroX Park and Ride, Community Facilities Master Plan recommendations, the Regional/Community trails plan, a future watershed/servicing analysis, and anticipated future community visioning.

HRM staff also met with the School Site Selection Committee, concurred with the Committee's short list of sites, and agreed on site criteria.

DISCUSSION

Parcel F located off the William Porter Connector Road was selected as the approved site for the new Consolidated Elementary School, Municipal Community Recreation Centre and Porters Lake Park and Ride Facility. The William Porter Connector Road is owned and maintained by NSTIR and is designated as a Controlled Access Highway. Therefore, a public road was required to provide access to all the above mentioned facilities.

The Provincial responsibility concerning public highways tends to be for main highways between/through cities and towns. Their mandate is to focus on the major highway system and improving the mobility and safety of that network. Local streets providing access for development of land tends to be a municipal responsibility.

The Province hired a consultant to design and tender the construction of Inspiration Drive. HRM staff reviewed the design and performed audit inspections of the construction. A takeover package was received by HRM with all the necessary information including a Certificate of Compliance from a Professional Engineer certifying that all works have been inspected and completed according to the approved engineering drawing and specifications.

Staff recommends that Council accept this section of Inspiration Drive at a cost of \$1.00 and have it approved as a formal right-of-way. The acceptance of the right-of-way will also facilitate the creation and acquisition of the lands required for the Metro Transit Park and Ride located off of Inspiration Drive.

Furthermore, staff is recommending the acquisition of easements for Parcel TTE-1 and TTE-2 from NSTIR, at a cost of \$1.00 each as the easements are a requirement of engineering for a temporary turning circle. In future if Inspiration Drive is connected to another roadway, the two easements may be extinguished.

FINANCIAL IMPLICATIONS

By approving the recommendation to accept the parcel of land for \$1 plus net HST, as well as enter into two Easement Agreements for a total of \$2 plus net HST, HRM will be expanding its current road inventory and creating a commitment for future related operating and capital costs.

COMMUNITY ENGAGEMENT

Community Engagement was not deemed applicable, as this report is recommending transfer of parcel ownership and from one government level to another.

ENVIRONMENTAL IMPLICATIONS

There are no environment implications associated with the recommendation above.

ALTERNATIVES

Council could decide not to accept ownership of the subject parcel and easement for the acceptance of Inspiration Drive; however, this is not recommended, as this section of roadway is of significant importance to the HRM transit and roadway systems.

ATTACHMENTS

Attachment “A” – Parcel ID-1 Site Plan

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: Nathan Hines, Senior Real Estate Officer, Real Estate & Land Management, P&I 490-5477
Hugh Morrison, Development Engineer, Development Approvals, CRS 490-4907

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

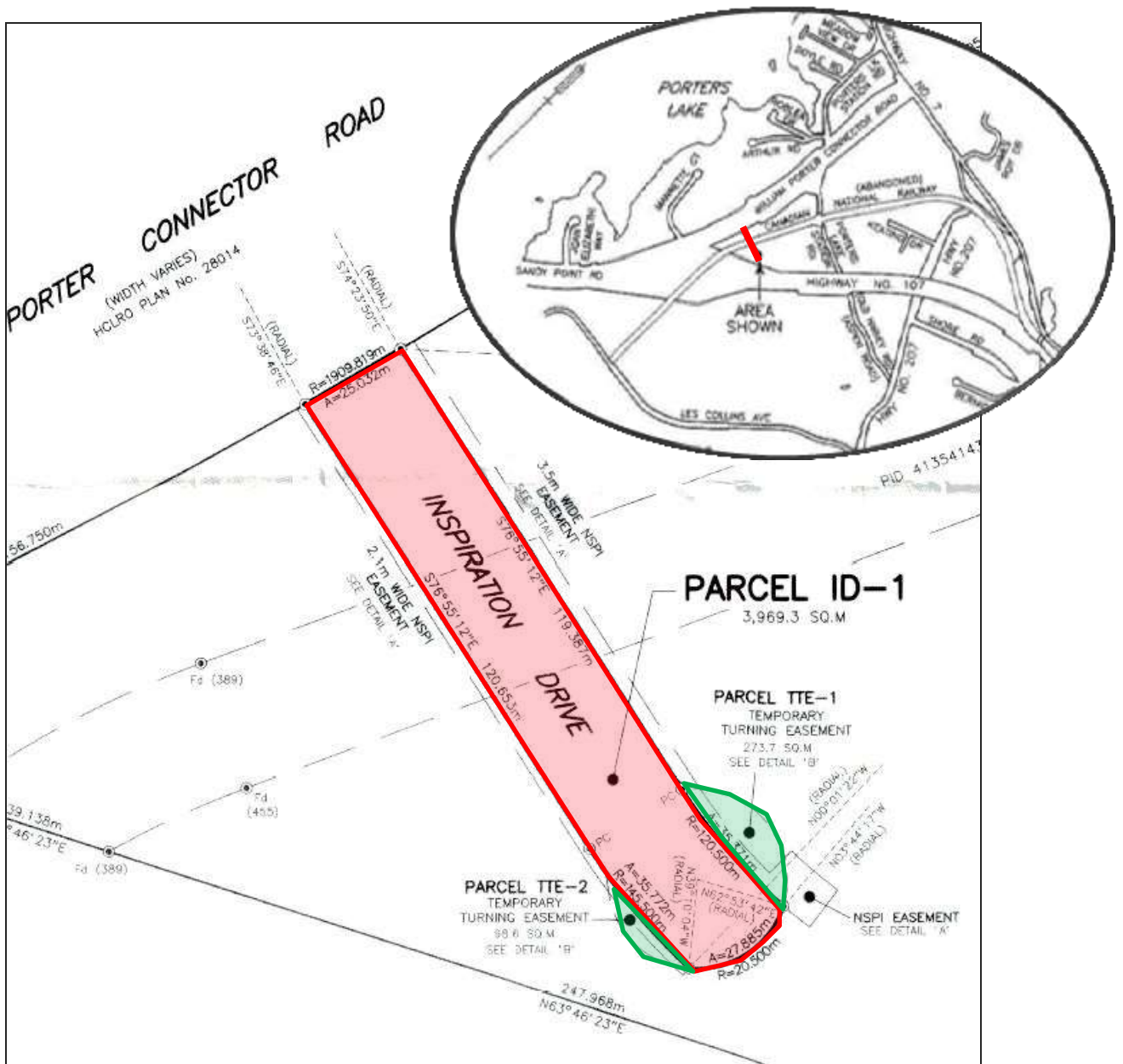
Report Approved by: _____
Jane Fraser, Director, Planning and Infrastructure, 490-7166

Report Approved by: _____
Brad Anguish, Director, Community & Recreation Services, 490-4933

ATTACHMENT "A"

RIGHT-OF-WAY ACQUISITION – INSPIRATION DRIVE, PORTERS LAKE

PARCEL ID-1 SITE PLAN



*Right-Of-Way highlighted red
Easements highlighted green*