




P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 11.1.1
Halifax Regional Council
January 27, 2015

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 15, 2014

SUBJECT: Street Closure – Portion of Portland Street, Dartmouth, NS

ORIGIN

This report originates with:

- the approved disposal of 90 Alderney Drive includes a small section of the former Portland Street right of way that lies south of Alderney Drive, as shown on Attachment “C”, where the building encroaches.

LEGISLATIVE AUTHORITY

The recommended action complies with HRM Charter Section 325 (2)(b), “...where a street or part of a street is being altered, improved or redesigned part of that street may be closed without holding a public hearing if (b) the part of the street that is closed: (i) is determined by the engineer to be surplus; and (ii) is worth less than fifty thousand dollars.

RECOMMENDATION

It is recommended that Halifax Regional Council, as per Administrative Order No. SC-78 , direct staff to close Parcel PSC1 of the Portland Street right-of-way immediately, as shown on Attachment “C”, to be consolidated with 90 Alderney Drive to facilitate its disposal.

BACKGROUND

In October 2014, Staff employed the services of a surveying consultant, WSP Group, for the preparation of a plan of survey for 90 Alderney Drive, Dartmouth (see Attachment A), as it relates to the disposal of the former Dartmouth City Hall, which was approved by Regional Council on November 18, 2014. A legal survey plan was required because a consolidation plan was not done at the time of the construction of the building in 1965. It was determined that a small portion of the former Dartmouth City Hall encroaches upon the former Portland Street right-of-way which is no longer functioning as a street and was not officially closed at the time the subject property was developed (see Attachment B). The public building and related assets were constructed over an existing street line. Transportation staff has confirmed that this section of Portland Street is not required for municipal right-of-way purposes. The purpose of this report is to eliminate the building encroachment within the abandon right-of-way to conclude the sale of 90 Alderney Drive.

DISCUSSION

As previously indicated, a small portion of the former Dartmouth City Hall, which is under Agreement of Purchase and Sale, encroaches upon the existing Portland Street right-of-way. Staff recommends that Regional Council approve the formal street closure of Parcel PSC1 which frames only the existing encroachment and provides a straight western property line off of Alderney Drive for 90 Alderney Drive. The closure of Parcel PSC1 does not require a public hearing because the market value is less than \$50,000¹. The total area of Parcel PSC1 is 8.6 square metres (92.6 square feet). Parcel PSC2, on Attachment 'B', will remain as municipal right-of-way.

FINANCIAL IMPLICATIONS

The closure of Parcel PSC1 is a requirement of the sale of the parent parcel 90 Alderney Drive and there are no financial implications.

COMMUNITY ENGAGEMENT

Not applicable.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with the street closure of Parcel PSC1.

ALTERNATIVES

Regional Council may choose not to complete the street closure for PSC1; however, this action may compromise the sale of 90 Alderney Drive, Dartmouth. As Staff has determined the land is not required for street purposes, this alternative is not recommended.

ATTACHMENTS

Attachment A – Proposed Administrative Order SC-78
Attachment B – Location Map
Attachment C – Street Closure Sketch

¹ \$10,649 approximate market value of PSC1 (\$115 per square foot x 92.6 square feet)

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Brad Bakke, Real Estate Officer, Corporate Real Estate, Operations Support
902-490-5332

Report Approved by: _____
Taso Koutroulakis, P.Eng., PTOE, Manager, Traffic Management, 902-490-4816

Report Approved by: _____
Peter Stickings, Manager, Corporate Real Estate, Operations Support
902-490-7129

Report Approved by: _____
Jane Fraser, Director, Operations Support
902-490-7166

ATTACHMENT A



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HALIFAX REGIONAL MUNICIPALITY

ADMINISTRATIVE ORDER NUMBER Admin Order #SC-78

RESPECTING CLOSURE OF A PORTION OF

PORTLAND STREET, DARTMOUTH

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 Portland Street, PID 41416264, 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 _____, 2015.

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 _____, 2015.

Cathy Mellett, Municipal Clerk

ATTACHMENT “A”

PARCEL PSC1

ALL THAT PARCEL of land situate on the southwesterly side of Alderney Drive at Dartmouth, in the County of Halifax, Province of Nova Scotia, being designated as Parcel PSC1 (Portion of Portland Street with Building Encroachment) on a “Sketch showing Parcel PSC1 and Parcel PSC2 for Street Closure”, prepared by WSP Inc., dated December 3, 2014; said Parcel being more particularly described as follows:

PREMISING that all bearings are grid derived and are referenced to meridian 64 degrees 30 minutes west.

ALL THAT PARCEL of land situate on the southwesterly side of Alderney Drive being designated as Parcel PSC1 (Portion of Portland Street with Building Encroachment) on the aforementioned sketch dated December 3, 2014; said Parcel PSC1 (Portion of Portland Street with Building Encroachment) having an area of 8.6 square metres, more or less, and being more particularly described as follows:

COMMENCING at a point on the proposed street line for the southwesterly side of Alderney Drive at the most easterly corner of Portland Street, as shown on said sketch;

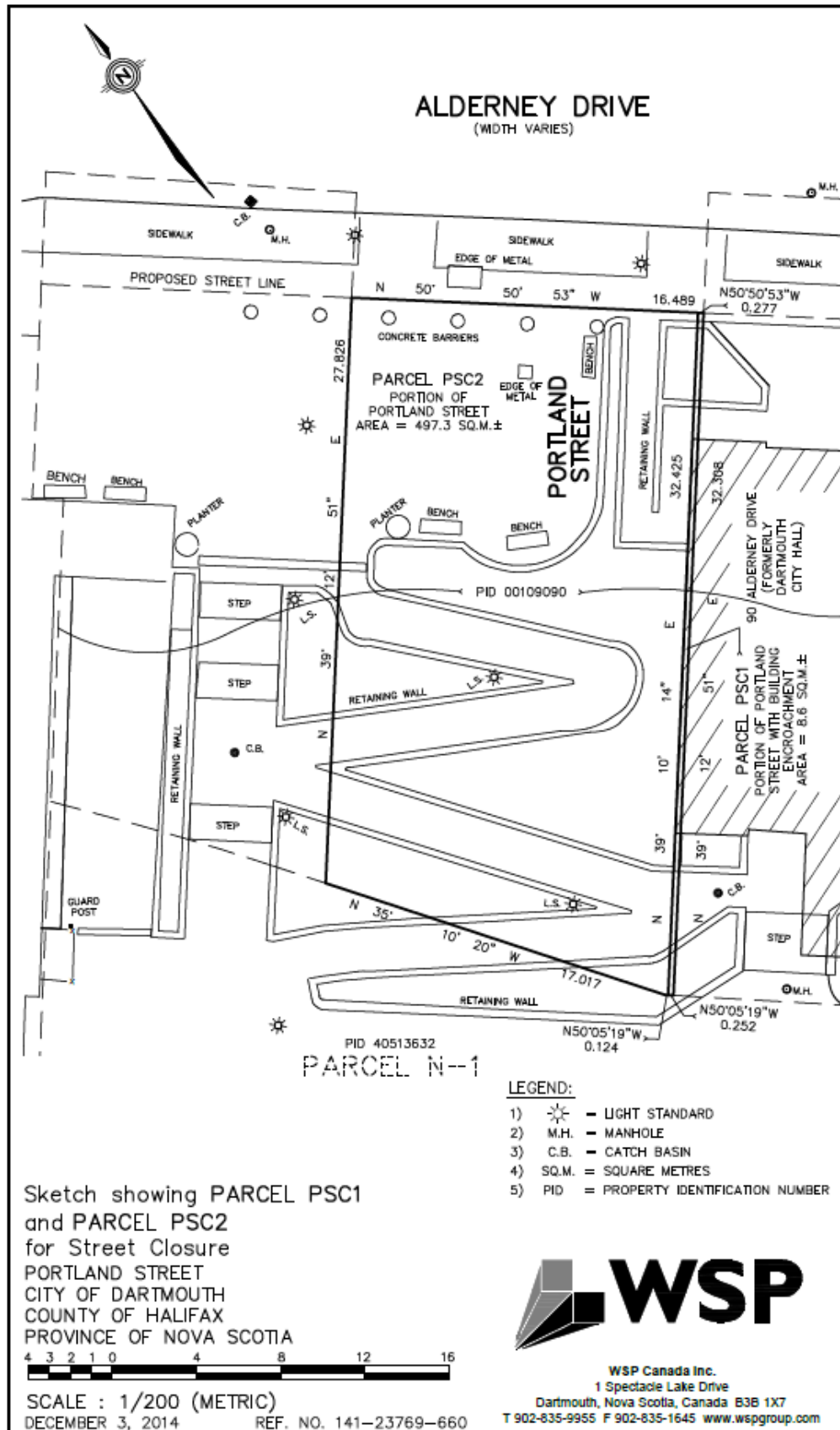
THENCE South 39 degrees 12 minutes 51 seconds West a distance of 32.308 metres to a point on the northeasterly limit of Parcel N-1 (PID 40513632);

THENCE North 50 degrees 05 minutes 19 seconds West along Parcel N-1 (PID 40513632), a distance of 0.252 metres to a point;

THENCE North 39 degrees 10 minutes 14 seconds East a distance of 32.425 metres to a point on the proposed street line for Alderney Drive;

THENCE South 50 degrees 50 minutes 53 seconds East along the proposed street line for Alderney Drive a distance of 0.277 metres to the point of commencement.

Sketch showing Parcel PSC1 and Parcel PSC2 for Street Closure





ATTACHMENT 'C' STREET CLOSURE SKETCH

