

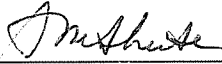


P.O. Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

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HALIFAX REGIONAL COUNCIL  
February 11, 2003

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:   
for Linda Mosher, Chair  
Chebucto Community Council

DATE: February 3, 2002

SUBJECT: Case 00538 - Cost sharing for Oversized Streets, Glenbourne Subdivision, Halifax

**ORIGIN:**

Chebucto Community Council meeting of February 3, 2003.

**RECOMMENDATION:**

It is recommended that Regional Council:

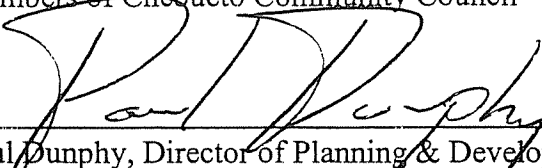
1. Approve a municipal expenditure in an amount not exceeding \$34,998 (HST included in total) from account CDC00111 (Oversize Streets) to allow for payment of previous cost-sharing obligations to Annapolis Group Incorporated for over sizing a municipal street (Parkland Drive) in accordance with the terms of Stage I and II Development Agreements, Glenbourne Subdivision, Phase 5B.
2. Pending approval of funds in the 2003/04 Budget, approve a municipal expenditure in an amount not exceeding \$953,718 (HST included in total) from account CDC00111 (Oversize Streets) to allow for cost sharing with Fares Development Partnership for over sizing a municipal street (Parkland Drive), to be funded as outlined in the proposed 2003/04 Capital Budget, in accordance with the terms of Stage I and II Development Agreements, Glenbourne Subdivision, Phases 3B and 5A.
3. Pending approval of funds in the 2003/04 Budget, approve a municipal expenditure in an amount not exceeding \$28,525 (HST included in total) from account CDC00111 (Oversize Streets) to allow for cost sharing with Cygnet Properties Limited for over sizing a portion (sidewalk only) of a municipal street (Parkland Drive), to be funded as outlined in the proposed 2003/04 Capital Budget, in accordance with the terms of Stage I Development Agreement, Glenbourne Subdivision.

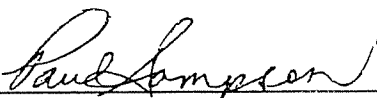
**ATTACHMENT:**

1. Staff Report dated January 29, 2003.

To: Members of Chebucto Community Council

Submitted by:

  
Paul Dunphy, Director of Planning & Development Services

  
Paul Sampson, Planner I

Date: January 29, 2003

Subject: Case # 00538: Cost-Sharing for Oversized Streets, Glenbourne  
Subdivision, Halifax

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**ORIGIN:**

Applications for Stage II development agreements by Annapolis Group Incorporated, Fares Development Partnership and Cygnet Properties Limited, involving the extension of Parkland Drive, Glenbourne Subdivision, Halifax.

**RECOMMENDATION:**

**It is recommended that Chebucto Community Council:**

- 1. Recommend to Regional Council that a municipal expenditure be authorized in an amount not exceeding \$ 34,998 (HST included in total) from account CDC00111 (Oversize Streets) to allow for payment of previous cost-sharing obligations to Annapolis Group Incorporated for over sizing a municipal street (Parkland Drive) in accordance with the terms of Stage I and II Development Agreements, Glenbourne Subdivision, Phase 5B.**
- 2. Recommend to Regional Council that pending approval of funds in the 2003/04 Budget, a municipal expenditure be authorized in an amount not exceeding \$953,718 (HST included in total) from account CDC00111 (Oversize Streets) to allow for cost-sharing with Fares Development Partnership for over sizing a municipal street (Parkland Drive), to be funded as outlined in the proposed 2003/2004 Capital Budget, in accordance with the terms of Stage I and II Development Agreements, Glenbourne Subdivision, Phases 3B and 5A.**

3. **Recommend to Regional Council that a municipal expenditure be authorized in an amount not exceeding \$ 28,525 (HST included in total) from account CDC00111 (Oversize Streets) to allow for cost sharing with Cygnet Properties Limited for oversizing a portion (sidewalk only) of a municipal street (Parkland Drive), to be funded as outlined in the proposed 2003/2004 Capital Budget, in accordance with the terms of Stage I Development Agreement, Glenbourne Subdivision.**

#### **BACKGROUND:**

Glenbourne Subdivision is being developed in the area between the Bicentennial Highway, Clayton Park West and Sherwood Heights in Halifax. A Stage I development agreement for the conceptual design of this project was originally approved by the City of Halifax in 1993 with amendments being approved in 1996 and 2002. A series of Stage II agreements for final subdivision and development approval have been entered into for a number of phases.

The City of Halifax committed to share with the developer the construction costs for collector streets in the subdivision, including the oversizing of portions of Parkland Drive and Farnham Gate Road, when the original Stage I development agreement was entered into in 1993. The development agreement stipulates that cost-sharing will be in accordance with the former City of Halifax's Cost-Sharing Policy.

#### **Capital Cost Contribution (CCC) Policy**

The recently adopted Capital Cost Contribution (CCC) Policy does not apply to Glenbourne Subdivision because the Stage I agreement approved by the City of Halifax contains specific wording which authorizes cost-sharing. The Stage I agreement was entered into in good faith by both parties. In presenting the CCC Policy to Regional Council, staff indicated that agreements which provide for cost sharing are not subject to the new CCC Policy.

There are two remaining HRM commitments for cost-sharing under the former City of Halifax policy which are not subject to the new Capital Cost Policy. These are Glenbourne Subdivision, which will hereby be completed, and Royale Hemlock Estates, in which Stage II development agreement and cost-sharing approvals have been granted.

The remaining HRM cost-sharing obligations for Glenbourne Subdivision for oversized street purposes are as follows:

- **\$ 34,998 (Incl. HST)** - Oversizing costs related to previous construction of Parkland Drive in Phase 5B by Annapolis Group Inc. in 1999/2000 (Case #00189). These costs were overlooked, as they were not listed in the cost estimates for this particular phase and the Municipality was therefore not invoiced at the time. These are legitimate costs pursuant to the agreement. Therefore, Annapolis Group Inc. is now requesting the reimbursement of these funds.

- **\$953,718 (Incl. HST)** - Oversizing costs for construction of Parkland Drive from the municipal sportsfield to the northeastern boundary of the site in common with Parcel A, owned by HRM. This section of Parkland Drive received Stage II development agreement approval on July 8, 2002 by Chebucto Community Council (Case # 00477).
- **\$28,525 (Incl. HST)** - Oversizing costs to allow for a 9 foot sidewalk along the southern side of Parkland Drive, through Parcel A, to Kearney Lake Road. This additional sidewalk width, which HRM is requesting be oversized, is to allow for the connection of the multi-use linear trail with Kearney Lake Road, via Parkland Drive (this wide sidewalk will also be supplied through a portion of Phases 3B and 5A). Cygnet Properties Limited have signed an Agreement of Purchase and Sale with HRM and are currently seeking municipal subdivision approval for this section of Parkland Drive.

#### **DISCUSSION:**

The City of Halifax committed to cost-share the construction costs for collector streets with the developer, including the oversizing of Parkland Drive, when the original development agreement was entered into in 1993. The above costs will complete the municipality's obligations for Glenbourne Subdivision.

The proposed cost-sharing is justified, given the fact that all parties entered into the development agreement in good faith and have complied with all conditions in the agreement. The costs associated with this project are consistent with terms of the agreement.

#### **BUDGET IMPLICATIONS:**

The estimated total HRM cost is **\$1,017,241** for this remaining portion of Glenbourne. There is currently a balance of \$268,945 available for cost-sharing in account CDC00111 (Oversize Streets). A total of \$750,000 is dedicated for cost-sharing in the proposed 2003/2004 capital budget. Therefore, the commitment of \$34,998.00 to Annapolis Group Inc. (Recommendation 1) may be paid from the existing funds in account CDC00111. The other remaining commitments of \$953,718 (Fares Development Partnership) and \$28,525 (Cygnet Properties Ltd.) (Recommendations 2 and 3) may be paid upon completion of construction and approval of funds in the 2003/04 Budget, which is anticipated later this year.

**FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN:**

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

**ALTERNATIVES:**

1. Chebucto Community Council may recommend to Regional Council that the municipal expenditures outlined in this report be authorized. This is the recommended alternative.
2. Chebucto Community Council may choose not to recommend the authorization of municipal expenditures. This alternative is not recommended, since the municipality is committed under the terms of the development agreement to provide cost-sharing for street over-sizing.
3. Chebucto Community Council may choose to direct staff to negotiate alternative options for funding infrastructure costs with the developers. This alternative is not recommended, as funds will be available in the 2003/2004 budget to cover the current cost-sharing commitments.

**ATTACHMENTS**

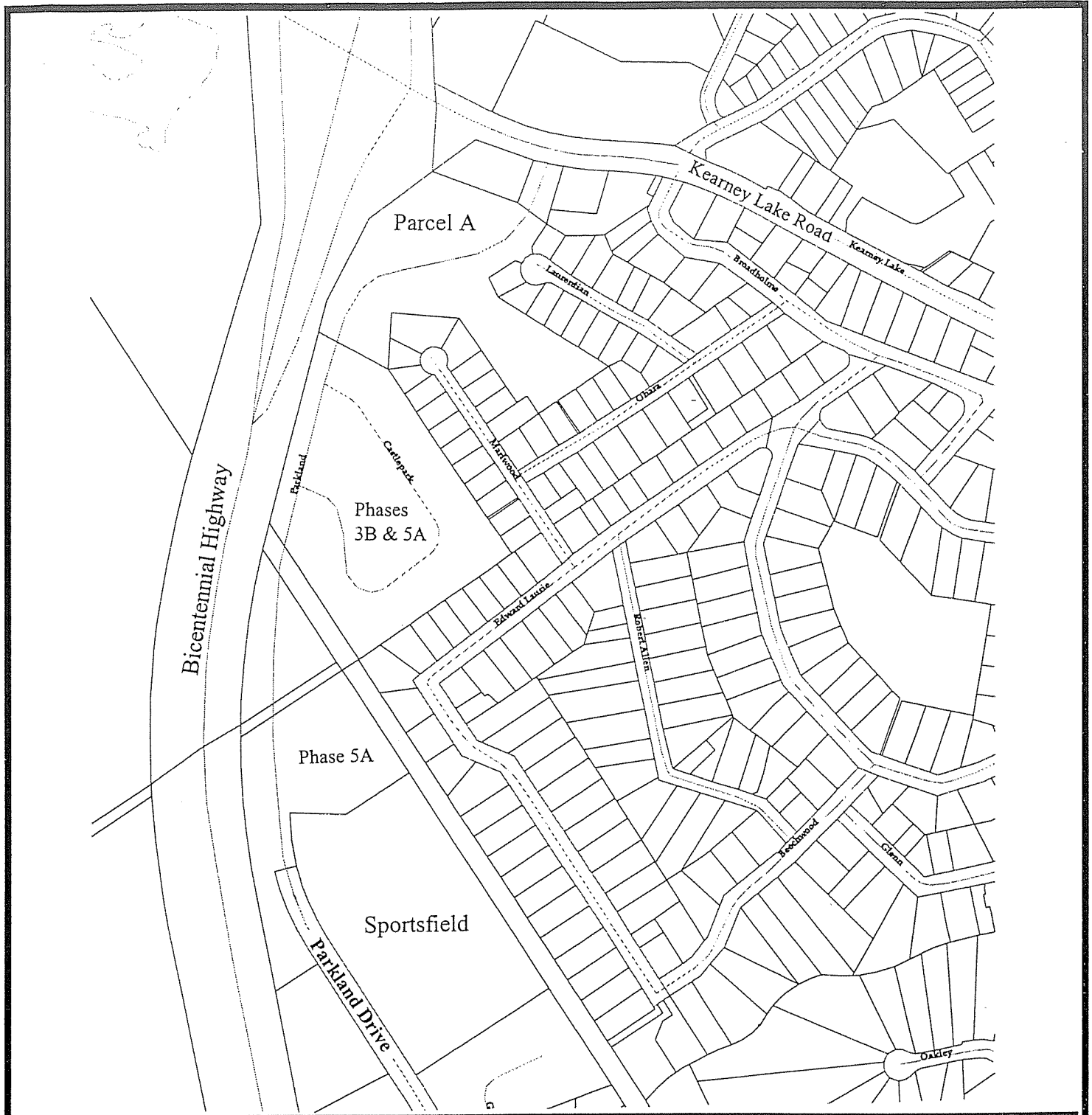
- I Location Plan: Parkland Drive, Glenbourne Subdivision

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Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210 (tel) or 490-4208 (fax).

Report prepared by Paul Sampson, Planner, Planning Services (ph. 490-6259)

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**Attachment 1**

**Location Plan**

**Parkland Drive, Glenbourne Subdivision**



Planning and Development Services