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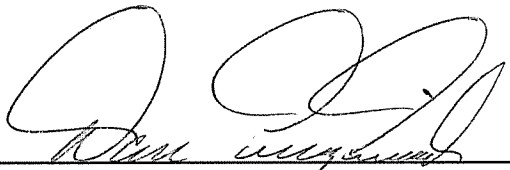


PO Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**Halifax Regional Council**  
**March 23, 2004**

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

**SUBMITTED BY:**

  
\_\_\_\_\_  
Dan English, Acting Chief Administrative Officer

**DATE:** February 4, 2004

**SUBJECT:** Street Closure - Portion of Mountbatten Avenue

### **ORIGIN**

At its meeting of February 17, 2004, Halifax Regional Council authorized staff to set a date for a public hearing for consideration of HRM Administrative Order SC-31 concerning the closure of a portion of Mountbatten Avenue, Dartmouth, as shown on Attachment "A", and approved the sale of a portion of Mountbatten Avenue, Dartmouth, subject to approval of the street closure, to Mr. John Boucher, containing approximately 680 square feet (*exact area to be determined by survey*), based on the key terms and conditions contained in the staff report.

### **RECOMMENDATION**

It is recommended that:

1. Halifax Regional Council close a portion of Mountbatten Avenue, adjacent to 14 Andover Street, Dartmouth, as shown on Attachment "A".

## **BACKGROUND**

The Municipality has been approached by Mr. John Boucher with a request to close and purchase a small strip of Mountbatten Avenue, totaling 680 square feet in area. Mr. Boucher owns the abutting corner property at 14 Andover Street which contains an area of 9,479 sq. ft.. It is his intention to acquire the strip of property, consolidate it with his existing house on the newly created lot, subdivide into two lots of slightly more than 5,000 sq. feet in area, and construct a small split-entry.

The new residence is planned to be similar to a recently constructed split-entry located on the property to the rear at 19 Mountbatten Avenue. That property was assessed in 2003 for land only at \$35,000, and with the new residence it is assessed at \$168,900 for the 2004 tax year.

## **DISCUSSION**

Mountbatten Avenue is located off the Waverley Road in close proximity to the Fairbanks Centre in Shubie Park. The subject area is grassed and has been maintained for some time by Mr. Boucher. Public Works and Transportation has reviewed the request and has declared the parcel surplus subject to the retention of a 3M by 3M corner cut-off at the Mountbatten/Andover Intersection for sight distance purposes.

Mr. Boucher has agreed to a purchase price of \$10.00 PSF, which represents fair value to the Municipality. In addition, the owner has agreed to pay the HRM's legal costs of closing as well as the survey costs involved and applicable HST.

<b>KEY BUSINESS TERMS AND CONDITIONS OF TRANSACTION</b>	
<b>Property Address</b>	Surplus land abutting 14 Andover Street
<b>Site Area</b>	680 sq. ft.
<b>Purchaser</b>	John Boucher
<b>Purchase Price</b>	\$10.00 PSF ( \$6,800.00)
<b>Special Conditions</b>	<ul style="list-style-type: none"><li>• Sale is subject to closing the subject portion of Mountbatten by Council;</li><li>• Purchaser will pay survey costs and HRM's legal costs and applicable taxes.</li></ul>
<b>Closing Date</b>	ASAP after street closure is approved.

### **BUDGET IMPLICATIONS**

There are no costs to HRM with regard to this street closure. This represents non-forecasted revenue to HRM. Proceeds will be deposited to the Sale of Land Account. Anticipated property tax revenue of approximately \$2,460 arising from new construction on subdivided lot.

### **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**


None recommended.

### **ATTACHMENTS**

Attachment "A"- Site Plan  
Attachment "B"- Administrative Order SC- #31  
Attachment "C"- Site Photography

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

Report Prepared by: Michael Woods/Senior Real Estate Officer, Real Property & Asset Mgmt. 490-5925

Report Reviewed/Approved by:   
Peter Stickings, Manager, Real Estate, Real Property & Asset Mgmt. 490-7129

Report Approved by:   
Mike Labrecque, Director, Real Property & Asset Mgmt. 490-4851

MICHAEL

ANDOVER

LORWAY

MOUNTBATTEN

BEVERLEY

KAREN

Proponent wishes to purchase  
680 sq. ft. of the street to line up  
property with Mountbatten Ave.  
PID #40942542

**HALIFAX**  
REGIONAL MUNICIPALITY

**ATTACHMENT "A"**

**Site Map**

Scale 1:1073



This map was produced for the internal use of  
Halifax Regional Municipality. It is not  
intended to be used for any other purpose.  
Halifax Regional Municipality is not responsible for errors or omissions.  
Date of map is not indicative of the date of data creation.  
Projection: Modified Transverse Mercator Zone 5  
Date: February 6, 2004  
Prepared by: E. Wall

**Attachment “B”**

**HALIFAX REGIONAL MUNICIPALITY**

**ADMINISTRATIVE ORDER NUMBER SC-31**

**RESPECTING CLOSURE OF  
A PORTION OF MOUNTBATTEN AVENUE**

**BE IT RESOLVED AS AN ADMINISTRATIVE ORDER** of Council of the Halifax Regional Municipality pursuant to Section 315 of the Municipal Government Act as follows:

1. The “subject lands”, a portion of Mountbatten Avenue, more particularly described in Attachment “A” hereby enclosed.

**I HEREBY CERTIFY THAT** the foregoing Administrative Order was duly adopted by Halifax Regional Council the 17<sup>th</sup> day of February, 2004.

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**MAYOR**

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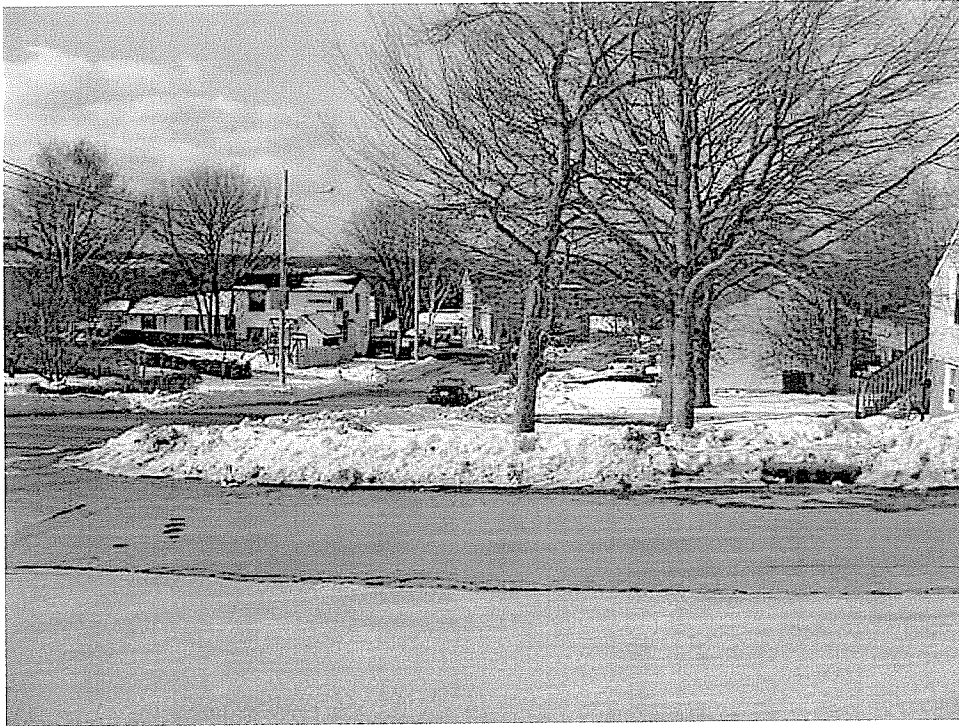
**MUNICIPAL CLERK**

I, Jan Gibson, Acting Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above-noted Administrative Order was passed at a meeting of Halifax Regional Council held on 17<sup>th</sup> day of February, 2004.

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Jan Gibson, Acting Municipal Clerk

**ATTACHMENT "C"**  
**Street Closure - Mountbatten Drive**  
**SITE PHOTOGRAPHY**



View of Subject Property looking West



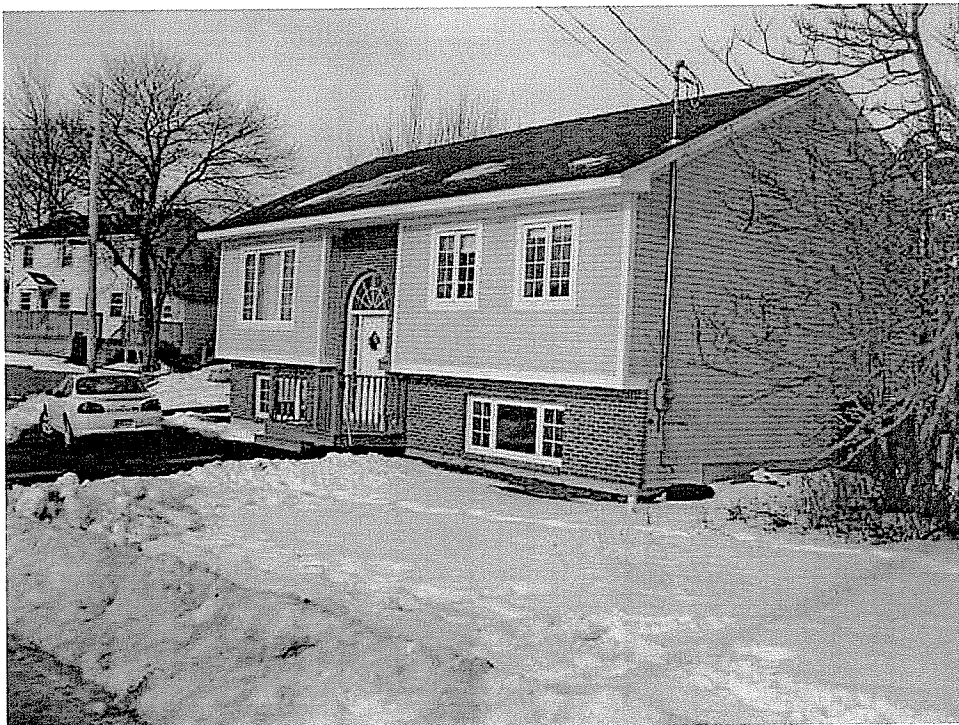
View of Subject Property adjacent to 14 Andover looking East



**ATTACHMENT "C"**  
**Street Closure - Mountbatten Drive**  
**SITE PHOTOGRAPHY**



View of Subject Property looking West from Mountbatten



19 Mountbatten Avenue to the rear of Subject Property