



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

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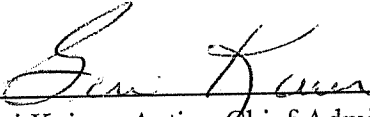
Halifax Regional Council

May 29, 2007


June 12, 2007

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:



Geri Kaiser, Acting Chief Administrative Officer



Mike Labrecque, Director Transportation & Public Works

DATE: May 17, 2007

SUBJECT: Street Closure - Gottingen Street at Falkland Street (Parcel FS-1)

ORIGIN

Real Property has received a request from the owner of 2082-2086 Gottingen Street, 3093619 Nova Scotia Limited c/o Mr. Joe Arab, to close a portion of the street right-of-way at the corner of Gottingen Street and Falkland Street (Parcel FS-1) as shown on Attachment "B".

RECOMMENDATION

It is recommended that Council close a portion of the Gottingen Street right-of-way, Halifax, as per Administrative Order # SC-44, as shown on Attachment "B"

BACKGROUND

In June, 1956, Halifax City Council moved and passed a resolution for the widening of several streets in the Gottingen, Falkland and Creighton Streets area of Halifax. It was determined under the resolution portions of Gottingen, Falkland and Creighton Streets were too narrow for adequate snow removal and that the subject streets be widened from 40 feet to 60 feet. The resolution recommended the official street lines (Blue Lines) be so altered to provide for the change of forty (40) feet to sixty (60) feet. The subject parcel (Parcel FS-1) was one of those portions.

DISCUSSION

As noted above, and from the Council Minutes from 1956, the recommended street line alterations created Parcel FS-1, which is approximately 718 sq. ft., on the proponent's existing property as new road right-of-way for Falkland Street.

However, a review by staff has determined that Parcel FS-1 included in the revised street lines was never acquired by the City of Halifax and due to the recent fire which had completely destroyed the owner's previous building, the proponent seeks to redevelop the property with new residential condominiums and commercial mix building and Parcel FS-1 is required as part of that redevelopment plan.

Furthermore, since the Municipality does not own Parcel FS-1 and is part of the street right-of-way, the property owner has requested that the Municipality either acquire Parcel FS-1, or formerly close that portion of the street right-of-way. Staff have reviewed the request and has determined that Parcel FS-1 is not essential for snow clearing at the intersection of Gottingen at Falkland Street and Capital Projects has advised Real Property the asking price is too prohibitive for any proposed street improvement projects.

In October 2004, the Municipality was successful in amending the Municipal Government Act in that a Public Hearing is not required where part of a street is being altered, improved or redesigned, if:

- (a) the part of the street that remains opens
 - (i) is open to vehicular and pedestrian traffic, and
 - (ii) meets all the Municipal standards; and
- (b) the part of the street that is closed
 - (i) is determined by the engineers to be surplus;
 - (ii) is worth less than fifty thousand dollars.

DISCUSSION CONTINUED

It has been determined that this street closure meets all of the above noted criteria and; therefore, a public hearing is not required for the Street Closure of Parcel FS-1.

KEY BUSINESS TERMS AND CONDITIONS OF TRANSACTION	
<i>Property Address</i>	2082-2086 Gottingen Street, Halifax
<i>Site Area</i>	Intersection of Gottingen Street and Falkland Street
<i>Zoning</i>	C-2 - General Business Zone - Halifax Mainland LUB
<i>Owner</i>	3093619 Nova Scotia Ltd.
<i>Area</i>	718 sq.ft.
<i>Special Conditions</i>	Property owner to pay all expenses to register Administrative Order #SC-44.

BUDGET IMPLICATIONS

There are no budget implications as the Municipality does not presently own the subject property nor seeks to purchase for Municipal purposes.

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

ATTACHMENTS

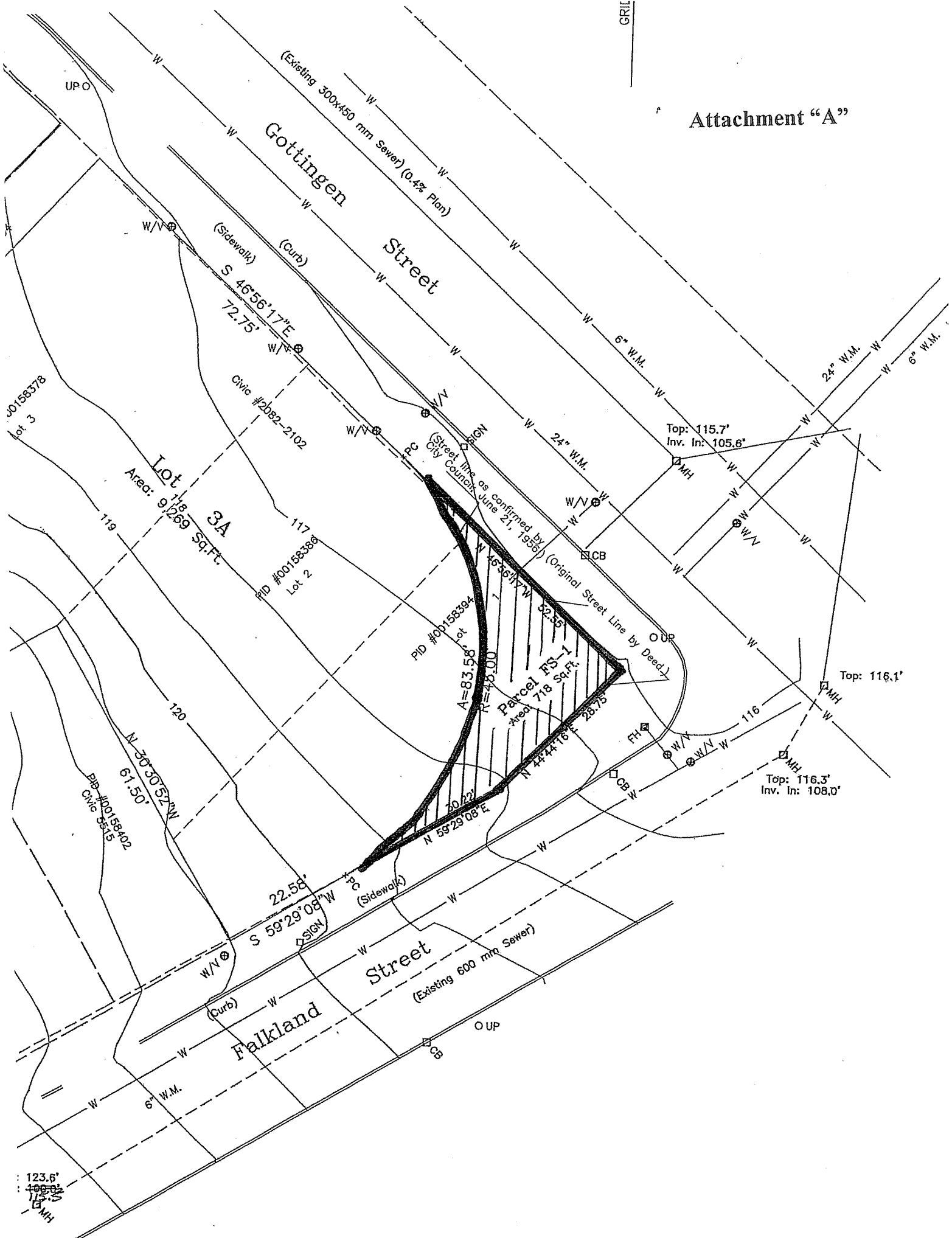
- Attachment "A" - Location Plan
- Attachment "B" - Administrative Order # SC-44.

**Street Closure - Gottingen Street at Falkland Street
Council Report**

May 29, 2007

Report Prepared by:	Chad Renouf - Real Estate Officer, Transportation & Public Works	490-6798
		
Report Approved by:	_____	
	Peter Stickings, Manager, Real Property, TPW	490-7129
		
Report Approved by:	_____	
	Ken Reashor, Manager, Traffic & Right of Way, TPW	490-6637
		
Financial Review/Approval by:	_____	
	for Catherine Sanderson, Senior Manager, Financial Services	490-1562

Attachment "A"





PO Box 1749
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Attachment "B"

HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER NUMBER SC-44
RESPECTING CLOSURE OF A PORTION OF

Gottingen at Falkland Street

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. A portion of Gottingen at Falkland Street, Parcel FS-1, Halifax, 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 _____, 2007.

Mayor

Municipal Clerk

I, Jan Gibson, 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 _____, 2007.

Jan Gibson, Municipal Clerk