



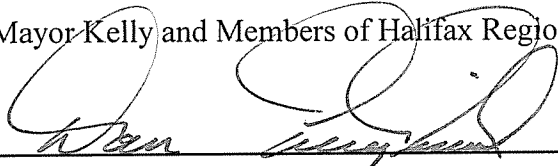
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Item No. 9.1

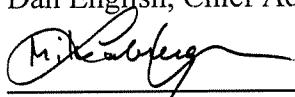
**Halifax Regional Council
October 02, 2007
Public Hearing**

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:



Dan English, Chief Administrative Officer



Mike Labrecque, Director, Transportation & Public Works

DATE: September 28, 2007

SUBJECT: **Case 00955: Cobequid Road and Glendale Drive, Sackville - Sale of HRM Parkland**

ORIGIN

This report results from the July 05, 2007 approval of the rezoning of PID#00361493 and a portion of PID#00637652 from P-1 to C-2 and related development agreements by the North West Community Council resulting from an application by 3051129 Nova Scotia Limited.

RECOMMENDATION

It is recommended that Council:

1. Authorize the Mayor and Municipal Clerk to enter into an agreement of Purchase and Sale with 3051129 Nova Scotia Limited for the sale of HRM parklands, PID#00361493, PID#00637652 and a portion of PID#00356790, subject to the approval of Halifax Regional Council to sell the parkland as required under Section 273(13) of the Municipal Government Act.

BACKGROUND

On July 05, 2007 the North West Community Council approved an application by 3051129 Nova Scotia Limited for a rezoning of PID#00361493 and a portion of PID#00637652 from P-1(Community Facility Zone) to C-2 (Community Commercial)and separate development agreements permitting the establishment of a gas station with a convenience store and attached car wash on a portion of the property and a two storey commercial building. The application involves lands situated at the corner of Glendale Drive and Cobequid Road, Lower Sackville.

The development agreement for the gas station site incorporates lands owned by the HRM, more specifically parcels PID#00361493, PID #00637652 and a portion of PID#00356790, containing a total area of approximately 18,028 square feet. The property was acquired in 1984 as dedicated parkland from the former Nova Scotia Housing Commission. Section 273 (13) of the Municipal Government Act specifies that Council may sell the land if it is not needed for parks, playgrounds or similar public purposes by notifying the owners of lots in the subdivision by newspaper advertisement and holding a public hearing. The proceeds of the sale are to be used for parks, playgrounds and similar public purposes.

DISCUSSION***Lands being Sold by HRM***

The largest parcel proposed for sale, PID#00361493, contains an area of 10,061 square feet and is encumbered with a twenty (20) foot wide sanitary sewer easement. PID#00637652 contains an estimated area of 6300 square feet and it also is encumbered with a sanitary sewer line. The remaining portion of PID#00356790 contains approximately 1667 square feet and is fully encumbered with both water and sanitary sewer lines.

The HRM land would allow the developer to locate the car wash further back on the site which accommodates better traffic flow on the property and provides access off of Glendale Drive, which is a critical component of this development. It further allows the developer to relocate the gas storage tanks as far as possible from the adjacent Caudle Park subdivision, making this more compatible with the neighbourhood. The tank relocation has been achieved by the developer agreeing to relocate the sanitary sewer easement at his expense from HRM's land on the Glendale side (Lot 1) to the Nelson Drive side (Lot 2).

Lands being acquired by HRM

During the review process of the development it was brought to staff's attention that the developer owns commercial unimproved property (zoned C-2), which is in close proximity to Kent Building Supplies on Sackville Drive. The land connects Judy Drive to Sackville Drive and

the developer has previously allowed HRM to fence and use the property containing approximately 4300 square feet, as a walkway for school children and the public, however, the property remains in private ownership. The land is zoned C-2.

Staff has reached agreement with the developer to sell this land to HRM on financial terms as approved by Regional Council September 11, 2007.

KEY TERMS AND CONDITIONS OF TRANSACTIONS		
	<i>Disposal by HRM</i>	<i>Acquisition by HRM</i>
Property Address	Corner of Glendale Drive and Cobequid Road	Judy Avenue and Sackville Drive
Site Area	18,028 sq. ft.	4,300 sq. ft.
Zoning	Re-zoned from P-1 to C-2	C-2
Vendor	HRM	3051129 Nova Scotia Limited
Purchaser	3051129 Nova Scotia Limited	HRM
Special Conditions	Sale is a component of the NWCC approved Development Agreement	
Closing Date	October 15, 2007	

BUDGET IMPLICATIONS

The net proceeds from the parkland sale shall be credited to the Parkland Reserve Account (Q107). Applicable deductions to the Purchase Price including but not limited to advertising, legal and administrative costs.

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 - Site Plan Approved Development (Case00955)

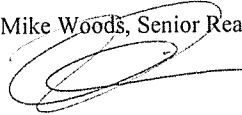
Attachment B - Plan of Proposed Parkland for Sale

Attachment C - Plan of Proposed Walkway Acquisition

Additional copies of this report, and information on its status, can be obtained by contacting the person listed below in the "Report Prepared by" section.

Report Prepared by:

Mike Woods, Senior Real Estate Officer, Transportation & Public Works 490-5925

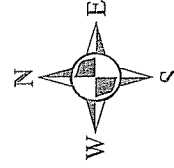


Report Reviewed by:

Peter Stickings, Manager, Real Property, TPW 490-7129

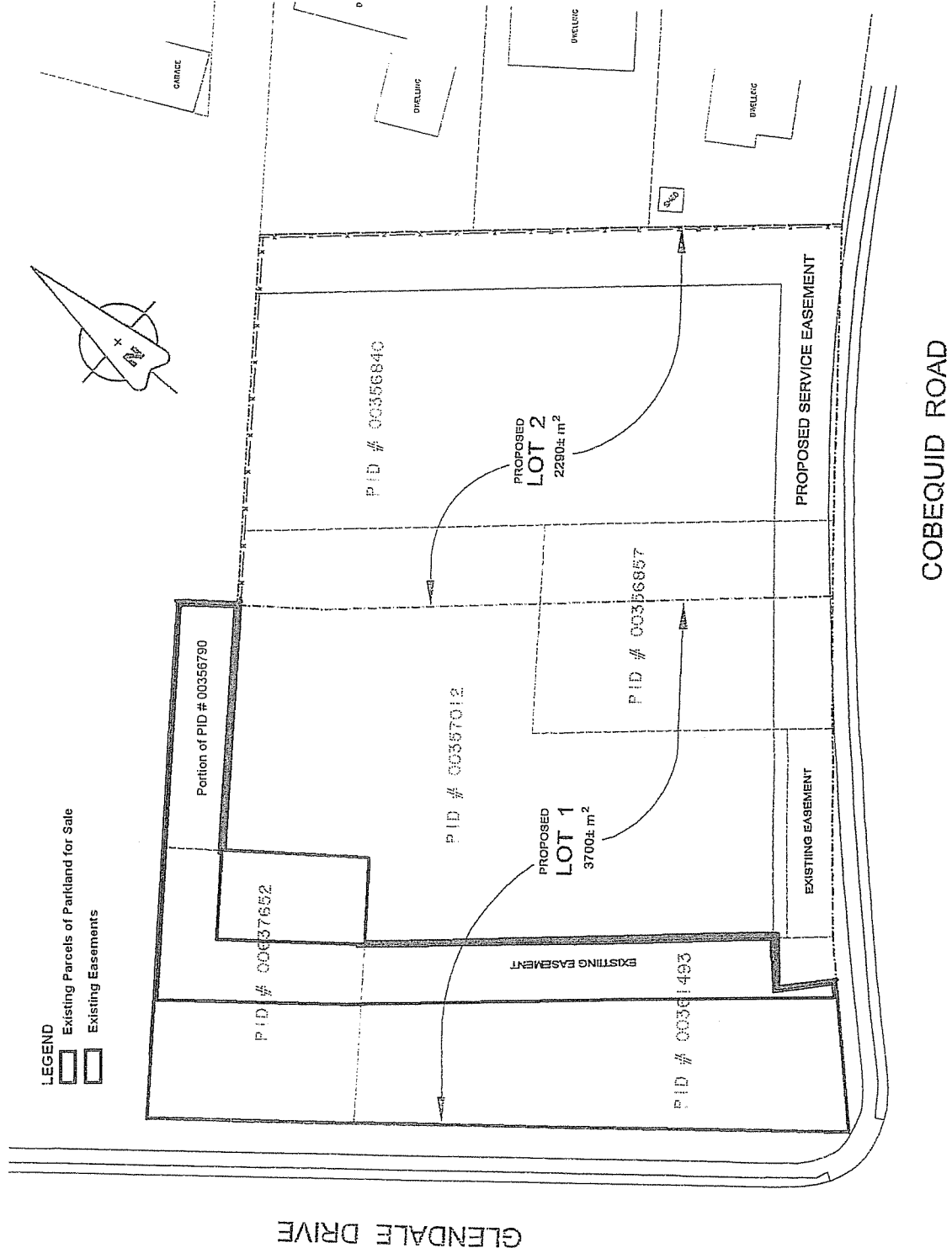
ATTACHMENT B

PLAN OF PROPOSED PARKLAND FOR SALE Glendale Dr & Cobequid Rd



This map was produced for the internal use of Halifax Regional Municipality (HRM). HRM takes no responsibility for errors or omissions. Date of map is not indicative of the date of data creation.

Date: July 13, 2007
Prepared by: E. Wall



LEGEND
 Existing Parcels of Parkland for Sale
 Existing Easements

ATTACHMENT "C"
Cobequid Road & Glendale Drive - Sale of HRM Parkland
Plan of Proposed Walkway Acquisition

