



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 9.1

**Public Hearing
Halifax Regional Council
October 16, 2007**

TO: Mayor Kelly and Members of Halifax Regional Council

A handwritten signature in dark ink, appearing to read "Dan English".

SUBMITTED BY:

Dan English, Chief Administrative Officer

A handwritten signature in dark ink, appearing to read "Wayne Anstey".

Wayne Anstey, Deputy Chief Administrative Officer - Operations

DATE: October 10, 2007

SUBJECT: Street Closure - Military Road Right-of-Way, Purcell's Cove.

ORIGIN

At its meeting of September 11, 2007, Halifax Regional Council authorized staff to set a date for a Public Hearing for consideration of HRM Administrative Order SC-47 (Attachment "B") concerning the closure of Military Road Right-of-Way, Purcell's Cove.

RECOMMENDATION

It is recommended that Council close the Military Road Right-of-Way, Purcell's Cove, as shown on Attachment "A".

BACKGROUND

A private property owner (Purchaser) has approached HRM Real Property with an unsolicited request for the acquisition of a portion (5,179 sq. ft.) of old Military Road Right-of-Way (ROW) in Purcell's Cove that transverses the Purchaser's property.

Council is being asked to approve the closure of the old Military Road Right-of-Way which has no further use as a public ROW. This action will also facilitate the market conveyance of a portion to the Purchaser, previously approved by Regional Council, subject to holding a Public Hearing respecting the street closure.

DISCUSSION

Old Military Road

Prior to the late 1960's, access to areas along the southwest side of the North West Arm and the entrance to Halifax Harbour, from Halifax, was via Military Road. Military Road was a narrow, winding road which provided an important supply route between Halifax and York Redoubt Military Fort during World War II. However, the location of Military Road was not carefully planned and as a result, the subject property was separated into two parcels, Lot 3 to the south side of Military Road and Lot 2B to the north side of Military Road. (See Attachment "A")

In the late 1960's, the Provincial Government replaced portions of Military Road with the construction of Highway No. 253, commonly known today as Purcell's Cove Road. With the construction of Purcell's Cove Road, the portion of Military Road providing frontage and access to Lot 3 and Lot 2B to its southern boundary, was declared surplus and abandoned. At the time of abandonment the official street lines were not corrected (closed).

Lot 3, owned by the Purchaser, remains legally separated and landlocked from road access to Purcell's Cove Road. The Purchaser is considering selling Lot 3 and requires Parcel B of the Military Road ROW (approximately 5,179 sq.ft. see Attachment "A") to consolidate it with Lot 3 and Lot 2B, the latter fronting on Purcell's Cove Road.

Conclusion

- < At this time Council is being asked to formally close (or lift the old or abandoned street line) Military Road shown on Attachment "A".
- < The closure will also facilitate the market sale of Parcel B of the closed right of way to the Purchaser.
- < The closure would also un-encumber the remaining HRM portions making them available for sale should the other abutting property owners express an interest at a future date.

BUDGET IMPLICATIONS

The Purchaser will be responsible for all costs associated with the Street Closure, including, but are not limited to, appraisal, survey, environmental, advertising, and HRM legal 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
Attachment "B" - Administrative Order SC-47

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: Chad Renouf - Real Estate Officer, Real Property, Transportation & Public Works 490-5931

Report Reviewed by:



Tom Crouse, Acquisition & Disposal Manager, Real Property, Transportation & Public Works
490-5931

Report Approved by:

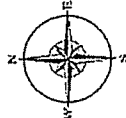


Peter Stickings, Acting Director, Transportation & Public Works 490-7129



NOT TO SCALE

ATTACHMENT "A" SITE PLAN



PARCEL B -
MILITARY ROAD

LEGEND



SUBJECT PROPERTY

This map was produced for the internal use of Halifax Regional Municipality (HRM). HRM takes no responsibility for errors or omissions.

For further information on civic address, street, street name or community (CSN) data please contact HRM Civic Addressing at 490-5347 or email civicadd@halifax.ca.

For further information on sewer infrastructure, please contact HRM Environmental Engineering Services at 490-5549 or email sewerinfo@halifax.ca.

For further information on zoning data please contact HRM Planning & Development Services at 490-4454 or email zoninginquire@halifax.ca.

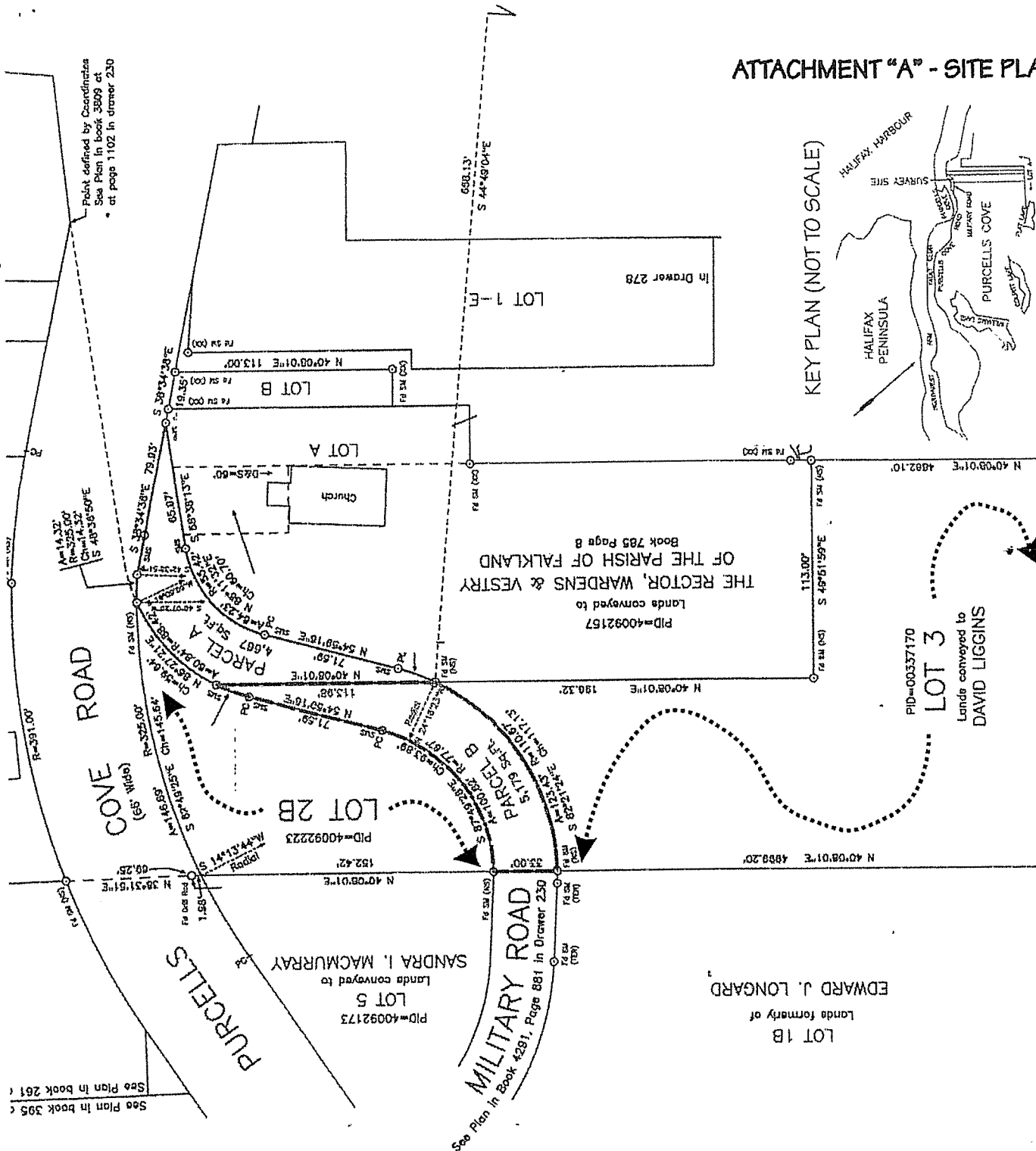
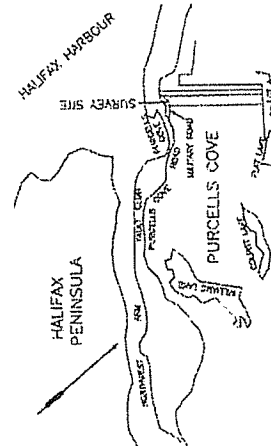
For further information regarding any other aspect of this plan please contact HRM Geographic Information Systems & Services at 490-6508 or email geoinfo@halifax.ca.

Date of map is not indicative of the date of data creation. Scale of map is valid only if printed at 11x8.5 inches.

Projection is Modified Transverse Mercator Zone 5.

ATTACHMENT "A" - SITE PLAN

KEY PLAN (NOT TO SCALE)



PID=00337170

LOT 3

Land conveyed to
DAVID LIGGINS

LOT 18
Land formerly of
EDWARD J. LONGARD

LOT 5
PID=40092173
Land conveyed to
SANDRA I. MACMURRAY

LOT 2B
PID=40092223

Land conveyed to
THE RECTOR, WARDENS & VESTRY
OF THE PARISH OF FALKLAND
Book 785 Page 8
PID=40092157

LOT A
Church

LOT B

LOT 1-E

Point defined by Coordinates
Sea Plan in book 3809 at
• at page 1102 in drawer 230

See Plan in book 395
See Plan in book 261

“B”

P.O. Box 1749
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HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER NUMBER SC - 47

RESPECTING CLOSURE OF A PORTION OF

Military Road, Purcell's Cove

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:

- (iv.) A portion of Military Road, Purcell's Cove, 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