



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 9.1

Halifax Regional Council
December 11, 2007
January 15, 2008

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: November 22, 2007

SUBJECT: **Street Closure - Old Windsor Street, Halifax**

ORIGIN

A request from TPW, Municipal Operations - HRM Cemeteries, to close a portion of the Old Windsor Street right of way, Halifax.

RECOMMENDATION

It is recommended that Council:

- (i) authorize staff to set a date for a public hearing for consideration of HRM Administrative Order #SC-49 concerning the closure of the Old Windsor Street right of way, Halifax, as shown on Attachment "B";

BACKGROUND

This section of the Old Windsor Street right of way formerly known as Blue Bell Road, and was abandoned back in the 1920's when survey plans for the area showed the realignment of Windsor Street to its existing location. However, the old right of way was never extinguished.

DISCUSSION

The Old Windsor Street right of way, identified as Parcel OWS on Attachment 'A', was the former alignment of what is now known as Windsor Street. Parcel OWS runs from Windsor Street to Kempt Road, bypassing the Kempt and Windsor intersection, and is 32,837 sq. ft. in area.

Parcel OWS runs between PID 00019323, lands owned by St. Johns Cemetery Church Parochial Corp. of St. Johns, lands commonly known as the St. Johns Cemetery, and PID 00019273 (Lot WS), lands of the Halifax Regional Municipality which form part of the Fairview Lawn Cemetery.

Lot WS is the last available parcel of the Fairview Cemetery to be developed. HRM Cemetery Operations is presently developing this parcel for future burial plots. Once developed, the parcel will provide an additional 900 plots, which represents a significant revenue potential for HRM. However, during the process of developing this site, the survey plan revealed the existence of Parcel OWS, the former Old Windsor Street right of way. HRM Survey Services could not find any evidence that the old street right of way was ever officially closed.

SUMMARY TABLE	
Property Address	Old Windsor Street right of way - Parcel OWS
Site Area	32,837 sq. ft.
Zoning	P - Park and Institutional Zone
Owner	Halifax Regional Municipality
Conclusion	< At this time Council is being asked to formally close (or lift the old or abandoned street line) Old Windsor Street as shown on Attachment "A". In this instance, where the Public use of the right-of-way is being extinguished, a public hearing is required; < The closure would un-encumber Parcel OWS making it available to be developed with the adjoining HRM Lot WS for cemetery purposes; < The closure will also facilitate the sale of Parcel WS1 to St. Johns Cemetery, which was the subject of a previously approved report

BUDGET IMPLICATIONS

No budget implications. The cost to process this request can be completed within the approved budget. The budget implications of the sale of WS1 have been addressed in a previous Director's Approval Report dated June 13, 2006, entitled Land Exchange and Option to Purchase between HRM Fairview Cemetery and St. John's Cemetery, Kempt Road, Halifax.

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" - Administrative Order SC-49

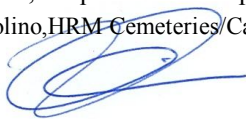
Attachment "B" - Site Plan

Attachment "C" - Site Photography

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:

Tom Crouse, Acquisition & Disposal Manager, TPW 490-5931
Gary Musolino, HRM Cemeteries/Capital District Maintenance, TPW, 490-6236



Report Approved by:

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

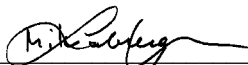


Report Approved by:

Ken Reashor, Manager, Traffic & Right of Way, TPW 490-6637

Report Approved by:

Mike Labrecque, Director TPW, 490-4855



Financial Review/Approval by:

Catherine Sanderson, Senior Manager, Financial Services, 490-1562





HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER NUMBER SC-49

RESPECTING CLOSURE OF A PORTION OF
OLD WINDSOR 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:

- (iv) A portion of Old Windsor Street, 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

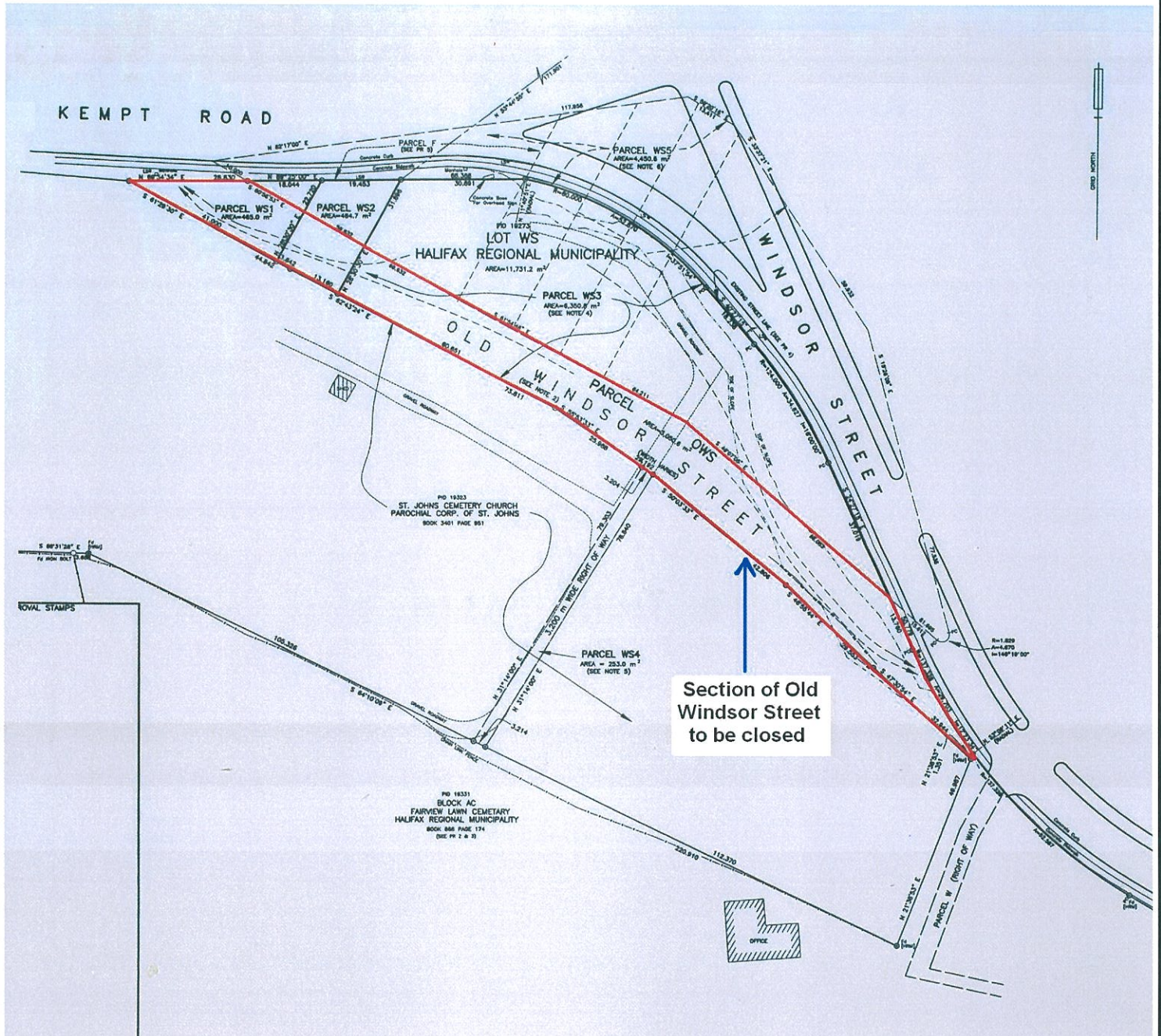
Municipal Clerk

I, _____, 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.

Municipal Clerk

ATTACHMENT "A"

Street Closure - Old Windsor Street Right of Way SITE PLAN



ATTACHMENT "C"
Street Closure - Old Windsor Street Right of Way
Site Photography



View of Old Windsor Street right of way as seen from Kempt Road



View of Old

Street right of way as seen from existing Windsor Street

Windsor