



PO Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

## Item No. 11.1.4

Halifax Regional Council  
October 28, 2008

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

A handwritten signature in cursive script, appearing to read "Dan English".

**SUBMITTED BY:**

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Dan English, Chief Administrative Officer

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Wayne Anstey, Deputy Chief Administrative Officer - Operations

**DATE:** October 6, 2008

**SUBJECT:** Street Closure Parcel TT-1 (PID# 41050535) Danforth Road, Halifax

### ORIGIN

A request from Armco Capital ("Developer") expressing an interest in developing Parcel ASCL-R1, Herring Cove Road, Halifax, NS.

### RECOMMENDATION

It is recommended that Regional Council close Parcel TT-1 (PID# 41050535) Danforth Road, Halifax, as per HRM Administrative Order SC-54, as shown on Attachment "B";

## **BACKGROUND**

Staff was contacted by the Developer when applying for subdivision approval of their development plans for the lands at the end of Danforth Road, Halifax, further described as Parcel ASCL-R1, Herring Cove Road, Halifax, NS.

In 2001, Armco Capital Corp. conveyed to HRM a temporary turning tee known as Parcel TT-1, Danforth Road as per a development agreement. The parcel is 600 sq. ft. in size and is located at the end of Danforth Road. The conveyance of Parcel TT-1 should have been as an easement; however, ownership of the parcel was transferred by the developer to HRM in error.

Staff is seeking to rectify this error and transfer the parcel back to the developer.

## **DISCUSSION**

Whereby Parcel TT-1 is currently in the ownership of HRM as part of the street, a street closure is required. The closure will facilitate the conveyance of the temporary turning tee back to Armco Capital Corp., which was the subject of a previously approved Director's Approval Report.

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.

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.

**Terms and Condition of Conveyances**

<b>Property Address</b>	PID# 41050535, Parcel TT-1, Danforth Road, Halifax
<b>Owner</b>	HRM
<b>Area</b>	600 sq. ft.
<b>Zoning</b>	RDD - Residential Development District Zone
<b>Conditions</b>	< At this time Council is being asked to formally close PID# 41050535, Parcel TT-1, Danforth Road, Halifax Street Right of way as shown on Attachment "A".  < The closure will facilitate the conveyance of the temporary turning tee back to Armco Capital Corp., which was subject to a previously approved Director's Approval Report.

**BUDGET IMPLICATIONS**

The budget implications of the sale of PID# 41050535, Parcel TT-1, Danforth Road, Halifax have been addressed in a previous Director's Approval Report. All costs of transferring the property back to Armco Capital will be covered by Armco Capital Co. No further budget implications are expected with this exchange.

**FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, and Capital budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

**ALTERNATIVES**

None

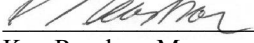
**ATTACHMENTS**

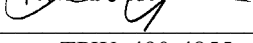
Attachment "A" - Partial Survey Plan  
Attachment "B" - Administrative Order # SC-54.


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: Carla Thistle - Real Estate Officer, TPW 490-5477  
Report Reviewed by: Tom Crouse - Manager, Acquisition & Disposal 490-5931

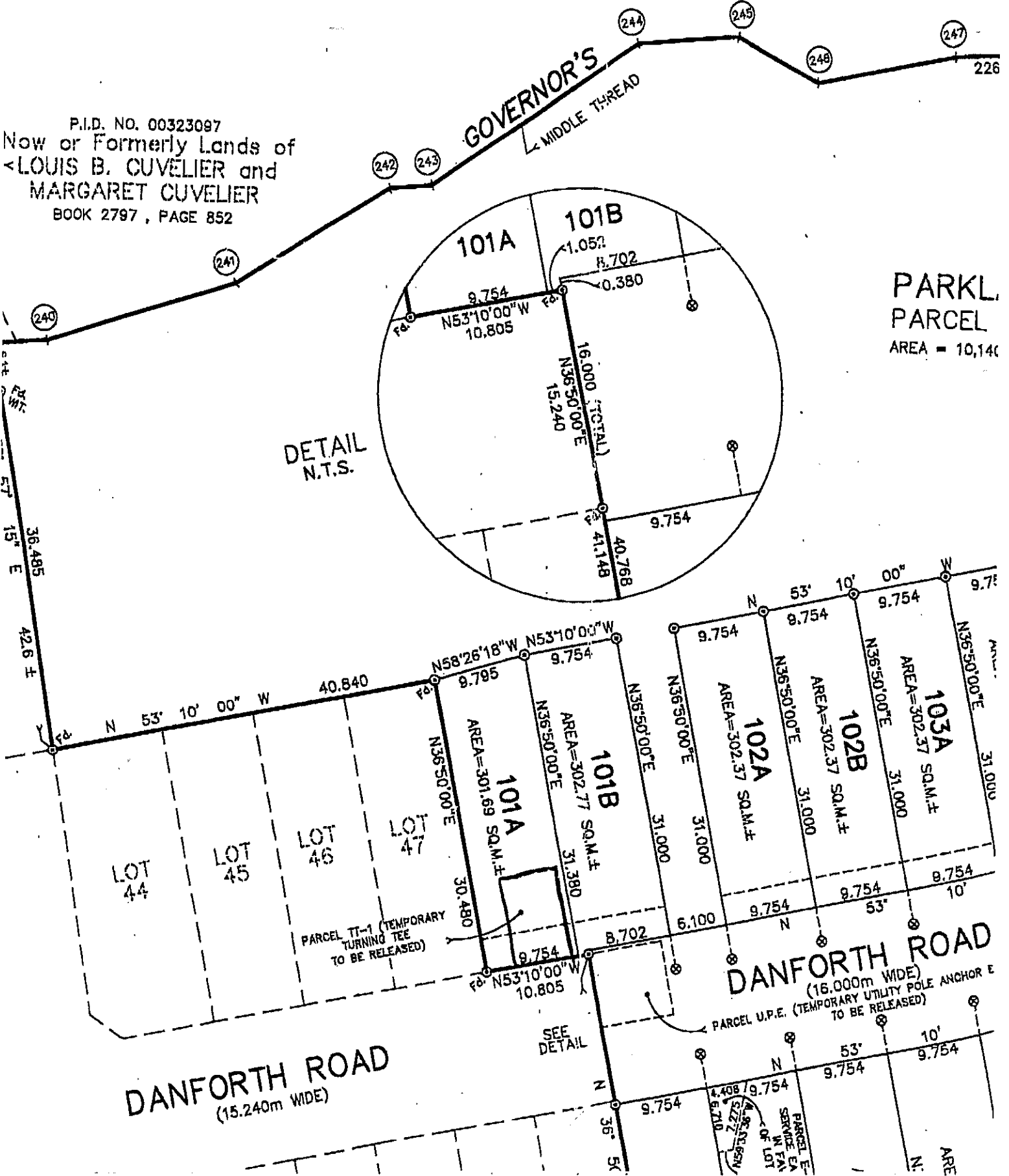
Report Approved by:   
Peter Stickings, Manager, Real Property, TPW 490-7129

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

P.I.D. NO. 00323097  
Now or Formerly Lands of  
LOUIS B. CUVELIER and  
MARGARET CUVELIER  
BOOK 2797, PAGE 852



**PARKL  
PARCEL**  
AREA = 10,140

**HALIFAX REGIONAL MUNICIPALITY**  
**ADMINISTRATIVE ORDER NUMBER SC - 54**  
**RESPECTING CLOSURE OF**

**PID# 41050535, PARCEL TT-1, DANFORTH ROAD, HALIFAX**

**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:

- (i) PID# 41050535, Parcel TT-1, Danforth Road, 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 \_\_\_\_\_, 2008.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Municipal Clerk

I, Julia Horncastle, acting 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 \_\_\_\_\_, 2008.

\_\_\_\_\_  
Julia Horncastle, acting Municipal Clerk