

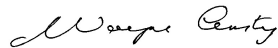
**Halifax Regional Council
March 24, 2009**

TO: Mayor Kelly and Members of Halifax Regional Council



SUBMITTED BY:

Dan English, Chief Administrative Officer



Wayne Anstey, Deputy Chief Administrative Officer - Operations

DATE: February 23, 2009

SUBJECT: Street Closure - Main Avenue, Halifax (Parcels M-1 & M-2)

ORIGIN

A solicited request from Development Services and Byblos Development Group Inc. (“Developer”) to develop the lands surrounding Main Avenue forming part of the Mount Royale Subdivision, Halifax.

RECOMMENDATION

It is recommended that Regional Council:

1. set a date for a public hearing for consideration of HRM Administrative Order SC-55 concerning the closure of a portion of the Main Avenue right-of-way;
2. direct staff to close the portions of the Main Avenue right-of-way, as shown on Attachment “B”, subject to the outcome of the public hearing.

BACKGROUND

Staff was contacted by the Developer when applying for approval of the Phase IV, Mount Royale Subdivision plan, for the lands surrounding Main Avenue, Halifax.

DISCUSSION

The development plan for Phase IV of the Mount Royale Subdivision affects three parcels of land as shown on the partial survey plan as Attachment "B". Each parcel has been color coded as follows: Parcel M-1 (yellow), Parcel M-2 (green), Parcel 6MR (pink).

Parcels M-1 (yellow) and M-2 (green) are part of the Main Avenue right-of-way, which have become redundant due to the realignment of Main Avenue. The realignment of Main Avenue was necessary to have a 90-degree intersection with Regency Park Drive.

With the developer's realignment of Main Avenue being complete, staff is requesting Parcel M-1 (yellow) and M-2 (green) be closed.

Staff has also requested the developer convey Parcel 6MR (pink) to HRM as part of the development process. Parcel 6MR (pink) and Parcel M-2 (green) will be consolidated with the developers abutting land to form Parkland. It should be noted that the developer has completed the conveyance of the 3,131.22 square foot Parcel to HRM.

In exchange for Parcel 6MR (pink), staff will convey Parcel M-1 (yellow) to the developer for consolidation with abutting development land to form Block MU10.

For the purpose of determining a value of the property to be closed, and whether the street closure would require a public hearing, staff has determined that the combined value of Parcel M-1 (yellow) and M-2 (green), is greater than \$50,000 based on recent land sales/values in the immediate area, therefore, staff is requesting Regional Council set a date for a public hearing.

Phase IV of the Mount Royal subdivision has previously been approved and development of the lands are nearly complete. This report, public hearing and the exchange of Parcel 6MR (pink) for Parcel M-1 (yellow) forms an internal housekeeping matter that has always been considered during the subdivision process. No funds will be exchanged as the parcel areas are close in size and any difference in size is offset by the fact that Parcel M-1 is encumbered by a water main easement and the benefit to the HRM Parkland parcel is increased road frontage.

Terms and Condition of Conveyances

Property Address	Parcel M-1, Main Avenue, Halifax	Parcel 6MR, Main Avenue, Halifax
Owner	HRM	Byblos Development Group Inc.
Area	4,042.93 square feet	3,131.22 square feet
Zoning	Schedule K - Development Agreement	Schedule K - Development Agreement
Conditions	<ul style="list-style-type: none">▶ At this time, Council is being asked to set a date for a public hearing for consideration of HRM Administrative Order SC-55 concerning the closure of a portion of the Main Avenue right of way (Parcel M-1 and Parcel M-2) as shown on Attachment “B”.▶ Subject to the public hearing, the closure will facilitate the ability of HRM staff to finalize the exchange of Parcel M-1 for Parcel 6MR, which the developer has already conveyed to HRM.	

BUDGET IMPLICATIONS

There are no budget implications with the 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” - Administrative Order # SC-55
Attachment “B” - Partial Survey Plan

Street Closure - Main Avenue, Halifax (Parcels M-1 & M-2)
Council Report

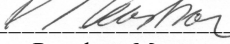
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Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Carla Thistle - Real Estate Officer, TPW, 490-5477
Report Reviewed by: Tom Crouse - Acquisition & Disposal Manager, TPW, 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, Transportation and Public Works, 490-4855

HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER NUMBER SC - 55
RESPECTING CLOSURE OF PORTIONS OF
Main Avenue (Parcels M-1 and M-2)

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) A portion of Main Avenue, Parcels M-1 & M-2, Halifax, Nova Scotia more particularly described in Attachment "B" is hereby closed.

I HEREBY CERTIFY THAT the foregoing Administrative Order was duly adopted by Halifax Regional Council, the ____ day of _____, 2009.

Mayor

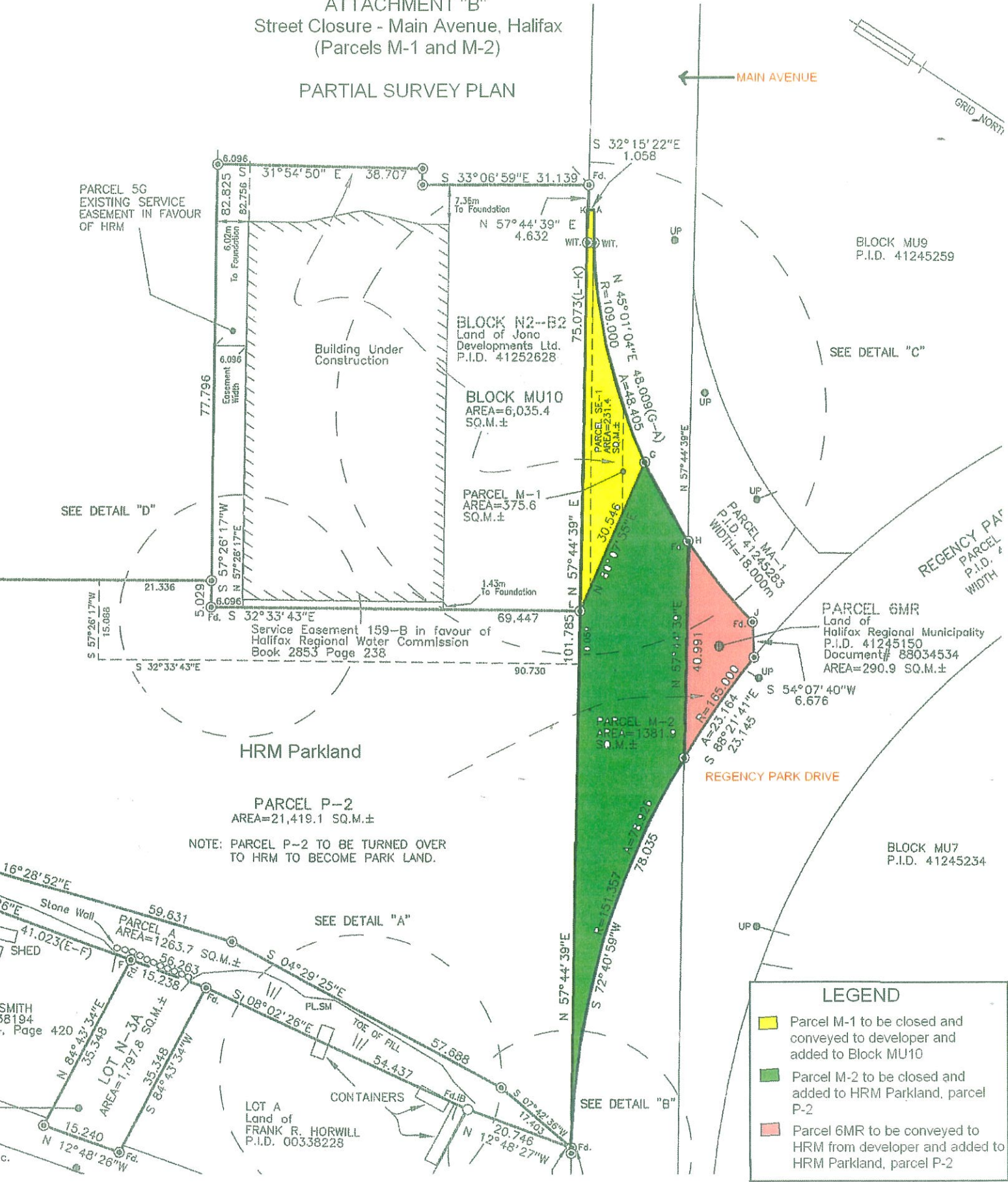
Municipal Clerk

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 _____, 2009.

Julia Horncastle, Acting Municipal Clerk

ATTACHMENT "B"
Street Closure - Main Avenue, Halifax
(Parcels M-1 and M-2)

PARTIAL SURVEY PLAN



LEGEND

- Parcel M-1 to be closed and conveyed to developer and added to Block MU10
- Parcel M-2 to be closed and added to HRM Parkland, parcel P-2
- Parcel 6MR to be conveyed to HRM from developer and added to HRM Parkland, parcel P-2

PARCEL P-2
 AREA=21,419.1 SQ.M.±

NOTE: PARCEL P-2 TO BE TURNED OVER TO HRM TO BECOME PARK LAND.

BLOCK MU9
 P.I.D. 41245259

REGENCY PARK DRIVE
 PARCEL P.I.D. #
 WIDTH

PARCEL 6MR
 Land of
 Halifax Regional Municipality
 P.I.D. 41245150
 Document# 88034534
 AREA=290.9 SQ.M.±

BLOCK MU7
 P.I.D. 41245234

BLOCK N2--B2
 Land of Jono
 Developments Ltd.
 P.I.D. 41252628

BLOCK MU10
 AREA=6,035.4
 SQ.M.±

PARCEL M-1
 AREA=375.6
 SQ.M.±

PARCEL M-2
 AREA=1381.0
 SQ.M.±

PARCEL 5G
 EXISTING SERVICE
 EASEMENT IN FAVOUR
 OF HRM

HRM Parkland

REGENCY PARK DRIVE

← MAIN AVENUE

GRID NORTH

SEE DETAIL "C"

SEE DETAIL "D"

SEE DETAIL "A"

SEE DETAIL "B"

LOT A
 Land of
 FRANK R. HORWILL
 P.I.D. 00338228

SMITH
 38194
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LOT N-3A
 AREA=1,797.8 SQ.M.±

PARCEL A
 AREA=1263.7 SQ.M.±

PARCEL SE-1
 AREA=231.4 SQ.M.±

PARCEL MA-1
 P.I.D. 41245283
 WIDTH=18.000m