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Item No. 1
Halifax Regional Council
March 15, 2011

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by Director

Phil Townsend, Director, Infrastructure and Asset Management

DATE: February 15, 2011

SUBJECT: Birches Drive at St. Margarets Bay Road

INFORMATION REPORT

ORIGIN

At the January 11, 2011 Regional Council meeting, Councillor Adams submitted a petition containing eight signatures requesting that the Halifax Regional Municipality take full ownership of Birches Drive, Halifax.

BACKGROUND

Birches Drive is deemed a non-accepted street that intersects with St. Margarets Bay Road. The petition submitted by the residents contains eight signatures and requests that the Halifax Regional Municipality take full ownership of Birches Drive, Halifax.

DISCUSSION

Birches Drive is categorized as a non-accepted street that intersects with St. Margarets Bay Road. It is a dead end street that is approximately 88 m long. Non-Accepted streets are "public", having been used and driven on by the public for many years. However, there appears to be no party claiming title to these roads even though some level of municipal funds have been expended over the years. These non-accepted roads have never been deeded to HRM and true title can be obscure.

The former City of Halifax (post 1969 amalgamation) discovered that within the Mainland South area, there were a significant number of streets that were being utilized as public streets; however, they had not been accepted as municipally owned. The former City therefore adopted a compromise whereby it agreed to provide minimal maintenance to maintain the road passable, and implemented a takeover policy which placed the responsibility of the total cost of upgrading to the abutters. Over time, these non-accepted streets received a level of service which included snow and solid waste removal, minor pavement maintenance (pothole filling), and minor capital improvements (chipseal).

HRM staff will be presenting a report to Regional Council which outlines the issues surrounding non-accepted streets, and until such time the current policy remains in effect. It is noted that many of these roads cannot be upgraded to meet the current standard. Birches Drive and other similar roads will continue to receive the same level of service they have received over the years, and HRM will continue not to own this street. Once a formal discussion has been held with Regional Council staff will report back on the recommended future policy regarding non-accepted streets.

BUDGET IMPLICATIONS

There are no budget implications at this time.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

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

COMMUNITY ENGAGEMENT

Not applicable.

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Peter Lynds, P.Eng., Design & Construction Services, 490-6898

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Report Approved by: _____
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