

Item No. 10.1.1
Halifax Regional Council
April 5, 2011

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by 
Mike Labrecque, Deputy Chief Administrative Officer

DATE: January 20, 2011

SUBJECT: Street Closure – Portion of Purcell's Cove Road Right-of-Way, Purcell's Cove

ORIGIN

This report originates with a request from the property owner of 556 – 558 Purcell's Cove Road to acquire a portion of the Purcell's Cove Road right-of-way in front of their properties.

RECOMMENDATION

It is recommended that Halifax Regional Council close the portions of the Purcell's Cove Road right-of-way, as per HRM Administrative Order SC-64, as shown on Attachment "B".

BACKGROUND

The property owners of 556 Purcell’s Cove Road have owned the house for several years, and it has been in their family for many years. The house is approximately 70-80 years old. They recently purchased the abutting property, 558 Purcell’s Cove Road, which is approximately 100 years old. Both civic numbers 556 and 558 encroach onto the street line of Purcell’s Cove Road. The actual travelled way of Purcell’s Cove Road has been altered over the years; however, the street lines have not been altered to reflect the realignment of the road way.

DISCUSSION

The owners of 556 & 558 have obtained a development permit to construct a new house, and the original house on 558 Purcell’s Cove Road has been removed. The owners have requested a portion of the road right-of-way for the following reasons:

- the lands will permit additional landscaping for the small lot;
- the lands will be used for parking;
- the lands will assist with the lot size requirements and installation of the new onsite septic system and well; and
- the lands will add a landscaping buffer between their new house and the busy Purcell’s Cove Road.

Initially the owners were requesting that a significant portion of the right-of-way in front of their properties be closed. Staff reviewed the request and agreed that a portion of the right-of-way could be closed, however not all the area requested by the owners. Purcell’s Cove Road is classified as a major collector, and therefore requires a right-of-way width of 25 metres.

Property Details

Property Address	556 Purcell’s Cove Road	558 Purcell’s Cove Road
Owner	HRM	HRM
Area	646 sq. ft. +/-	826 sq. ft. +/-
Conditions	• At this time Council is being asked to formally close the portion of Purcell’s Cove Road right-of-way as shown on Attachment “B”. • The closure will facilitate the conveyance of the portions, which was subject to a previously approved report.	

BUDGET IMPLICATIONS

There are no direct budget implications associated with the recommendation above.

The closure will facilitate the market conveyance of the portion of street right-of-way, which was the subject of a previous approved report under the delegated authority of Council under the Real Estate & Facility Services Transaction Policy approved by Council on October 8, 2002.

The market value of the parcels being closed is \$26,893.44.

The subsequent market sale will increase the contributions to Q101, Sale of Land Reserve.

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

As per the October 2004 amendment to the Municipal Government Act, 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 open
 - (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, and
 - (ii) is worth less than fifty thousand dollars.

The recommended street closure meets all the above criteria and a public hearing is not required.

ALTERNATIVES

None.

ATTACHMENTS

Attachment “A” – Administrative Order #SC-64
Attachment “B” - Plan

Street Closure – Portion of Purcell's Cove Road
Right-of-Way
Council Report

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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: Tom Crouse, Acquisition & Disposal Manager, Real Estate, T&PW, 490-5931

Report Approved by: _____
Peter Stickings, Manager, Real Estate & Facility Services, T&PW, 490-7129

Taso Koutroulakis, Acting Manager, Traffic & Right of Way, 490-4816

Financial Approval by: _____
Cathie O'Toole, CGA, Director of Finance, 490-6308

Report Approved by: _____
Ken Reashor, Director / Traffic Authority, T&PW, 490-4855

Attachment "A"
Street Closure - Portion of Purcell's Cove Road, Purcell's Cove.
Administrative Order No. SC-64

HALIFAX REGIONAL MUNICIPALITY

ADMINISTRATIVE ORDER NUMBER No. SC-64

RESPECTING CLOSURE OF A PORTION OF

PURCELL'S COVE ROAD, PURCELL'S COVE

BE IT RESOLVED AS AN ADMINISTRATIVE ORDER of Council of the Halifax Regional Municipality pursuant to Section 325 of the Halifax Regional Municipality Charter as follows:

- (vii) A portion of Purcell's Cove Road, Purcell's Cove, 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 _____, 2011.

Mayor

Municipal Clerk

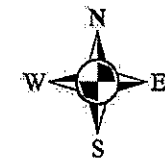
I, Cathy Mellett, Municipal Clerk of Halifax Regional Municipality, hereby certify that the above-noted Administrative Order was passed at a meeting of Halifax Regional Council held on _____, 2011.

Cathy Mellett, Municipal Clerk

ATTACHMENT 'B'

STREET CLOSURE
Portion of
Purcell's Cove Rd
Purcell's Cove

SITE PLAN



This map was produced for the internal use of Halifax Regional Municipality (HRM). HRM takes no responsibility for errors or omissions. Date of map is not indicative of the date of data creation.

Date: March 14, 2011
Prepared by: E. Wall

