



Item No. 11.1.11
Halifax Regional Council
August 14, 2012

TO: Mayor Kelly and Members of Halifax Regional Council

Original signed by 

SUBMITTED BY: _____

Richard Butts, Chief Administrative Officer

Original signed by 

Brad Anguish, Acting Deputy Chief Administrative Officer

DATE: July 12, 2012

SUBJECT: **Street Closure – Portion of Victoria Road Right-of-Way, Dartmouth**

ORIGIN

An unsolicited request from Maxwell Ernst expressing an interest in acquiring a portion of Victoria Road, more particularly described as a portion of PID No. 40937799 to be used as a driveway.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Approve the closure of a portion of the Victoria Road right-of-way, as shown on Attachment "B", to facilitate the market disposal of the property to Maxwell Ernst.

BACKGROUND

Approval Authority:

As per section 325 of the HRM Charter, Council may, by policy, permanently close any street or part of a street. The portion of the street, that is being closed, is valued less than fifty thousand dollars (\$50,000), therefore, no public hearing is required.

The subject property is located on the corner of Victoria Road and Courtney Road. Victoria Road is a main corridor for Dartmouth and Courtney Road is a residential street.

HRM was approached by the adjacent owner to sell a portion of the lands. The property was processed through the internal real property review and there was no municipal need determined for the site. HRM staff is recommending the surplus and closure of a portion of the underutilised right of way.

DISCUSSION

The closure of the subject parcel will facilitate the sale of lands which will be the subject of an approval report under the delegated approval authority of the Director of Planning & Infrastructure, as per the terms and conditions detailed within the private and confidential information report dated July 12, 2012.

As per the zoning, within the Dartmouth Land Use By-Law, the additional land will not increase development potential for the adjacent owner’s property. The land will solely provide additional space for a driveway for the existing single family home, unless the owner was to pursue a development agreement for the parcel.

KEY BUSINESS TERMS AND CONDITIONS OF TRANSACTION	
Property Address	Portion of PID #40937799, Victoria Road, Dartmouth
Zoning	R2 – Two Family Residential Zone
Vendor	Halifax Regional Municipality
Purchaser	Maxwell Ernst
Area to be Closed	Approximately 3,336 sq. ft. (Subject to survey)
Conditions	At this time, council is being asked to formally close a portion of the Victoria Road right-of-way shown on attachment “B”.

PROPERTY VALUE

See the Confidential Information Report dated July 12, 2012.

BUDGET IMPLICATIONS

See the Confidential Information Report dated July 12, 2012

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

There is no community engagement required with the recommendation above. As per section 325 (2) of the HRM Charter, the portion of the street that is being closed is valued less than fifty thousand dollars (\$50,000), therefore, no public hearing is required.

ENVIRONMENTAL IMPLICATIONS

There are no environment implications associated with the recommendation above.

ALTERNATIVES

None.

ATTACHMENTS

Attachment "A" – Administrative Order # SC-71

Attachment "B" – Plan

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: Nathan Hines - Real Estate Officer, Real Estate, Planning & Infrastructure 490-5477

Report Approved by: _____
Tom Crouse, Manager of Acquisition and Disposal, Real Estate, P&I 490-7129

Financial Approval by: _____
Greg Keefe, Director of Finance & Information Communication & Technology/CFO, 490-6308

Report Approved by: _____
Peter Stickings, Acting Director, Planning & Infrastructure 490-7129

Original Signed

Attachment "A"
Street Closure - Portion of Victoria Road, Dartmouth.
Administrative Order No. SC-71

HALIFAX REGIONAL MUNICIPALITY

ADMINISTRATIVE ORDER NUMBER No. SC-71

RESPECTING CLOSURE OF A PORTION OF

VICTORIA ROAD, DARTMOUTH

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 Victoria Road, Dartmouth, 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 _____, 2012.

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 _____, 2012.

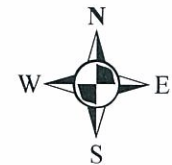
Cathy Mellett, Municipal Clerk

ATTACHMENT 'B'

STREET CLOSURE

Victoria Road
Dartmouth, N.S.

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: July 16, 2012
Prepared by: E. Wall

