

Item No. 9.1

Halifax Regional Council

August 7, 2012

September 25, 2012

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: Original signed by 
Richard Butts, Chief Administrative Officer

Original Signed by 
Mike Labreeque, Deputy Chief Administrative Officer

DATE: July 12, 2012

SUBJECT: **Street Closure – Portion of Bright Place Right-of-Way, Halifax**

ORIGIN

An unsolicited request from an adjacent owner expressing an interest in acquiring a portion of Bright Place, more particularly described as a portion of PID Numbers 40926107 and 40708901 to be used for development, in conjunction with his adjacent lots.

RECOMMENDATION

It is recommended that Regional Council:

1. Approve the closure of a portion of the Bright Place right-of-way, as shown on Attachment “B”, subject to the conclusion of the Public Hearing, to facilitate the market disposal of a portion of the property to Amani Developments Ltd. or assignee; and
2. Set a date for a Public Hearing for consideration of HRM Administrative Order No. SC-68 concerning the closure of a portion of the Bright Place right-of-way, Halifax, (Attachment “A”).

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 more than fifty thousand dollars (\$50,000), therefore, a public hearing is required.

Staff was contacted by the Developer who was interested in acquiring a portion of the Bright Place right of way (Portion of PID 40926107 and 40708901) to allow for a consolidation of his adjacent lots and a rezoning of the properties to allow for a new multi-family residential building.

The property was processed through the internal real property review and there was no municipal need determined for the site except for the portion that will be retained for the pedestrian walkway. HRM staff is recommending the surplus and closure of a portion of the underutilised right of way.

DISCUSSION

Bright Place is located between Normandy Drive and Lady Hammond Road in the north end of Halifax. The right of way is accessed by vehicles off of Lady Hammond Road but only connects, via a walkway to Normandy Drive.

As a condition of the transaction, HRM will retain a portion of the right of way for pedestrian access. To continue the walkway connection, the developer will also construct a formalized walkway over the property.

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 CAO, as per the terms and conditions detailed within the private and confidential information report dated July 12, 2012.

KEY BUSINESS TERMS AND CONDITIONS OF TRANSACTION	
Property Address	Portion of PID #40926107 & 40708901, Bright Place, Halifax
Zoning	R2 – General Residential Zone
Vendor	Halifax Regional Municipality
Purchaser	Amani Developments Ltd. or assignee
Area to be Closed	Approximately 5,886 sq. ft. (Subject to survey)
Conditions	At this time, council is being asked to formally close a portion of the Bright Place 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

A public hearing will be required for the recommended street closure, as per section 325 of the Halifax Regional Charter.

ENVIRONMENTAL IMPLICATIONS

There are no environment implications associated with the recommendation above.

ALTERNATIVES

None

ATTACHMENTS

Attachment "A" – Administrative Order # SC-68

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 Communications & Technology/CFO, 490-6308

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

Original Signed

Attachment "A"
Street Closure - Portion of Bright Place, Halifax.
Administrative Order No. SC-68

HALIFAX REGIONAL MUNICIPALITY

ADMINISTRATIVE ORDER NUMBER No. SC-68

RESPECTING CLOSURE OF A PORTION OF

BRIGHT PLACE, HALIFAX

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 Bright Place, 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 _____, 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.

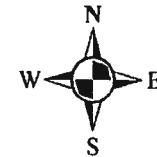
Cathy Mellett, Municipal Clerk

ATTACHMENT 'B'

STREET CLOSURE

Portion of Bright Place
Right Of Way
Halifax, 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

