


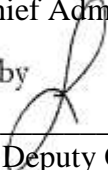
**Item No. 10.1.3**  
**Halifax Regional Council**  
**March 5, 2013**

**TO:** Mayor Savage and Members of Halifax Regional Council

Original signed by 

**SUBMITTED BY:**

Richard Butts, Chief Administrative Officer

Original Signed by 

Mike Labrecque, Deputy Chief Administrative Officer

**DATE:** February 1, 2013

**SUBJECT:** Street Closure & Disposal – Portion of Lancaster Drive, Herring Cove

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**ORIGIN**

An unsolicited request from an adjacent land owner expressing an interest in acquiring a portion of Lancaster Drive (PID No. 40077356), to be consolidated with the owners' adjacent lot.

**LEGISLATIVE AUTHORITY**

The recommended action complies with the Charter, Sections 64 (sale of undersized lands) and 325 (1) (street closure).

**RECOMMENDATION**

It is recommended that Halifax Regional Council:

1. Declare a portion of PID# 40077356, Lancaster Drive, surplus and authorize the closure of a portion of the Lancaster Drive right-of-way, as shown on Attachment "B", subject to the conclusion of the Public Hearing to facilitate the disposal;
2. Authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale for the disposal of a portion of PID# 40077356, as per the key terms and conditions outlined in the Confidential Information Report dated February 1, 2013; and
3. Set a date for a Public Hearing for consideration of HRM Administrative Order No. SC-73, concerning the closure of a portion of the Lancaster Drive right-of-way, Herring Cove (Attachment "A").

**BACKGROUND**

Staff was contacted by the adjacent land owner who is interested in acquiring a portion of the Lancaster Drive right-of-way (Portion of PID No. 40077356), to allow for a consolidation with the owner’s lot to allow for a subdivision and creation of three residential building lots.

The property was reviewed by Traffic and Right-of-Way staff and there was no municipal requirement identified. Staff is recommending the underutilised right-of-way be declared surplus to HRM’s requirements.

**DISCUSSION**

The existing Right-of-way is off of Lancaster Drive and acts as an access point for the adjacent owners’ lands.

During the creation of Churchill Estates, and with the development of Lancaster Drive, this portion of right-of-way was created as a road reserve. Staff is recommending the closure of the right-of-way to permit access and development of the adjacent owner’s lands, as per the terms and conditions detailed within the Confidential Information Report dated February 1, 2013.

<b>General Property Information – Portion of Lancaster Drive Right-of-Way</b>	
<b>Property Address</b>	Portion of Lancaster Drive, Herring Cove
<b>PID</b>	40077356
<b>Zoning</b>	R2 – General Residential Zone
<b>Vendor</b>	Halifax Regional Municipality
<b>Purchaser</b>	Crystal Gray
<b>Area to be Closed</b>	Approximately 6,827 sq. ft. (Subject to final survey)
<b>Market Value</b>	\$1.00 per sq. ft.
<b>Purchase Price</b>	\$6,827. + HST

**FINANCIAL IMPLICATIONS**

See the Confidential Information Report dated February 1, 2012.

**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 recommendations listed above.

**ALTERNATIVES**

1. Council could choose not to approve the street closure and grant the owner an encroachment license for driveway access.
2. Council could choose not to approve the street closure and retain the right-of-way without granting an encroachment license.

The alternatives are not recommended as this section of the right-of-way has been deemed surplus by HRM and, since the lot cannot be developed as a standalone lot, the property will not benefit anyone other than the adjacent owner.

**ATTACHMENTS**

Attachment “A” – Administrative Order # SC-73

Attachment “B” – Plan

Attachment “C” – Subdivision Plan

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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: Nathan Hines, Senior Real Estate Officer, Real Estate & Land Management, P&I 490-5477

Report Approved by: \_\_\_\_\_  
Tom Crouse, Acquisition & Disposal Manager, RE&LM, P&I 490-5931

Report Approved by: \_\_\_\_\_  
Peter Stickings, Manager, Real Estate & Land Management, P&I 490-7129

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

Report Approved by: \_\_\_\_\_  
Jane Fraser, Director, Planning & Infrastructure 490-7166

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**Attachment "A"**  
**Street Closure - Portion of Lancaster Drive, Herring Cove.**  
**Administrative Order No. SC-73**

**HALIFAX REGIONAL MUNICIPALITY**

**ADMINISTRATIVE ORDER NUMBER No. SC-73**

**RESPECTING CLOSURE OF A PORTION OF**

**LANCASTER DRIVE, HERRING 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 Lancaster Drive, Herring 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 \_\_\_\_\_, 2013.

\_\_\_\_\_  
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 \_\_\_\_\_, 2013.

\_\_\_\_\_  
Cathy Mellett, Municipal Clerk



**ATTACHMENT 'B'**

Portion of Lancaster Dr.,  
Herring Cove, NS

**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: January 25, 2013  
Prepared by: E. Wall

PID # #40077356  
Road Reserve  
Approximately 6827 sq. ft.





**ATTACHMENT "C"**  
**Street Closure & Disposal**  
**Portion of Lancaster Drive Right-of-Way, Herring Cove**  
**SUBDIVISION PLAN**

