

HALIFAX

P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 11.1.14
Halifax Regional Council
May 26, 2015

TO: Mayor Savage and Members of Halifax Regional Council

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

Original Signed by
Mike Labrecque, Deputy Chief Administrative Officer

DATE: April 24, 2015

SUBJECT: Declaration of Surplus Property Lot AA-5 & Lot AA-8 – Lyle Street, Dartmouth,
Administrative Order No. 50

ORIGIN

This report originates with a request from the Halifax Harbour Bridges, a Commission of the Province of Nova Scotia, to purchase Lot AA-5 and Lot AA-8, Lyle Street, Dartmouth, as an essential part of "The Big Lift" Macdonald Bridge Re-Decking Project. This property is being dealt with outside of the normal AO50 reporting given the time sensitivity of the project.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, Chapter 39, Section 61(5) The Municipality may (b) sell property at market value when the property is no longer required for the purposes of the Municipality.

Administrative Order Number 50 Respecting the Disposal of Surplus Real Property.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Declare HRM properties PID No. 41407164 and PID No. 41407172, Lyle Street, Dartmouth, shown as Lot AA-5 and Lot AA-8 respectively in Attachment "A" – Site Plan, surplus to municipal requirements; and
2. Categorize both Lot AA-5 and Lot AA-8, in Dartmouth, as 'Intergovernmental Transfer', as per Administrative Order 50.

BACKGROUND

Lot AA-5 and Lot AA-8, hereinafter called the subject properties, are located to the northwest side of the Macdonald Bridge Toll Plaza (See Attachment "A" – Site Plan). They were originally part of the road right-of-way for Lyle Street, extending from Dickson Street up to Wyse Road. At its July 10, 1967, public hearing meeting, Dartmouth City Council gave the required notice of its intention to close the portion of Lyle Street between Dickson Street and Wyse Road to public use (See Attachment "B"). Resolution No. 35 was moved and approved, officially closing this portion of Lyle Street. However, the parcels remained in the ownership of the City of Dartmouth.

Halifax Harbor Bridges (HHB) has advised that it wishes to acquire the subject properties for the Macdonald Bridge re-decking project. It is the intention of the HHB's re-decking contractor, American Bridge Canada (ABCC), to transport assembled sections of bridge decking up Lyle Street and lift over the cement wall abutting Lot AA-5, onto the bridge approach lanes.

The purpose of this report is to declare the subject properties surplus and categorize under Administrative Order 50 to enable timely disposal to HHB in support of the Macdonald Bridge re-decking project.

DISCUSSION

The subject property was reviewed by municipal staff and is surplus to municipal requirements. To enable the future conveyance of the properties to the HHB, staff is recommending the subject properties be formally declared *surplus* and categorized as '*Intergovernmental Transfer*'. *Properties categorized as Intergovernmental Transfer under Administrative Order 50 may be conveyed to another level of government provide they are used for public purpose and are sold at market value.*

Following Council's approval of the recommendation to declare the subject properties surplus an appraisal will be completed and the recommended terms and conditions of sale and early possession, if required for project commencement, will be the subject of a separate approval report on the matter.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report at this time. The market value and recommended terms and conditions of sale of the subject properties will be the subject of a separate approval report.

COMMUNITY ENGAGEMENT

As per Administrative Order 50, the area Councillor was advised of the recommendation to *surplus* the subject property with the Intergovernmental Transfer categorization. As the subject parcels were officially closed as street through a public hearing process in 1967, no municipal community consultation is planned. HHB community consultations remain ongoing specific to the overall project.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

ALTERNATIVES

Halifax Regional Council could instruct staff to **not** declare the subject properties as surplus under Administrative Order Number 50, and to retain ownership for alternative municipal purposes, to be determined at a later date. This is not recommended.

ATTACHMENTS

Attachment "A" - Site Plan A
Attachment "B" - Resolution No. 35

If the report is released to the public, a copy can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Chad Renouf, Real Estate Officer, Corporate Real Estate, Operations Support 490-6798
Report Reviewed by: Tom Crouse, Acquisitions & Disposals Manager, Corporate Real Estate, O.S. 490-5931

Report Approved by: _____
Peter Stickings, Manager, Corporate Real Estate, Operations Support 490-7129

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

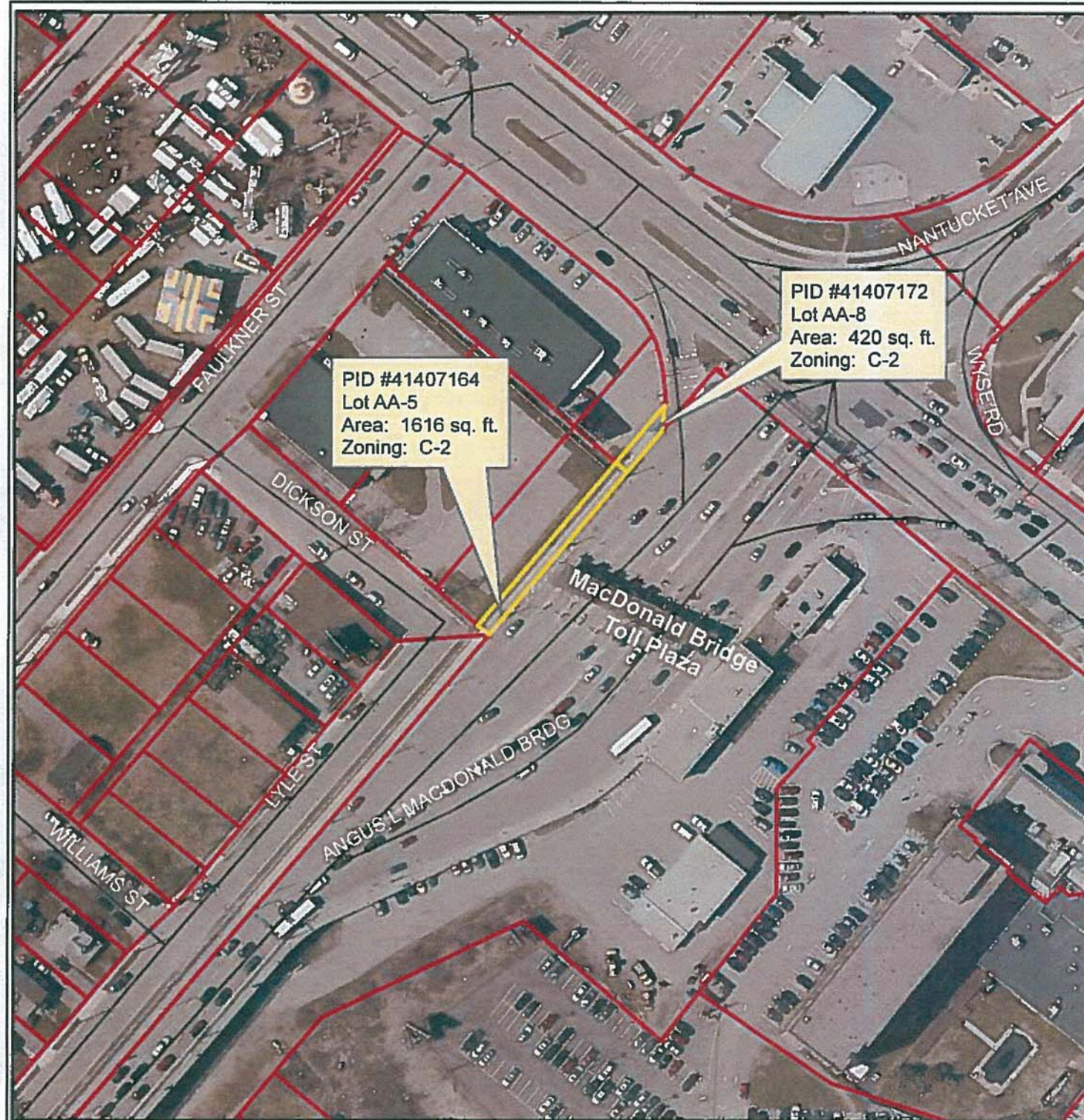
Report Approved by: _____
Jane Fraser, Director, Operations Support 490-7166

Original Signed

ATTACHMENT 'A'

SITE PLAN

Lyle Street
Lots AA-5 & AA-8
Dartmouth, NS



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 12, 2015
Prepared by: E. Wall

19167

629

2193/629
STREET CLOSURE

July 10, 1967

LYLE STREET
2 55.5 x 275
WEST of
Wyse Rd.

NO. 35

WHEREAS Dartmouth City Council has given public notice of its intention to close that part of Lyle Street in the City of Dartmouth more particularly described in Schedule "A" hereto annexed and has inserted an advertisement of its intention in the Dartmouth Free Press once a week for two consecutive weeks;

AND WHEREAS at the time and place set out in the advertisement in the Dartmouth Free Press Council has met and heard all persons desiring to be heard in respect of the proposed closing of Lyle Street;

BE IT THEREFORE RESOLVED that the portion of the street known as Lyle Street in the City of Dartmouth more particularly described in Schedule "A" hereto annexed is hereby closed to public use.

I, C. A. Moir, Clerk-Administrator of the City of Dartmouth, Nova Scotia, do hereby certify that the foregoing is a true copy of Resolution passed by Dartmouth City Council at its meeting regularly called and held on Monday, the 10th day of July, A.D., 1967.

APPROVED: *[Signature]*
July 10, 1967

Original Signed

Clerk-Administrator

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SCHEDULE "A"

ALL that certain lot, piece or parcel of land situate, lying and being a portion of Lyle Street in the City of Dartmouth, N.S., and being that portion of Lyle Street lying between Wyse Rd. and Dickson Street and being shown outlined in the color red on a Plan prepared by the Engineering Dept. of the City of Dartmouth and dated June 28, 1967; and said portion of Lyle Street being more particularly described as follows;

BEGINNING at a point on the western street line of Wyse Road; and said point being the intersection formed by the said western street line of Wyse Road with the northern street line of Lyle Street as shown on said plan;

THENCE running south - westerly, along the said northern street line of Lyle Street a distance of two hundred seventy-five (275) feet more or less to the eastern line of Dickson Street;

THENCE running south-easterly, along the prolongation south-easterly of the said eastern street line of Dickson Street, a distance of fifty-five point five (55.5) feet more or less to the southern street line of Lyle Street;

THENCE running north-easterly, along the said southern street line of Lyle Street, a distance of two hundred seventy-six point four-six (276.46) feet more or less to the western street line of Wyse Road;

THENCE running north-westerly, along the said western street line of Wyse Road, a distance of fifty-five point five (55.5) feet more or less to the place of beginning.

Province of Nova Scotia
County of Halifax

I hereby certify that the within instrument was recorded in the Registry of Deeds Office at Halifax, in the County of Halifax, N. S. at 1:15 o'clock P. M., of the 16 day of Aug. A. D. 1967 In Book Number 2173 at Pages 629-630.

Registrar of Deeds for the Registration District of the County of Halifax

Original Signed