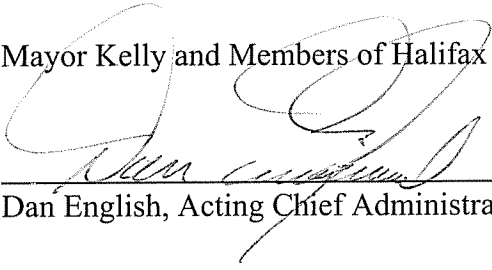

Halifax Regional Council
February 12, 2002

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: 
Dan English, Acting Chief Administrative Officer

DATE: January 21, 2002

SUBJECT: **Street Closure and Land Exchange - HRM/Nova Scotia Power Corporation**

ORIGIN

This report originates from a capital project undertaken by the former City of Halifax in 1995 for improvements to Lower Water Street in the area of Morris to Terminal Road.

RECOMMENDATION

It is recommended that:

1. Halifax Regional Council authorize staff to set a date for a public hearing for consideration of HRM Administrative Order 27 concerning the closure of Parcel "A", a portion of Lower Water Street, identified on Attachment "A", based on a land exchange with Nova Scotia Power Corporation approved by the former City of Halifax on July 19, 1995, as detailed in this report;
2. A Public Hearing be set for March 19th, 2002;
3. This report be released to the public.

BACKGROUND

In July 1995 the former City of Halifax approved a number of recommendations, including an award of tender to Ocean Contractors allowing for the installation of new paving, concrete curb & gutter and sidewalks on both sides of Lower Water Street from Morris to Terminal Road.

The project involved a realignment of the street line between Morris and Terminal Road necessitating a closure and shifting of the street line ten feet (10') westwardly within that block. Nova Scotia Power agreed to an even exchange of lands with the former City whereby the Company would acquire Parcel "A" along the eastern boundary (2698.1 sq. ft.) and Parcel "B", a formerly closed portion of Fawson Street (707.3 sq. ft.) in exchange for the City acquiring Parcel "C" (3405.4 sq. ft.) see Attachment A.

Under the terms of the land exchange with the Power Corporation previously approved by the City of Halifax the City was to arrange for a public hearing to approve the closure of Parcel "A" prior to conveying this parcel. While the file is incomplete, it appears that this process would have delayed the capital construction project and staff at the time sought and obtained permission from the Power Corporation to proceed with the work on its property subject to the closure taking place at a later date. The work was undertaken at the time but the public hearing to close Parcel "A" was never held nor the exchange concluded.

DISCUSSION

As previously noted, the land transaction required to complete the street improvements was an even exchange of land with no monies involved. The closure of Parcel "A" at this time represents a housekeeping measure only enabling HRM to complete the conveyance and to resolve the issue of local improvement charges attaching to the property transferred to the HRM.

BUDGET IMPLICATIONS

Funding for this project was completed in 1997. HRM will absorb the local improvement charges as an error in billing.

MULTI-YEAR FINANCIAL IMPLICATIONS

There will be no long term financial impact from this action.

ALTERNATIVES

There are no recommended alternatives.

ATTACHMENTS

Attachment "A" - Site Plan

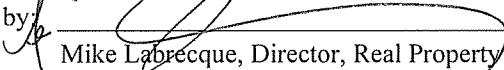
Attachment "B" - Administrative Order Number SC -27

Attachment "C" - Site Photography

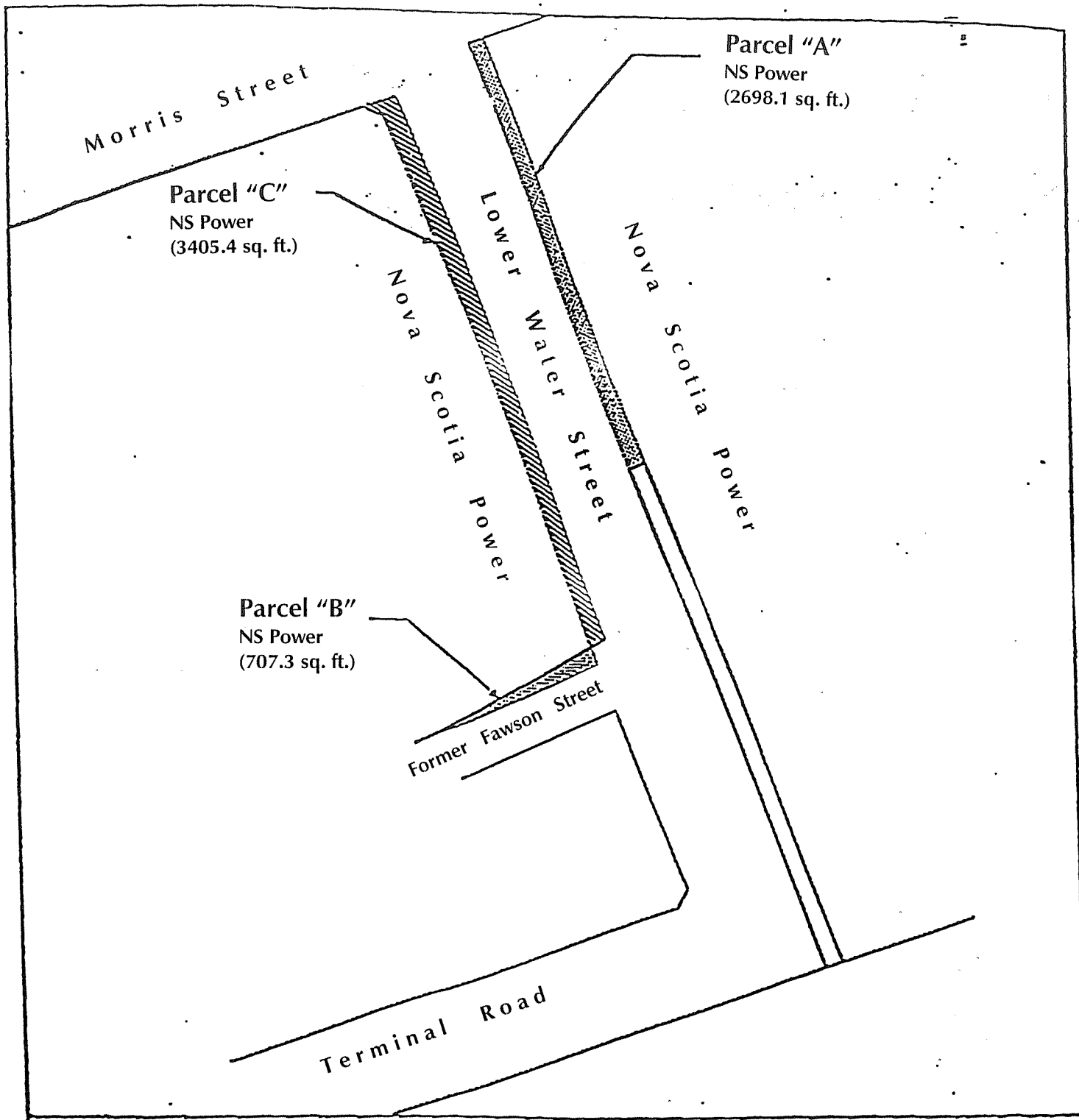
Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Michael P. Woods, Senior Real Estate Officer, Real Property Services 490-5925

Report Reviewed by: Peter Stickings, Manager, Real Estate, Real Property Services 490-7129

Report Approved by: 
Mike Labrecque, Director, Real Property Services 490-4851

Attachment 'A'



Proposed Land Exchange, Lower Water Street

Parcels "A" and "B" to be conveyed to the Nova Scotia Power subject to the prior closure of Parcel "A" before conveying this parcel.

Parcel "B" was formerly closed.

Parcel "C" to be conveyed to the City of Halifax.



N.T.S.

I:2

"B"

HALIFAX REGIONAL MUNICIPALITY

ADMINISTRATIVE ORDER NUMBER SC-27

**RESPECTING CLOSURE OF
A PORTION OF LOWER WATER STREET**

BE IT RESOLVED AS AN ADMINISTRATIVE ORDER of Council of the Halifax Regional Municipality pursuant to Section 315 of the Municipal Government Act as follows:

1. The "subject lands", a portion of Lower Water Street, Parcel A, more particularly described in Attachment "A" is hereby enclosed.

I HEREBY CERTIFY THAT the foregoing Administrative Order was duly adopted by Halifax Regional Council the ___ day of ____, 2002.

MAYOR

MUNICIPAL CLERK

I, Vi Carmichael, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above-noted Administrative Order was passed at a meeting of Halifax Regional Council held on ____, 2001.

Vi Carmichael, Municipal Clerk

ATTACHMENT "C"
Site Plan - Lower Water Street



East side of Lower Water Street looking north



West side of Lower Water Street looking north