
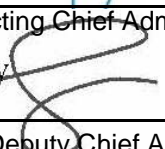




P.O. Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**Item No. 14.1.4**  
**Halifax Regional Council**  
**April 5, 2016**

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

**SUBMITTED BY:** Original Signed by   
\_\_\_\_\_  
John Traves, Q.C. Acting Chief Administrative Officer  
Original Signed by   
\_\_\_\_\_  
Jane Fraser, Acting Deputy Chief Administrative Officer

**DATE:** February 19, 2016

**SUBJECT:** **Property Acquisition – Citadel High Roundabout Right-of-Way Requirements, HRM & NSTIR**

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**ORIGIN**

Regional Council's June 24, 2014, motion to approve the increased project funding award for unit price tender No. 14-207, North Park Street upgrades.

This report originates with a request from the Halifax Regional Municipality (henceforth HRM) Transportation & Public Works to facilitate the acquisition of land located at Citadel High for right-of-way purposes as it relates to the North Park Street upgrades.

**LEGISLATIVE AUTHORITY**

HRM Charter, Section 61 (5) (a): The Municipality may acquire property, including property outside the Municipality, that the Municipality requires for its purposes or for the use of the public.

HRM Regional Municipality Charter, Section 318 (3): No road, or allowance for a road, becomes a street until Regional Council formally accepts the road or allowance, or the road or allowance is vested in the Municipality according to law.

As per the 2002 Corporate Real Estate Transaction Policy, the subject purchase price exceeds the CAO delegated authority and requires the approval of Regional Council.

**RECOMMENDATION**

It is recommended that Halifax Regional Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale with Nova Scotia Transportation and Infrastructure Renewal (NSTIR), for a portion of vacant land located at 1855 & 1955 Trollope Street, PID 136309, in Halifax, as per the terms and conditions outlined in this report and Table 1 in the Confidential Information Report dated February 19, 2016.

## **BACKGROUND**

The subject of this report is the intersection at North Park Street/Cogswell Street/Rainnie Drive/Trollope Street/Ahern Avenue which required upgrading and major capital investment (see Attachment A). The intersection did not meet national transportation standards and suffered from aging infrastructure, problematic traffic flow, frequent collisions, and poor connectivity. The existing traffic signals at North Park Street and Cogswell Street have been removed and replaced with a roundabout (see Attachment B).

As part of HRM's preliminary review, several joint projects were identified and include the following: Halifax Regional Water Commission infrastructure repairs; North Park Street upgrades; new LED lights implementation; undergrounding the existing overhead power and telecom lines; upgraded pedestrian and cycling facilities; and high quality public spaces.

At the Cogswell Street intersection, detailed designs showed that the existing six leg intersection could be converted into an effective four leg roundabout. This is done by moving Ahern Avenue closer to Trollope Street and disconnecting Rainnie Drive from the intersection. The design has shown that Rainnie Drive is not required to carry vehicular traffic. This is consistent with other downtown traffic studies. Decision making in the roundabout will then be much easier for drivers, cyclists and pedestrians.

By realigning Ahern Avenue, a property acquisition is required from the provincially-owned Citadel High School property for right-of-way purposes. A Restricted Early Access Agreement was negotiated and executed with NSTIR in May 2014 to provide HRM with early access to the Citadel High property to construct the roundabout.

As per the 2002 Corporate Real Estate Transaction Policy, the subject purchase price exceeds the CAO delegated authority and requires the approval of Regional Council.

## **DISCUSSION**

The total land area required from the Citadel High School site by HRM Transportation and Public Works to facilitate the construction of the roundabout is 6,154 square feet. The area and configuration of the subject property is shown as Parcel A on the final plan of survey shown in Attachment 'C', which outlines the acquisition from the provincially-owned parcel of land. Prior to commencement of construction, the land was characterized as vacant and unimproved land, surfaced with grass and gently sloped from Ahern Avenue to Trollope Street.

NSTIR and HRM staff has agreed to a property transaction for the 6,154 square foot parcel of land at market value. Upon completion of the conveyance, the parcel will be accepted as formal right-of-way for street purposes through subdivision approval.

The general property information for the parent parcel and the portion to be acquired is shown in Table 1:

**Table 1: General Property Information**

Property Description	Vacant land at Citadel High School
Property Address*	1855 & 1955 Trollope Street, Halifax
PID	136309 (portion of)
Land Owner	Nova Scotia Transportation and Infrastructure Renewal
Required Right-of-Way Area*	6,154 sq.ft. (571.8 sq.m) +/-

Property Zoning	P Zone (Park and Institutional Zone) – Halifax Peninsula Land Use By-law
Purchase Price	See Private & Confidential Report Dated February 19, 2016

*\*Subject to change based final plan of survey*

### **FINANCIAL IMPLICATIONS**

The financial implications associated with the recommendations made within this report include the purchase price for the land at the appraised market value. Payment shall be made out of the approved Capital Account Number CT000001 – North Park Corridor Improvements Project. Net HST applies to this transaction. Increased future operating maintenance costs associated with this purchase are expected to be minimal.

Applicable vendor adjustments to the Purchase Price include, but are not limited to, appraisal, survey, easements, environmental impacts, grading deficiencies, wetland management, vendor’s legal, marketing and administrative costs. Vendor adjustments or deficiency allowances, if required, shall be to a maximum of 15 percent of the purchase price.

### **Market Value Definition**

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of the specific date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised, and acting in what they consider their best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in Canadian Dollars or in financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

*(Appraisal Institute of Canada. Canadian Uniform Standards of Professional Appraisal Practice)*

### **COMMUNITY ENGAGEMENT**

The recommendations that are the subject of this report do not require a community engagement. Community engagement on the North Park Street Improvements overall project has already taken place.

### **ENVIRONMENTAL IMPLICATIONS**

Not unlike much of the land located on the Halifax Peninsula, sub-surface pyritic slate was anticipated/expected to be present on the subject property. The volume of pyritic slate is considered to be minimal and below the levels set by Environment Canada for a full remediation process.

Excavations in the area had the potential for contamination due to the historical uses of the area. Actual construction encountered contamination of the ground at the “tier 1 level” this is considered to be the base line for ground in the urban setting of the Halifax Peninsula, and no special remediation or treatment was required.

**ALTERNATIVES**

Regional Council may choose not to approve the acquisition of provincially-owned land, as described herein, for the purpose of consolidation with the existing right-of-way; however, this action is not recommended as NSTIR has agreed to the proposed right-of-way changes and the disposal of their land at market value. Furthermore, NSTIR has granted early access to HRM, in the form of a Restricted Early Access Agreement, for construction to commence on the roundabout which is now complete.

**ATTACHMENTS**

Attachment A – Location Map  
Attachment B – Concept Plan  
Attachment C – Land Acquisition Survey Plan

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A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Brad Bakke, AACI, P.App, Senior Real Estate Officer, Corporate Real Estate, Operations Support 902.490.5332

Anne Sherwood, Design Engineer, Project Planning & Design, Transportation & Public Works 902.490.6872

Financial Approval by:

\_\_\_\_\_  
Amanda Whitewood, Director of Finance and Information Technology/CFO, 902.490.6308

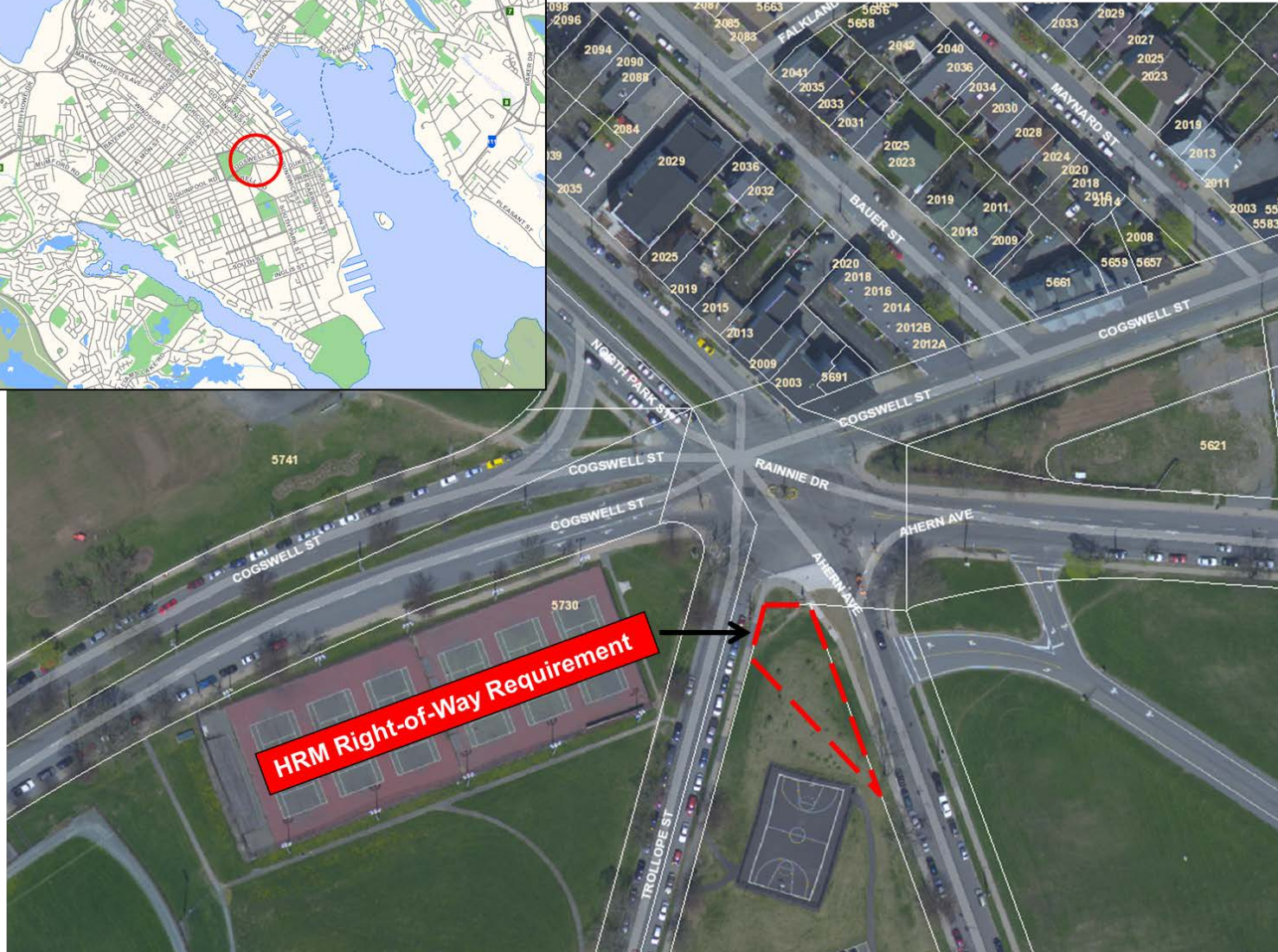
Report Approved by:

\_\_\_\_\_  
Peter Stickings, Acting Director, Operations Support  
902.490.7129

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# HALIFAX

## ATTACHMENT 'A' LOCATION MAP



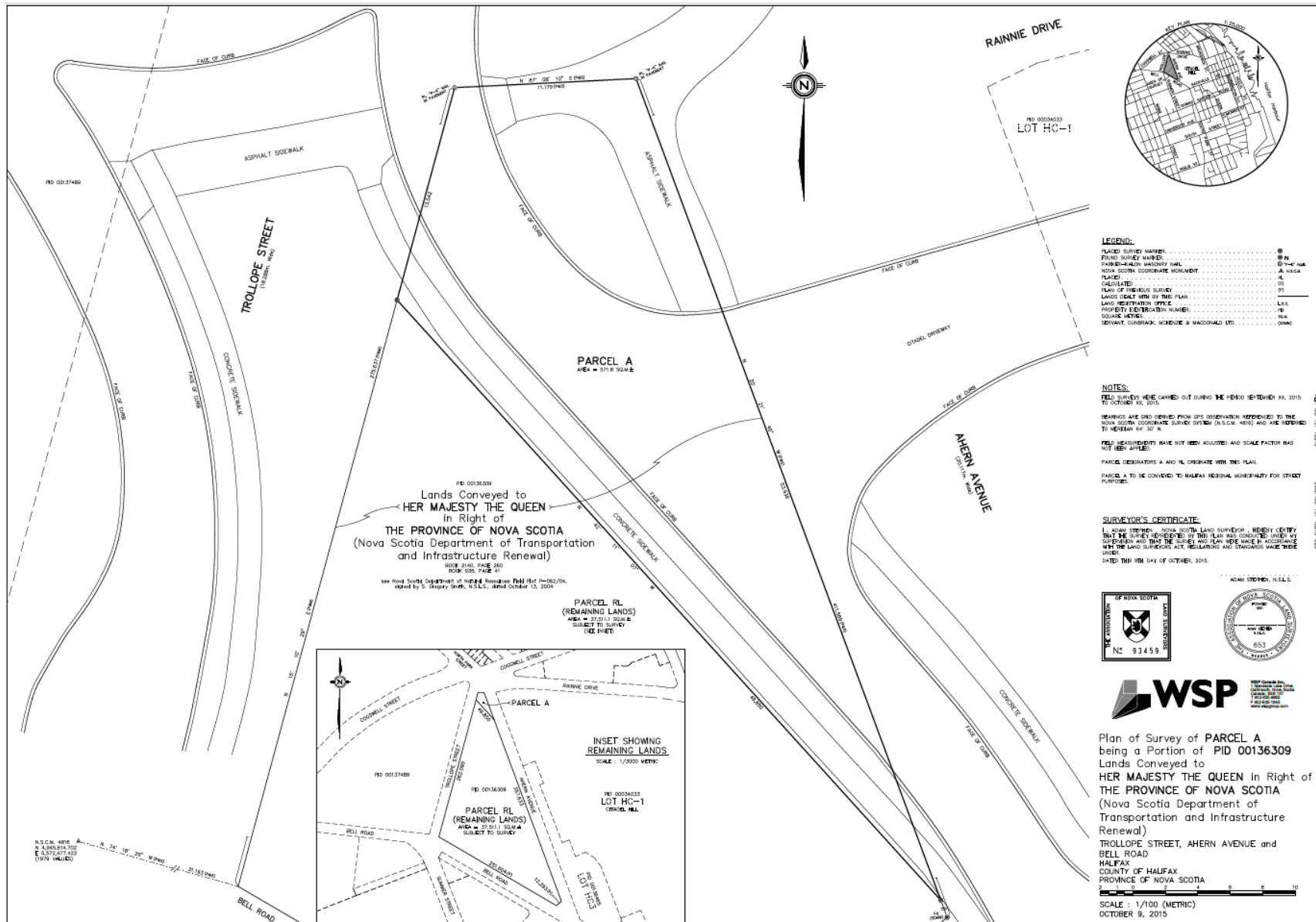
# HALIFAX

## ATTACHMENT 'B' CONCEPT PLAN



# HALIFAX

## ATTACHMENT 'C' LAND ACQUISITION SURVEY PLAN



**LEGEND:**

PLATÉ SURVEY MARKER	⊙
FOUND SURVEY MARKER	⊙ N
PAVEMENT-MARKED HIGHWAY	⊙ 7th-10th
NOVA SCOTIA COORDINATE MONUMENT	A, NSNSA
PLACED	A
PLAN OF FINISHED SURVEY	PT
LAND ACQ. WEN BY THIS PLAN	PT
LAND RESTRICTION OFFICE	LAS
PROPERTY DISTRIBUTION NUMBER	18
SQUARE METRES	m <sup>2</sup>
SEWAGE CONDUIT, MCDONNELL & MCDONNELL LTD.	DMK

**NOTES:**

FIELD SURVEYS WERE CARRIED OUT DURING THE PERIOD SEPTEMBER 14, 2015 TO OCTOBER 13, 2015.

BEARINGS AND DISTANCES DERIVED FROM GPS OBSERVATION REFERENCED TO THE NOVA SCOTIA COORDINATE SURVEY SYSTEM (NSCSM-98) AND ARE REFERRED TO HEREIN BY 30° N.

FIELD MEASUREMENTS HAVE NOT BEEN ADJUSTED AND SCALE FACTOR HAS NOT BEEN APPLIED.

PARCEL DESIGNATIONS A AND RL CORRELATE WITH THIS PLAN.

PARCEL A TO BE CONVEYED TO HALIFAX REGIONAL MUNICIPALITY FOR STREET PURPOSES.

**SURVEYOR'S CERTIFICATE:**

I, ADAM STEVENSON, NOVA SCOTIA LAND SURVEYOR, HEREBY CERTIFY THAT THE SURVEY REFERENCED IN THIS PLAN WAS CONDUCTED UNDER MY SUPERVISION AND THAT THE CORNER AND PLAN HEREIN WERE MADE IN ACCORDANCE WITH THE LAND SURVEYORS ACT, REGULATIONS AND STATUTES WHEREIN UNDER:

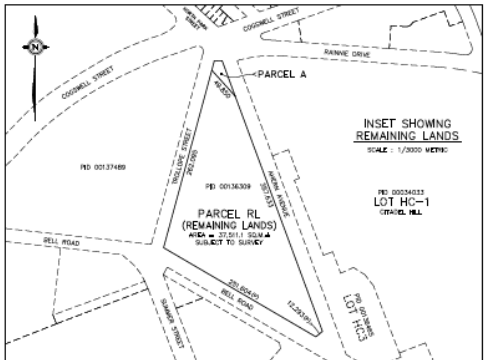
DATED THIS 9th DAY OF OCTOBER, 2015.

ADAM STEVENSON, N.S.L.S.



Plan of Survey of PARCEL A  
being a Portion of PID 00136309  
Lands Conveyed to  
HER MAJESTY THE QUEEN in Right of  
THE PROVINCE OF NOVA SCOTIA  
(Nova Scotia Department of  
Transportation and Infrastructure  
Renewal)  
TROLLOPE STREET, AHERN AVENUE and  
BELL ROAD  
HALIFAX  
COUNTY OF HALIFAX  
PROVINCE OF NOVA SCOTIA

SCALE: 1/100 (METRIC)  
OCTOBER 9, 2015



N.S.C.M. 4806  
N. 4,345,814.702  
E. 5,370,477.420  
(1978 VALUES)