

**Halifax Regional Council
August 13, 2019**

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed by



SUBMITTED BY:

Jacques Dubé, Chief Administrative Officer

DATE: June 13, 2019

**SUBJECT: Administrative Order 50 – Declaration of Surplus Real Property – Package
07.19**

ORIGIN

This report originates from Administrative Order 50 Respecting the Disposal of Surplus Real Property.

LEGISLATIVE AUTHORITY

- *Halifax Regional Municipality Charter:*

- 61 Powers of Municipality regarding property
 - (5) The Municipality may
 - (b) sell property at market value when the property is no longer required for the purposes of the Municipality;
- 63 Sale or lease of municipal property
 - (1) The Municipality may sell or lease property at a price less than market value to a non-profit organization that the Council considers to be carrying on an activity that is beneficial to the Municipality.
- 64 Sale to abutting owner
 - Where the Municipality holds land that is of insufficient size or dimensions to be capable of any reasonable use, in the opinion of the Council, all or part of the land may be sold to the owner of any lot abutting that land and may be consolidated with such lot and, notwithstanding Section 63, the sale price of the land so sold may be set by the Council at a price that is less than market value at the time of the sale.

LEGISLATIVE AUTHORITY continues and RECOMMENDATION on page 2

283 Land or cash-in-lieu

(14) Where the Council determines that any land transferred pursuant to this Section may no longer be needed for parks, playgrounds or similar public purposes, the Council may sell the land, after notifying the owners of lots in the subdivision with respect to which the land was conveyed to the Municipality, by notice published in a newspaper circulating in the municipality at least fourteen days prior to the Council meeting at which a decision to sell will be made, and the proceeds must be used for parks, playgrounds and similar public purposes.

- *Administrative Order 50 – Respecting the Disposal of Surplus Real Property.*
See BACKGROUND below, and Attachment A of this report.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Declare the properties, contained in Attachments B, C, and D of this report, as surplus to municipal requirements; and,
2. Categorize the properties as specified in Attachments B, C, and D of this report, pursuant to Administrative Order 50, respecting the Disposal of Surplus Real Property.

BACKGROUND

On April 9, 2013, Council approved Administrative Order 50 for the disposal of surplus real property. Administrative Order 50 provides a regular and comprehensive disposal approach by bringing before Council an inventory of candidate properties for review and decision with respect to: (1) surplus status; and (2) category of disposal method. It also recognizes that certain properties may, from time-to-time, be strategic for the growth of the Municipality or key for the community, and that these properties can be identified early in the process and streamed into the most appropriate property category based on the definitions set out in the policy. The policy requires that a surplus property report be brought forward to Regional Council.

Property Review and Declaration of Surplus

Surplus property under Administrative Order 50 includes the following steps:

1. Staff will facilitate a review of potentially surplus properties identified by operational Business Units including the solicitation of all Business Units to identify any municipal requirements for those properties identified as potentially surplus.
2. Following Business Unit reviews and identification of operationally surplus property, municipal staff, using the property category definitions under Administrative Order 50, will categorize the inventory of the properties and list them by category.
3. Surplus properties are categorized as follows:
 - Economic Development
 - Community Interest
 - Ordinary Sale
 - Remnant
 - Extraordinary, and
 - Inter-Governmental Transfer

4. Local Councillors will be informed of the inventory of properties and their respective proposed categories by staff. Property information packages will be distributed to Councillors for feedback.
5. A recommendation report to Council will be prepared, containing recommended lists of properties to be declared surplus, with the recommended categorization and disposition method. Council may approve the recommendations, may remove any property from any list, and may move any property from one category list to another, and may declare the properties, or any of them, surplus to the Municipality's requirements.

This report seeks Council's approval of the recommendations respecting the properties to be declared surplus, by category, as attached to this report. Approval of final conveyances shall be under delegated authority, pursuant to Administrative Order Number 2018-004-ADM Respecting Real Property Transactions, or by subsequent approval of Regional Council, as required.

DISCUSSION

A summary of surplus properties by property category is provided in Table 1 below. Full property listings and respective details, by property, are provided as attachments to this report. There are no properties within this report that are recommended under the Remnant, Economic Development, or Inter-Governmental categories.

TABLE 1

Summary of Attached Surplus Properties by Category				
Property Category	Report Attachment	Quantity	Total Area* (sq.ft.)	PVSC* Assessment
Community Interest	B	5	~100,005	\$648,700
Ordinary Sale	C	2	~146,998	\$618,800
Extraordinary	D	9	~152,637	\$131,600
Totals	-	16	~399,640 sq.ft.	\$1,399,100

***Note to Table 1 and Other Information Found Within Attachments to this Report:** *The above information was compiled using available assessment data from PVSC (Property Valuation Services Corporation), and area approximations of subject parcels from Provincial sources. 'Assessment Value' is intended to give Council a measure of value, and may not be an accurate reflection of current market value. Property boundaries depicted on plans and aerial diagrams attached to this report are indicative only, and are subject to survey. Properties attached to this report are also further subject to legal review, title research, parcel migration, and any other municipal due diligence requirements prior to disposal. The Municipality does not warrant the condition of properties approved as surplus; moreover, it is the responsibility of the purchaser to conduct their own due diligence to satisfy themselves about the property's condition, underlying risks, and capability of the property to accommodate the purchaser's expected uses.*

FINANCIAL IMPLICATIONS

The operating costs of properties identified in Attachments B through D to this report are either reported within the respective property profile or are nominal and irregular so as to be deemed immaterial. Surplus properties will be maintained by identified business units or third parties, until properties are disposed.

Upon sale of surplus properties, net proceeds will be directed to the Capital Fund Reserve, Q526, or the Strategic Capital Reserve, Q606, in accordance with the Halifax Regional Municipality Charter Section 120 (3)(a).

Council may sell lands used for parks, playgrounds or similar public purposes, the net proceeds from which must be used for parks, playgrounds and similar public purposes, pursuant to Halifax Regional Municipality Charter Section 283 (14), and such proceeds will be deposited into the Parkland Development Reserve Q611.

Transfer of ownership will also impact property tax revenues in future fiscal years.

RISK CONSIDERATION

Significant risks are identified in respective property profiles attached to this report.

COMMUNITY ENGAGEMENT

During the Administrative Order 50 process, Councillors are provided with a document package that includes the properties within this report, to provide feedback, discussion, and an opportunity to consult with the public, at their discretion.

ENVIRONMENTAL IMPLICATIONS

Specific environmental implications are not identified in this report section. Each property profile attached to this report, however, includes a statement of 'Environmental Risk', reflecting each property's evaluated risk and any conditions known to Corporate Real Estate, Facilities Maintenance and Operations, and Environment and Energy.

ALTERNATIVES

1. Council may elect to not declare the recommended inventory of properties, or specific properties, surplus to municipal requirements, and may remove them from the list.
2. Council may recommend changes to the categorization of specific surplus properties for Council's consideration.

ATTACHMENTS

Attachment A - Administrative Order Number 50 – Respecting The Disposal of Surplus Real Property
Attachment B - Community Interest Properties
Attachment C - Ordinary Sale Properties
Attachment D - Extraordinary Properties

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210

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ADMINISTRATIVE ORDER NUMBER 50

RESPECTING THE DISPOSAL OF SURPLUS REAL PROPERTY

Be it resolved as an Administrative Order of the Council of the Halifax Regional Municipality as follows:

SHORT TITLE

1. The Administrative Order may be cited as Administrative Order Number 50, the Disposal of Surplus Real Property Administrative Order.

INTERPRETATION

1A. In this Administrative Order,

(a) “government” means the Government of Canada, Government of the Province of Nova Scotia, a corporation that is an agent of Her Majesty in Right of Canada or the Province, and a municipal unit;

(aa) “HRM Charter” means the Halifax Regional Municipality Charter, 2008, S.N.S, c. 39 as amended;

(b) “municipal unit” means a regional municipality, town or county or district municipality as set out in the *Municipal Government Act*, and

(c) “non-profit organization” means

(i) a society incorporated pursuant to the Societies Act, R.S.N.S 1989 c.435, as amended;

(ii) a non-profit association incorporated pursuant to the Co-Operative Associations Act, R.S.N.S c.98, as amended;

(iii) a not-for-profit incorporated pursuant to the Canada Not-for-profit Corporations Act, S.C 2009, c.23;

(iv) a non-profit organization otherwise incorporated pursuant to an Act of the Nova Scotia Legislature; or

(v) a registered Canadian charitable organization.

POLICY STATEMENT AND CATEGORIZATION

2. (1) The Municipality can acquire and sell real estate within its legislative provisions. Real estate holdings can be a “corporate” asset necessary for municipal functions and purposes of the business units or may be held for particular use of inhabitants of HRM for example, parks and institutional uses. Corporate assets are subject to corporate review by the Asset Owner Business Unit for continuing requirement. Where the business units of HRM have determined that properties no longer serve an operational requirement of the corporation or otherwise appear to be surplus to the needs of the Municipality, then the policy of disposal to be followed in all cases, excepting municipal property which requires particular process through statute or common law or property available in the Municipal Business Parks, is as directed by this policy of Council.

(2) The Municipality will dispose of real property Council determines is no longer required for the purposes of the Municipality. Staff will identify surplus properties by the following categories:

Economic Development

(a) Strategic properties having Economic Development potential ought be sold to:
(i) maximize use or value;

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- (ii) achieve the attraction of targeted industries and employment or the regeneration of neighborhoods;
- (iii) to advance development opportunities; and
- (iv) to generate financial return to the Municipality.

Community Interest

- (b) Properties known to have potential for community use, in particular where:
 - (i) there has been a prior community or institutional use of the property; or
 - (ii) by location or scarcity of available property the consideration would reasonably arise.

Ordinary Sale

- (c) Properties of an:
 - (i) ordinary or routine nature;
 - (ii) which no longer have a municipal purpose.

Remnant

- (d) Properties which are remaining or subdivided lands which:
 - (i) by nature of their size or dimensions have limited or no reasonable use;
 - (ii) but which may have utility for abutting property owners, and can be disposed under s. 64 of the HRM Charter allowing Council to set a price that is less than market value.

Extraordinary

- (e) Properties having a legal distinction which include conditions or extraordinary process with respect to their preservation or disposal including but not limited to:
 - (i) the Halifax Commons;
 - (ii) the Dartmouth Commons;
 - (iii) streets;
 - (iv) any municipal properties, including parks, which are held in trust, or upon condition, or with reserving interests, or like constraints;
 - (v) and parkland acquired through subdivision process.

Intergovernmental Transfer

- (f) Properties requested by another level of government which:
 - (i) will be used for a public purpose; and
 - (ii) sold for market value.

PROPERTY REVIEW AND DECLARATION OF SURPLUS

3. (1) Repealed

(2) All Business Units, as part of their business planning, will identify any municipal properties that are surplus to operational requirements

(3) Upon completion of Business Unit reviews and identification of operationally surplus property the Corporate Real Estate staff shall undertake a review and will categorize the nature of the inventory of potentially surplus properties and list them by category.

(3A) Corporate Real Estate will contact Legal and Risk Management Services and request a title report as part of the review for any property categorized as Community Interest Property.

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(4) Local Councillor and Community Council will be informed of the inventory of the properties and the proposed categories by staff. Local Councillor will then have the opportunity to contact local community to discuss potential surplus properties to gauge interest in potential disposal methods for the properties with area residents. The result from these potential community consultations will then be included in the surplus property report that comes to Council.

(5) Corporate Real Estate staff will prepare a Surplus Property Report to Council which will attach lists of properties by category. The report will recommend that all lists of properties should be declared by Council to be surplus property, that each category be approved by Council, and that the disposal method recommended for each list under this policy be approved by Council.

(6) Council may approve the recommendations, may remove any property from any list, and may move any property from one list to another list, and may declare the lists, or any of them, surplus to the Municipality's requirements.

(7) Corporate and Customer Services will report the operating costs and the status of surplus properties through the Audit and Finance Standing Committee twice per year.

DISPOSAL METHODS

4. (1) Following Council approvals under Part 2, staff shall proceed to dispose of the properties as determined by category.

Ordinary Properties

(a) These properties shall be placed on the market by Corporate Real Estate. The sale of market properties may be achieved through:

- (i) direct marketing by staff;
- (ii) listing contracts with licensed real estate brokers;
- (iii) public tenders; or
- (iv) proposal call methods.

(b) Determination of the achieving market value will be supported by appraisal or through the receipt of sufficient offers over an appropriate exposure period.

(c) Approval of final conveyances shall be under delegated authority or by approval of Council as required.

Economic Development Properties

(d) These properties viewed by Council to be strategic may be disposed through individually recommended processes contained in the Surplus Properties Report, and may include referral to a special committee or task force of HRM created for the purpose of overseeing the strategic use and disposal of a property.

Properties under this category are required by the HRM Charter to be sold at market value and can include partnership models between private developers and non-profits and municipally defined public use or service delivery components.

Community Interest Properties

- (e) These properties will be considered pursuant to Schedule 1.
- (f) Repealed
- (g) Repealed
- (h) Repealed
- (i) Repealed

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- (j) Repealed
- (k) Repealed
- (l) Repealed

Remnant Properties

(2) Staff will negotiate the sale of such parcels with any interested abutter of such lands and at such price as supported by appraisal or set by Council directly or through policy adopted by Council.

Extraordinary Properties

(3) This category of properties will be dealt with as required by legislation, common law, or contract that governs any disposal by the Municipality, and may be omitted from this policy.

Intergovernmental Transfer

(4) This category of properties will be dealt with as directed by Council.

RIGHTS OF FIRST REFUSAL ON SURPLUS PROPERTIES

4A. A right of first refusal shall not be granted in respect of surplus property that Council has categorized as Community Interest Property or Intergovernmental Property.

APPRAISALS

5. At least one appraisal of the current market value of any Ordinary property, Economic Development property, or Intergovernmental Transfer property will be obtained as part of the disposal process. Appraisals will remain confidential until the sale is completed.

IMPLEMENTATION

6. This policy shall apply as of the date of approval of Council, excepting properties which are:

- (a) already approved by Council as surplus;
- (b) under agreement of purchase and sale through delegated approval as of the date of Council approval of this policy;
- (c) going to Council for approval by individual report up to and including March 31, 2013.

Done and passed in Council this 9th day of April, 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 April 9, 2013.

Cathy Mellett, Municipal Clerk

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Notice of Motion: March 26, 2013
Approval: April 9, 2013

Amendment # 1 – addition of category – Intergovernmental Transfer
Notice of Motion: February 24, 2015
Approval: March 10, 2015

Amendment # 2
Notice of Motion: March 20, 2018
Approval: March 27, 2018

Amendment # 3 – amendment to Schedule 2
Notice of Motion: June 19, 2018
Approval: July 17, 2018

Amendment # 4 – addition of Section 4A
Notice of Motion: February 26, 2019
Approval: March 5, 2019

SCHEDULE 1

DISPOSAL OF COMMUNITY INTEREST PROPERTIES

1. A property classified as a Community Interest property will be considered for disposal in accordance with this Schedule.

Interpretation

2. In this Schedule,

(a) “Administrative Order One” means the *Procedures of the Council Administrative Order* adopted by Council on November 10, 2015, and all amendments thereto;

(b) “high value community interest property” means a community interest property with a valuation of over two hundred and fifty thousand dollars (\$250,000);

(c) “moderately valued community interest property” means a community interest property with a valuation of two hundred and fifty thousand dollars (\$250,000) or less;

(d) “realtor valuation” means the market value of the property as determined by an independent, accredited real estate broker real estate company or agent thereof; and

(e) “valuation” means the market value of a community interest property.

Disposal Category

3. A community interest property shall be disposed of by either:

(i) a Call for Submissions; or

(ii) a Direct Sale.

Market Value

4. The market value of a community interest property may be determined by a realtor valuation or an independent appraisal.

Disposal

5. A moderately valued or high value community interest property may only be disposed of by a Call for Submissions or a Direct Sale.

6. A Direct Sale may only be considered in accordance with sections 11, 12, 13, and 14 of this Schedule.

Eligible Organization

7. (1) To be eligible for consideration to purchase a community interest property, all the parties on the application must be non-profit organizations.

(2) For greater certainty, an application for the purchase of a community interest property that is a joint application with:

(a) a person other than a non-profit organization; or

(b) the Government of Canada, the Province of Nova Scotia or an agent of them;

is ineligible to purchase a community interest property.

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Required Information

8. An application by a non-profit organization to purchase a community interest property must include the following information:

- (a) proof of registered status as non-profit organization;
- (b) a description of the non-profit organization and its programs or services;
- (c) a statement of the non-profit organization's intended use for the subject property;
- (d) complete financial statements for:
 - (i) the prior three (3) fiscal years, or
 - (ii) if the non-profit organization has not been incorporated for the prior three fiscal years, the number of fiscal years the organization has been incorporated,

and the financial statements must include all itemized revenues, expenses, assets and liabilities;

- (e) for a moderately valued community interest property, a simplified five year operating and capital budget in the form to be provided by the Municipality;
- (f) for a high valued community interest property, a comprehensive five year operating and capital budget in the form to be provided by the Municipality;
- (g) a complete copy of the non-profit organization's Articles of Incorporation, Charter, or Constitution and By-laws; and
- (h) the terms and conditions of the offer for the purchase, including the purchase price, requested closing date, and any terms and conditions specific to the subject property.

Purchase Price

9. The amount of the purchase price for any community interest property must include the following costs:
- (a) the deed transfer tax, in accordance with Section 109 of the *Municipal Government Act*, if applicable; and
 - (b) subject to sections 2 and 3 of Schedule 2, the transaction fees incurred by the Municipality, as set out in section 1 of Schedule 2.

Call for Submission

10. (1) This section applies to a community-interest property that will be disposed of by a Call for Submission.
- (2) A public meeting is required
 - (a) for a moderately valued community interest property unless Council decides otherwise, and such decision must be made concurrent with Council's classification of the property as a community interest property; and
 - (b) for a high value community interest property and such meeting must be convened in the area where the subject property is located prior to the Call for Submissions being advertised.
 - (3) A Call for Submissions must be advertised in a newspaper circulating throughout the Municipality and the advertisement must indicate the deadline for a non-profit organization to submit a response to the Call for Submissions.

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(4) A Call for Submission

(a) for a moderately valued community interest property, must provide a deadline of no more than (90) days for a non-profit organization to file a response to the Call for Submissions; and

(b) for a high value community interest property, must provide a minimum of sixty (60) and no more than one hundred and twenty (120) days to file a response to the Call for Submissions.

(5) The valuation and the assessed value of the subject property shall be shared with prospective non-profit organizations.

(6) A non-profit organization is ineligible to purchase a community interest property by a Call for Submission if sections 8, 9 and 10 of this Schedule are not satisfied.

DIRECT SALE CONSIDERATION

Direct Sale - Request

11. (1) A non-profit organization may make a request to purchase, by Direct Sale, a community interest property owned by the Municipality.

(2) If a request to purchase a community interest property by Direct Sale is received by the Municipality and the subject property has not been declared surplus and classified as a community interest property, the request must:

(a) be included in the next review provided to Council pursuant to subsection 3(1) of this Administrative Order; or

(b) be forwarded to Council with a report and recommendation respecting the property.

(3) No action may be undertaken by the Municipality in respect of the request to purchase except those actions required to satisfy subsection 2 of this section.

(4) For greater certainty, the property may only be sold by Direct Sale if the property is declared surplus by Council, is categorized as community interest property by Council in accordance with this Administrative Order, and sections 7, 8, 9, 11,12,13, and 14 are satisfied.

(5) If Council decides to proceed by Direct Sale, such decision must be made at the same meeting where the property is categorized as community interest property.

(6) An applicant will have up to 90 days to submit to the Municipality the information that would otherwise be require in section 8.

Direct Sale – General Procedure

12. A Direct Sale shall be allowed as determined by Regional Council.

13. Unless Council directs otherwise, a Direct Sale may be considered without

(a) a public advertising; and

(b) a public meeting.

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14. (1) If Council directs that a public advertisement be made, such advertisement must be placed in a newspaper circulating throughout the Municipality and must be placed before the required public hearing to consider a less than market value sale, or if a public hearing is not required by the HRM Charter, before the Council meeting where Council will consider whether to proceed with a Direct Sale.

(2) The advertisement in accordance with subsection 1 must include:

- (a) the date the community interest property was declared surplus;
- (b) the location of the property;
- (c) the name of all the non-profit organizations that made the request for a Direct Sale; and
- (d) the valuation and assessed value of the community interest property.

GENERAL

Evaluation Procedures

15. (1) An inter-departmental staff team shall be established coordinated by staff of the business unit responsible for real property disposals or grants and contributions to evaluate potential sales of community interest properties.

(2) The team must review a response to a Call for Submission or a request for a Direct Sale to assist Council in determining if the non-profit organization is carrying on an activity that is beneficial to the Municipality.

(3) In determining if the non-profit organization is carrying on an activity that is beneficial to the Municipality, the team must consider the following:

- (a) the alignment of the non-profit organization's intended use and programming with the Municipality's mandate or priority interests;
- (b) the non-profit organization's operational viability;
- (c) the completeness of the application;
- (d) the amount of compensation arising from the property, including:
 - (i) the dollar value of any municipal financial discount applied to the purchase price,
 - (ii) any reduction in the amount of deed transfer tax resulting from a less than market value sale,
 - (iii) the value of any closing costs not fully recovered by the Municipality, and
 - (iv) any ancillary agreements associated directly with the conveyance of the subject property, such as an easement for which financial compensation is not received; and
- (e) any direct or indirect impact on municipal finances or services including impacts on operating budgets or whether the proceeds for a market value sale of the subject property is included in the capital budget and, if it is so included, any reduction in projected revenue from a less than market value sale;
- (f) the benefit to the community of conveying the property to the non-profit organization, including:

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(i) the benefit in continuing the provision of any community-based program, service or amenity offered by the non-profit organization, or

(ii) whether the non-profit organization provides a program, service, or amenity that is not offered by the Municipality or another non-profit organization within the local area; or

(iii) the cultural or historical significance of the property.

(4) The staff evaluation team shall prepare a report for Council on the sale of a community interest property, including:

(a) a recommendation with respect to a Buy-Back Agreement;

(b) whether the Buy-Back agreement will enable the Municipality to repurchase the subject property if the non-profit organization changes its use of that property; and

(c) whether the proceeds for a market value sale of the subject property is included in the capital budget and, if it is so included, any reduction in projected revenue from a less than market value sale.

Municipal Grants Funding Eligibility

16. Notwithstanding any other Administrative Order, policy or grants program of the Municipality, a discretionary municipal grant or contribution shall not be awarded for any of the following purposes:

(a) for a feasibility study respecting the potential acquisition of a community interest property;

(b) the preparation of a submission for the potential acquisition of a community interest property;

or

(c) the purchase price, closing costs, or fees associated with a non-profit organization's due diligence respecting the acquisition of a community interest property.

Approval by Regional Council

17. Upon receiving a recommendation from the team established pursuant to section 20, Council may consider the overall context of the property disposal, including:

(a) the recommendation from the staff team;

(b) the market value of the property;

(c) the planning documents for the area of the property, including the Municipal Planning Strategy and Land Use By-law;

(d) the benefit of any cost savings to the Municipality;

(e) the consequences or benefit to the community or the Municipality as a whole; and

(f) the beneficial considerations of a less than market value sale against the benefit to the Municipality of selling the property at market value.

18. If Council decides to consider the disposal of the property to a non-profit organization at less than market value, the sale shall be in accordance with section 63 of the HRM Charter, including that:

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- (a) the non-profit organization shall be carrying on an activity that Council considers is beneficial to the Municipality;
- (b) if the property is worth more than ten thousand dollars (\$10,000), a public hearing shall be advertised and held; and
- (c) the resolution approving the sale shall be passed by at least a two-thirds majority of the Council present and voting.

Alternative Method of Disposition by Council

19. (1) Upon receiving a recommendation, Council may consider any alternative method of disposing of community interest property if:

- (a) there are no applications by eligible non-profit organizations received within the applicable period of time for the disposal method initially selected; or

- (b) Council rejects all the complete applications the Municipality received from eligible non-profit organizations.

(2) If subsection 1 applies, notwithstanding Administrative Order One respecting rescission, Council may by majority vote:

- (a) direct another method of disposal;

- (b) reclassify the property in accordance with this Administrative Order and dispose of the property in accordance with that reclassification; or

- (c) subject to subsection 3, take such other action as Council considers appropriate.

(3) A motion to rescind the resolution declaring the property surplus shall be in accordance with Administrative Order One.

Budget Implications

20. If the proceeds of sale for a property owned by the Municipality has been

- (a) included in the reserve budget,

- (b) specifically tied to a capital project, and,

- (c) is subsequently classified as Community Interest category or a decision is made not to sell the property,

staff must report to Council any deficiencies in either the reserve budget or the capital budget along with any appropriate recommendations to offset the reduced proceeds.

SCHEDULE 2
SCHEDULE OF TRANSACTION FEES:
COMMUNITY INTEREST REAL PROPERTY DISPOSAL

1. The purchase price shall include the following transaction fees:

Migration and Deed Fess for the Property:	maximum \$2,500 per property transaction, plus HST
Appraisal/Comparative Market Analysis:	lesser of 50% of the cost of the appraisal or \$2,500 per property transaction, plus HST
Plan of Survey for the Subdivision of Land, including Lot Consolidation, legal description and deed:	full cost recovery

2. If Council approves the sale of a community interest property to a non-profit organization in accordance with Schedule 1 of this Administrative Order, the non-profit organization awarded the property may make application to the Treasurer of the Municipality for a payment plan respecting the remittance of the transaction fees required by section 1 of this Schedule.

3. (1) Subject to subsection 2 of this Schedule, Council hereby delegates to the Treasurer of the Municipality the authority to approve and enter into on behalf of the Municipality a payment plan with the non-profit organization that was awarded the property for the payment of the transaction fees required by clause 9(b) of this Administrative Order.

(2) The Treasurer may only approve and enter into a payment plan if all the parties agree to the following terms and conditions:

- (a) the maximum payment term shall not exceed twenty-four (24) consecutive months;
- (b) subject to clause (f), the amount owed shall is interest free and shall be billed monthly;
- (c) the non-profit organization shall have the option to pay the remaining balance owed at any time during the term of the payment plan without penalty;
- (d) a specified fee shall be set for a non-sufficient funds (NSF) payment;
- (e) the due date for a payment shall be thirty (30) days from the date of billing;
- (f) simple daily interest at a rate set by Administrative 14, *Respecting the Application of Interest Charges on Outstanding Accounts*, shall be applied to any arrears; and

(g) after ninety (90) a persistently overdue account will be referred to the Revenue Division for collections in accordance with the *Revenue Collections Policy Administrative Order*, including an offset for any amounts that the Municipality might owe the non-profit organization.

Attachment B – Community Interest Properties
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50, 64, 67, 80, 91 True North Crescent, Dartmouth, District 6, Multiple PIDs			
Surplus Category <small>(proposed)</small>	Community Interest	Councillor	Deputy Mayor Tony Mancini
Current Asset Use	Vacant Land	Current Land Area	~100,005 square feet (total)
Building Area	Not applicable	Land Area for Disposal <small>(proposed)</small>	~100,005 square feet
Building Condition	Not applicable		
Interim Management	Parks Recreation	Operating Costs	No Material Costs
Land Use Bylaw	Dartmouth, 4	PVSC Assessment	\$648,700
Zone	TH (Town Housing)	Deeds on File	1992 and 1993
Environmental Risk	There are no known environmental reports assigned to this property. Prospective purchasers are urged to conduct their own due diligence.		
Background	Background discussion appears on next page...		



Attachment B – Community Interest Properties
COUNCIL REPORT – Administrative Order 50 – Package 07.19

50, 64, 67, 80, 91 True North Crescent, Dartmouth, District 6, Multiple PIDs

Background

City of Dartmouth Council, by resolution in 1988, established a budget of \$200,000 per year for land acquisition for affordable housing projects. The City of Dartmouth acquired and then sold some properties on True North Crescent for housing purposes. The following lots remain vacant:

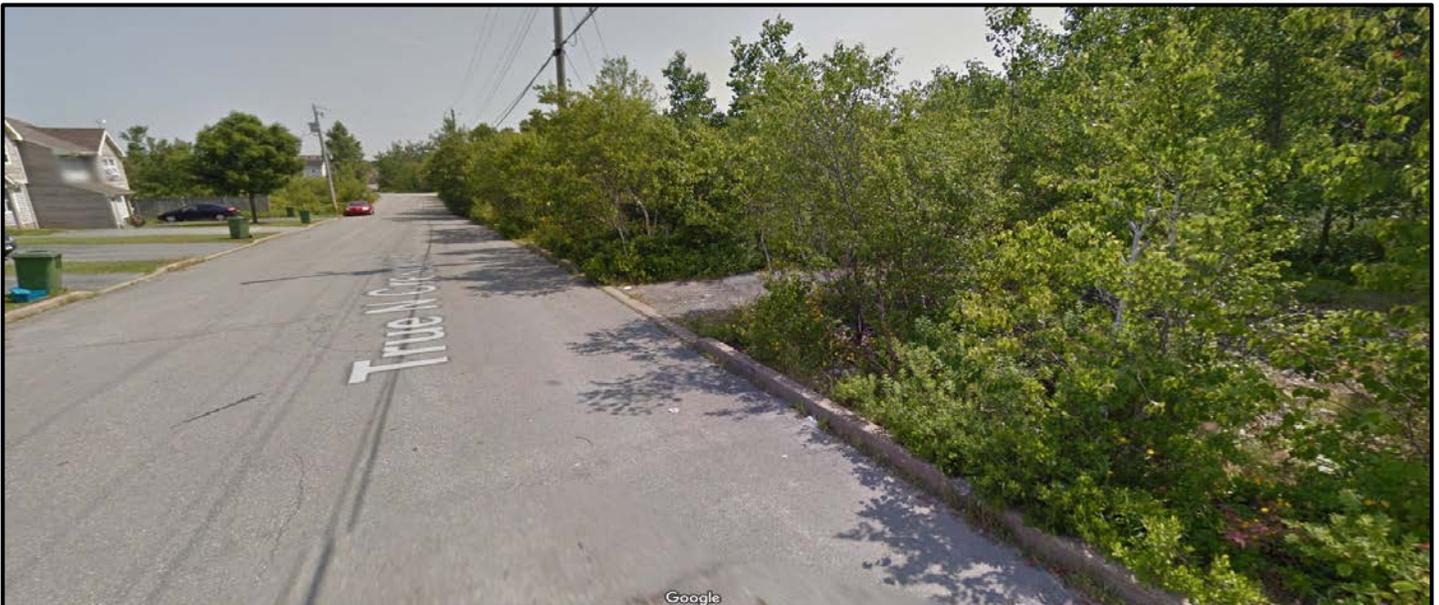
- 50 True North Crescent, PID 40414195, Assessment \$93,300, 21,158.94 sq. ft.
- 64 True North Crescent, PID 40414187, Assessment \$94,800, 21,504.03 sq. ft.
- 67 True North Crescent, PID 40414161, Assessment \$85,000, 19,268.69 sq. ft.
- 80 True North Crescent, PID 40414179, Assessment \$319,700, 25,391.40 sq. ft.
- 91 True North Crescent, PID 40414146, Assessment \$55,900, 12,681.82 sq. ft.

Pending Council's surplus approval, all or portions of these properties may be categorized as Community Interest, pending anticipated Council discussion on affordable housing, for which a Request for Proposal process may then be initiated. It is anticipated there will be considerable interest from not-for-profit affordable housing organizations for these properties.

Other recommended conditions of disposal include:

- Establishing and retaining a right-of-way upon which is now a pathway from True North Crescent toward John MacNeil Elementary School to the north. Its width and alignment will be dictated by the requirements of an Active Transportation (AT) trail design; and,
- Subsequent to this declaration of surplus, Transportation Planning plan to undertake a more detailed review with the potential of retaining public road and/or pedestrian/AT connections between True North Crescent and Farthington Place (red dashed line in attached aerial photo) through the southern portion of 50 True North Crescent, PID 40414195, the balance of which property will then be surplus, subject to survey.

Pursuant to clause (3A) of Administrative Order 50, title reports were requisitioned by HRM's Legal and Risk Management for these properties.



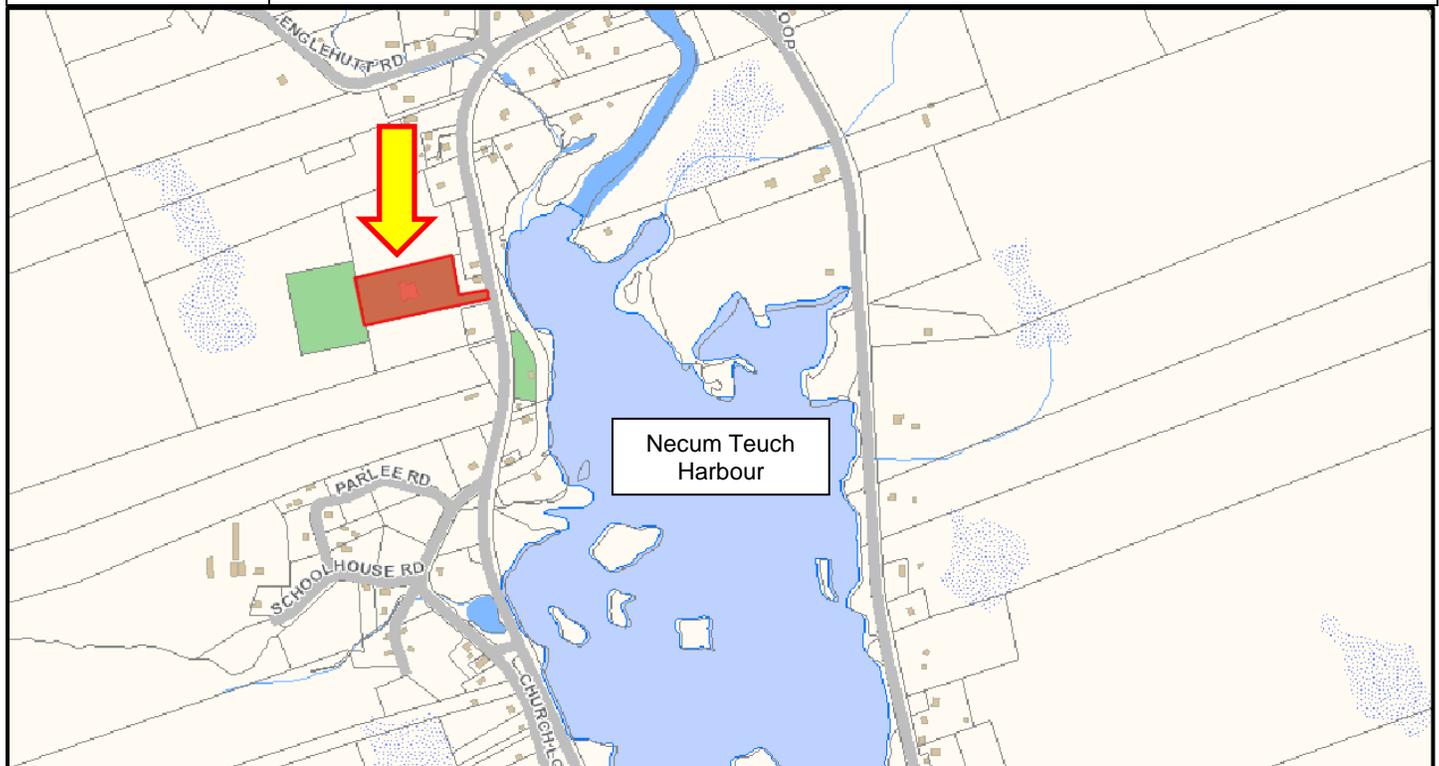
Attachment B – Community Interest Properties
COUNCIL REPORT – Administrative Order 50 – Package 07.19



Attachment C – Ordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 07.19

28875 Highway 7, Moser River, District 2, PID 00545848			
Surplus Category <small>(proposed)</small>	Ordinary Sale	Councillor	David Hendsbee
Current Asset Use	Vacant School	Current Land Area	143,748 square feet
Building Area	~11,990 square feet	Land Area for Disposal <small>(proposed)</small>	143,748 square feet
Building Condition	The building is currently winterized, lower level windows are boarded, and electricity is off. Demolition of the structure is recommended due to deterioration of the roof which resulted in water damage, structural integrity risk, and the discovery of hazardous materials.		
Interim Management	Corporate and Customer Services	Operating Costs	\$11,600 since acquisition
Land Use Bylaw	7, Eastern Shore (East)	PVSC Assessment	\$492,800
Zone	RE (Rural Resources)	Deed on File	1956
Environmental Risk	Pinchin Leblanc completed a Phase I Environmental Site Assessment (ESA) with a Phase II ESA having been undertaken in 2017. Where detected, petroleum concentrations in soil and groundwater were below applicable commercial guidelines. Hazardous materials such as asbestos were identified during the Hazardous Materials survey completed in 1999 by Maritime Testing. Prospective purchasers are urged to conduct their own due diligence.		
Background	Background discussion appears on next page...		



Attachment C – Ordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 07.19

28875 Highway 7, Moser River, District 2, PID 00545848

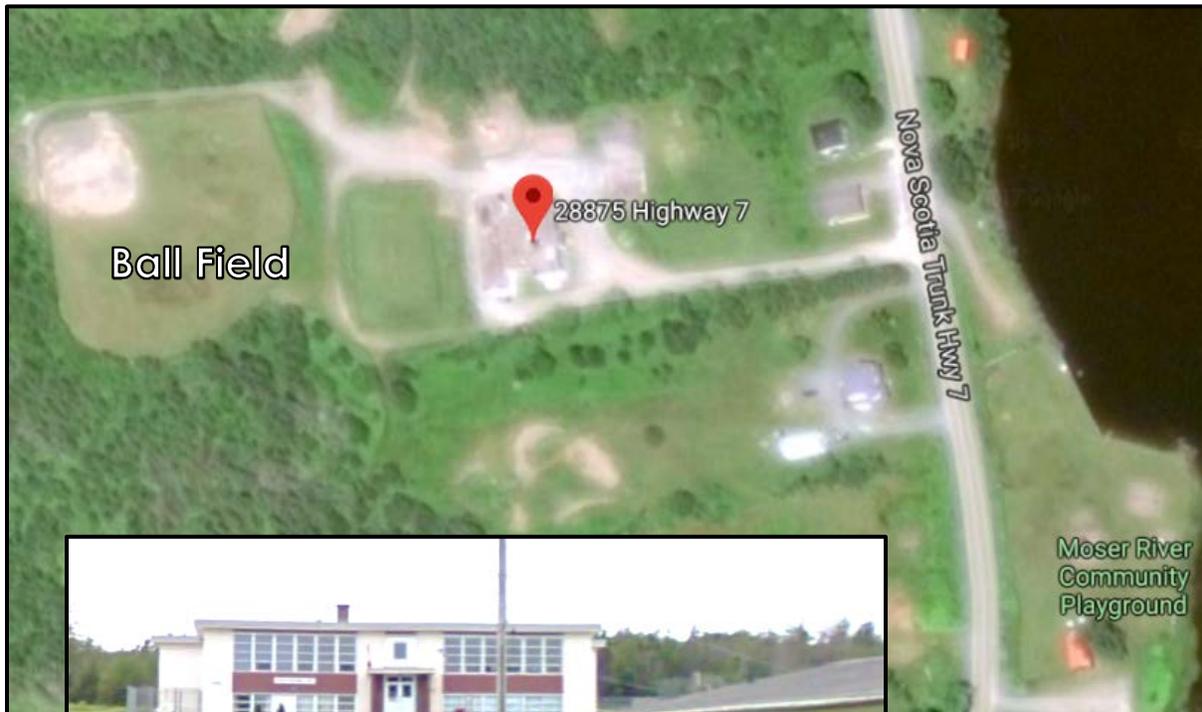
Background

The Eastern Consolidated Elementary School was closed in 2015 by Halifax Regional School Board, then transferred to HRM in summer of 2017. The two-storey building has since remained vacant.

To the rear of the subject property is a ball field (PID 00545830), the ownership of which was transferred from the Moser River Community Centre Association to HRM in February 2019. An access easement to the ball field, is being secured across the former school property, and will be in-place prior to disposal.

The building has suffered water damage due to a failing roof. Given hazardous materials found within, it is recommended that demolition of the structure, prior to disposal, is prudent. The RE zone permits a broad range of land uses.

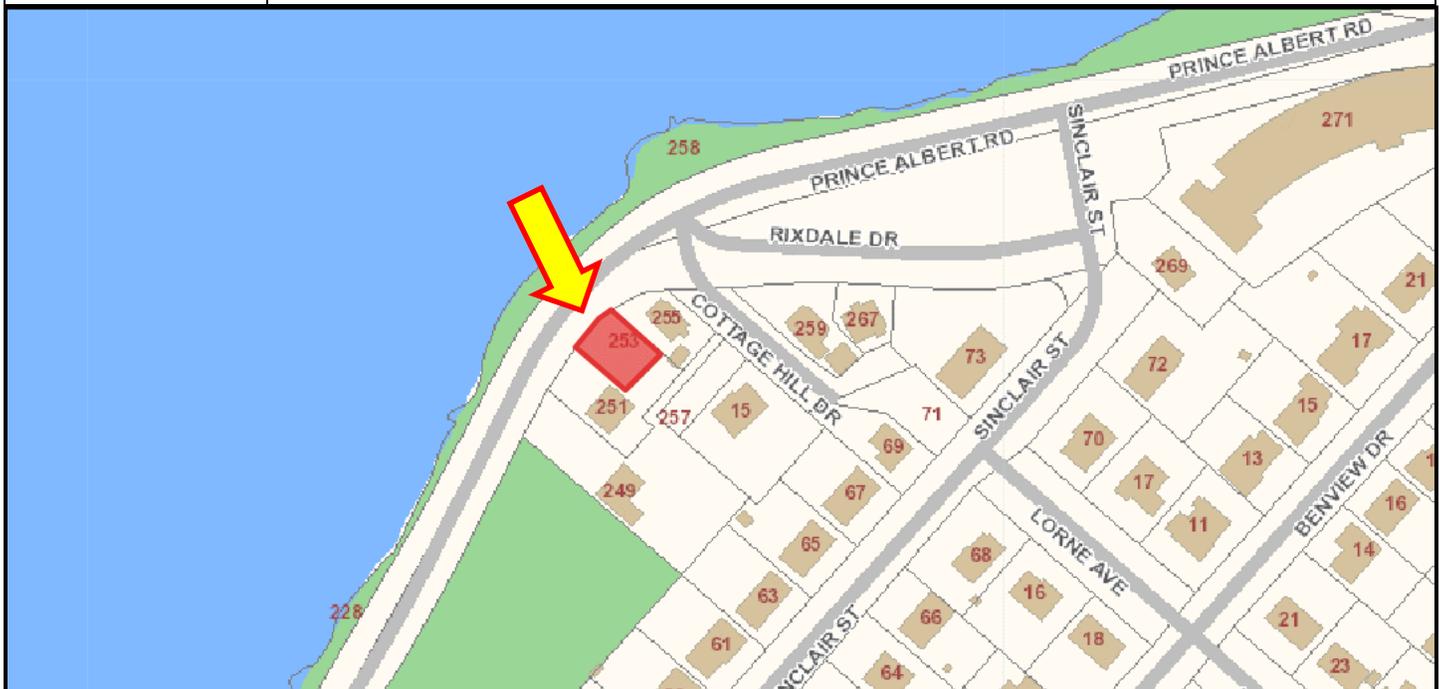
The area Councillor indicated that a business interest in the community sought to acquire the former school, as an optional venue, for business expansion purposes. However, due to the dilapidated and unsafe condition of the structure—including environmental conditions—demolition is recommended and that the lot be sold as vacant. The business interest later indicated their preference for interest in an alternative space.



Attachment C – Ordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 07.19

253 Prince Albert Road, Dartmouth, District 5, PID 00073759			
Surplus Category <small>(proposed)</small>	Ordinary Sale	Councillor	Sam Austin
Current Asset Use	Vacant Land	Current Land Area	~3,250 square feet
Building Area	Not applicable	Land Area for Disposal <small>(proposed)</small>	~3,250 square feet
Building Condition	Not applicable		
Interim Management	Parks and Recreation	Operating Costs	No material cost
Land Use Bylaw	4, Dartmouth	PVSC Assessment	\$126,000
Zone	R-1 (Residential)	Deed on File	1988
Environmental Risk	There are no known environmental reports assigned to this property. Prospective purchasers are urged to conduct their own due diligence.		
Background	<p>The subject property was deeded to the City of Dartmouth (HRM) in 1988; there was a house located on the property when it was surveyed in 1981. The property is designated Residential.</p> <p>Driveway access is not permitted via Prince Albert Road due to sightline limitations.</p> <p>Since the lot area is undersized, formal submission of a development permit application is recommended for review by HRM Development to determine whether as-of-right development of a single-family home would be permissible.</p>		



Attachment C – Ordinary Properties
COUNCIL REPORT – Administrative Order 50 – Package 07.19

253 Prince Albert Road, Dartmouth, District 5, PID 00073759



Attachment D – Extraordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 07.19

15 Laurelcrest Drive, Eastern Passage, District 3, PID 40507220			
Surplus Category <small>(proposed)</small>	Extraordinary	Councillor	Bill Karsten
Current Asset Use	Vacant Land	Current Land Area	~9,523 square feet
Building Area	Not applicable	Land Area for Disposal <small>(proposed)</small>	~9,523 square feet (subject to survey)
Building Condition	Not applicable		
Interim Management	Parks and Recreation	Operating Costs	No material costs
Land Use Bylaw	6, Eastern Passage/Cow Bay	PVSC Assessment	\$67,800 (Residential Exempt)
Zone <small>(hyperlink)</small>	R-2	Deed on File	1991
Environmental Risk	There are no known environmental reports assigned to this property. Prospective purchasers are urged to conduct their own due diligence.		
Background	The subject property was acquired by HRM as a parkland dedication pursuant to the subdivision of adjacent lands in 1990. The proponent originally approached HRM with a land exchange proposition for property in the Erindale subdivision (Kerrie Lea Lane Park), which is no longer viable, because the other subdivision and park development had advanced. The proponent now wishes to acquire the property at market value. Parkland dedicated lands acquired by Subdivision must proceed through a parkland closure process and public notice pursuant to Section 283 (14) of the HRM Charter.		



Attachment D – Extraordinary Properties
COUNCIL REPORT – Administrative Order 50 – Package 07.19

15 Laurelcrest Drive, Eastern Passage, District 3, PID 40507220



Attachment D – Extraordinary Properties
 COUNCIL REPORT – Administrative Order 50 – Package 07.19

82 Shore Road, Dartmouth, District 5, PID 40938185 (portion of)			
Surplus Category <small>(proposed)</small>	Extraordinary	Councillor	Councillor Austin
Current Asset Use	Right-of-Way	Current Land Area	~120,000 square feet
Building Area	Not applicable	Land Area for Disposal <small>(proposed)</small>	~1,320 square feet (subject to survey)
Building Condition	Not applicable		
Interim Management	Maintained by adjacent property owner	Operating Costs	No Material Cost
Land Use Bylaw	5 – Downtown Dartmouth	PVSC Assessment	Not applicable
Zone <small>(hyperlink)</small>	W (Waterfront Zone)	Deed on File	Not applicable
Environmental Risk	There are no known environmental reports assigned to this property. Prospective purchasers are urged to conduct their own due diligence.		
Background	Background discussion appears on next page...		



Attachment D – Extraordinary Properties
COUNCIL REPORT – Administrative Order 50 – Package 07.19

82 Shore Road, Dartmouth, District 5, PID 40938185 (portion of)

Background

The proponent who owns 82 Shore Road seeks to acquire a portion of the road right-of-way (ROW) in front of their home. The subject right-of-way parcel is currently improved with a driveway, landscaping, and steps leading to the residential dwelling.

In 2008, a portion of road right-of-way, in front of neighbouring (westerly) properties at 84 and 86 Shore Road, was extinguished by way of municipal street closure procedure and sold to the abutting owners. The parcels were subjected to an access and service easement in favour of Halifax Regional Municipality prior to disposal, which will be required in this case, if approved as surplus. As well, the surplus parcel would have to be consolidated with the proponent's private property, for the private property to retain its street frontage.

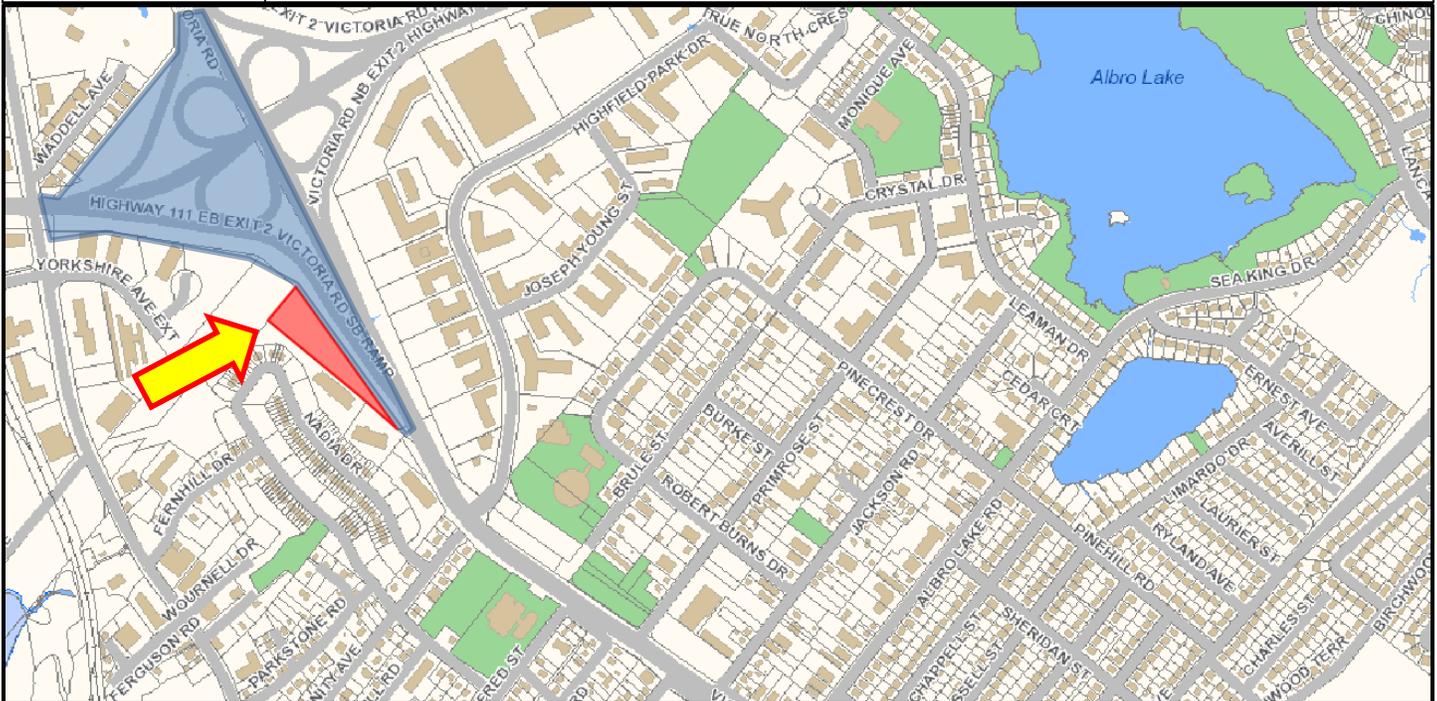
Council directed municipal staff to design a local bikeway along Shore Road as part of future Active Transportation plans. The portion of ROW recommended as surplus will *not* be required for the bikeway, because it will be situated between existing street curb lines.

A public hearing would be required to close this section of right-of-way, if its value is more than fifty thousand dollars.



Attachment D – Extraordinary Properties
 COUNCIL REPORT – Administrative Order 50 – Package 07.19

Nadia Drive (Parcel Q-R1), Dartmouth, District 6, PID 40937781			
Surplus Category <small>(proposed)</small>	Extraordinary	Councillor	Tony Mancini
Current Asset Use	Right-of-Way	Current Land Area	~93,654 square feet
Building Area	Not applicable	Land Area for Disposal <small>(proposed)</small>	~93,654 square feet (subject to survey)
Building Condition	Not applicable		
Interim Management	Transportation and Public Works	Operating Costs	No material costs
Land Use Bylaw	4, Dartmouth	PVSC Assessment	Not applicable
Zone <small>(hyperlink)</small>	Not applicable	Deed on File	Not applicable
Environmental Risk	There are no known environmental reports assigned to this property. Prospective purchasers are urged to conduct their own due diligence.		
Background	Background discussion appears on next page...		



Attachment D – Extraordinary Properties
COUNCIL REPORT – Administrative Order 50 – Package 07.19

Nadia Drive (Parcel Q-R1), Dartmouth, District 6, PID 40937781

Background

Parcel Q-R1 (highlighted red on the preceding map), was retained by the former City of Dartmouth when adjacent Parcel Q-X (highlighted blue on the preceding map) was conveyed to the Halifax-Dartmouth Bridge Commission (HDBC) in 2009.

The proponent who seeks to acquire Parcel Q-R1 (red) is developing adjacent property at PID 41410804, located to the southeast.

The lot is Urban Settlement under the Regional Plan and is designated Residential under the Community Plan Area Generalized Future Land-Use Map (GFLUM) and is unzoned. To develop the property, zoning would need to be applied, and potentially, a Development Agreement approved by Council, as specified in the Dartmouth Municipal Planning Strategy's Housing Part (2), Undeveloped Sites Within the Development Boundary, which is in-line with the "Directions for Growth" Policy G-4.

The land is designated for potential housing supply purposes as per the area Municipal Planning Strategy, but frontage and access would not be permitted from Victoria Road, a controlled access right-of-way. Access would only be permitted via the adjacent PID 41410804 (i.e., the proponent's property), or through properties to the northwest, and be approved for a future proposed use by the Development Engineer. In its current configuration, it is unable to be developed.

The aforesaid planning considerations notwithstanding, Chapter 4 of the Dartmouth Municipal Planning Strategy encourages in-fill housing within the development boundary, which may be considered as "strategically located land holdings" with the potential to contribute to new housing stock.

Given that this property is adjacent to Halifax-Dartmouth Bridge Commission (HDBC) ramps, HDBC has been advised that the municipality is reviewing the subject property as potentially surplus to municipal requirements. HDBC has been requested to advise the municipality if HDBC has interest to acquire the property. HDBC responded in writing that it has no interest in acquiring the property.

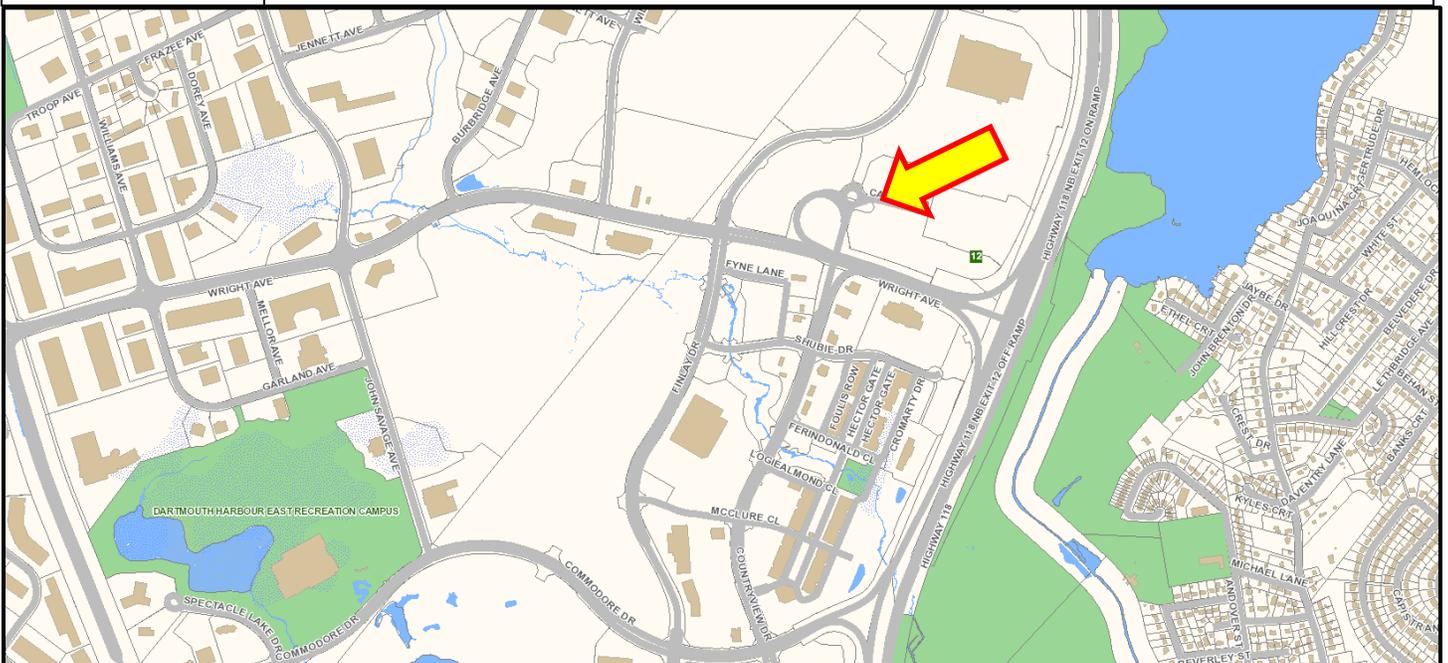
A public hearing would be required to close this section of right-of-way, if its value is more than fifty thousand dollars.



Attachment D – Extraordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 07.19

Corner of Countryview Drive and Cabela Road, Dartmouth, District 6, PID 41215526 (portion of)			
Surplus Category (proposed)	Extraordinary	Councillor	Tony Mancini
Current Asset Use	Right-of-Way	Current Land Area	~35,172 square feet
Building Area	Not applicable	Land Area for Disposal (proposed)	~9,900 square feet (subject to survey)
Building Condition	Not applicable		
Interim Management	Transportation and Public Works	Operating Costs	No material costs
Land Use Bylaw	4 – Dartmouth	PVSC Assessment	Not applicable
Zone (hyperlink)	I-2 (General Industrial)	Deed on File	2007
Environmental Risk	It is possible that this portion of Dartmouth Crossing was a construction and demolition waste (C&D) site before its commercial development. Environmental assessments were completed for the Dartmouth Crossing area before it was developed. These assessments should be reviewed. Prospective purchasers are urged to conduct their own due diligence.		
Background	<p>The subject parcel WR-1R was approved as right of way in 2006. The proponent wishes to acquire a piece of that right of way, named Countryview Drive/Cabela Road. The subject parcel is outside the travelled way, not including a small portion that has become part of the roundabout. The subject parcel (shaded red in the aerial photo), which the proponent seeks to acquire, includes a rock slope along Countryview Drive and a small portion of the graded pad.</p> <p>A detailed plan will be required to ensure all infrastructure owned by HRM (related to the roundabout, sidewalk, retaining wall, etc.) is included in the right-of-way, and extents of the area to be disposed requires review by Development Engineering, and subject to survey.</p> <p>A public hearing would be required to close this section of right-of-way, if its value is more than fifty thousand dollars.</p>		



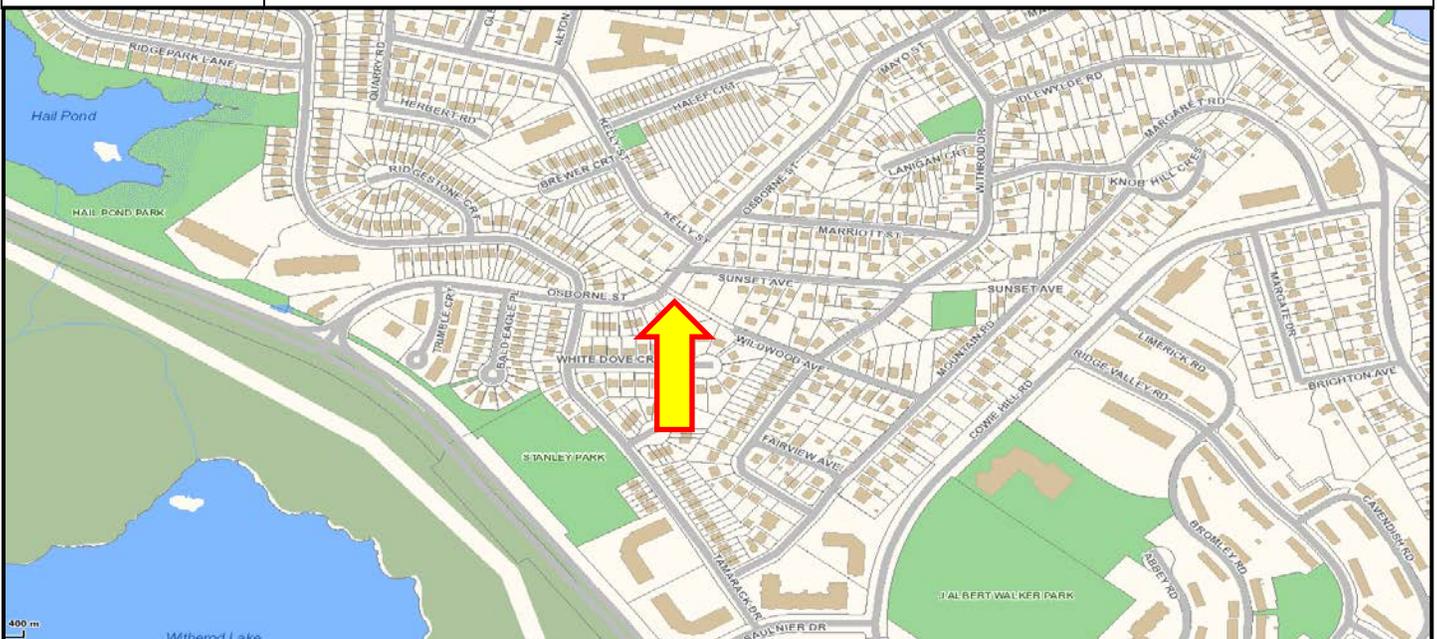
Attachment D – Extraordinary Properties
COUNCIL REPORT – Administrative Order 50 – Package 07.19

Corner of Countryview Drive and Cabela Road, Dartmouth, District 6, PID 41215526 (portion of)



Attachment D – Extraordinary Properties
 COUNCIL REPORT – Administrative Order 50 – Package 07.19

Land Adjacent to 28 Sunset Avenue, Halifax, District 9, PIDs 40214702 & 40425621			
Surplus Category (proposed)	Extraordinary	Councillor	Shawn Cleary
Current Asset Use	Right-of-Way	Current Land Area	~21,200 square feet
Building Area	Not applicable	Land Area for Disposal (proposed)	~5,600 square feet (subject to survey)
Building Condition	Not applicable		
Interim Management	Transportation and Public Works	Operating Costs	No Material Costs
Land Use Bylaw	9 – Halifax Mainland	PVSC Assessment	\$63,800
Zone	RDD – Residential Development District Zone	Deed on File	1991
Environmental Risk	There are no known environmental reports assigned to this property. Prospective purchasers are urged to conduct their own due diligence.		
Background	<p>According to the 1991 deed, the surrounding lands, which include the subject property as highlighted red in the subsequent aerial photo, were acquired for extension of Osborne Street to Northwest Arm Drive through the Stanley Park Subdivision, prior to the current alignment.</p> <p>The proponent, who owns 28 Sunset Avenue, seeks to acquire all or a portion of the subject property, as highlighted.</p> <p>An additional condition of disposal includes a survey showing a new property line parallel to Osborne Street, which captures the existing bus shelter and power pole anchor within the right-of-way.</p> <p>A public hearing is required to close a section of right-of-way, if its value is more than fifty thousand dollars.</p>		



Attachment D – Extraordinary Properties
COUNCIL REPORT – Administrative Order 50 – Package 07.19

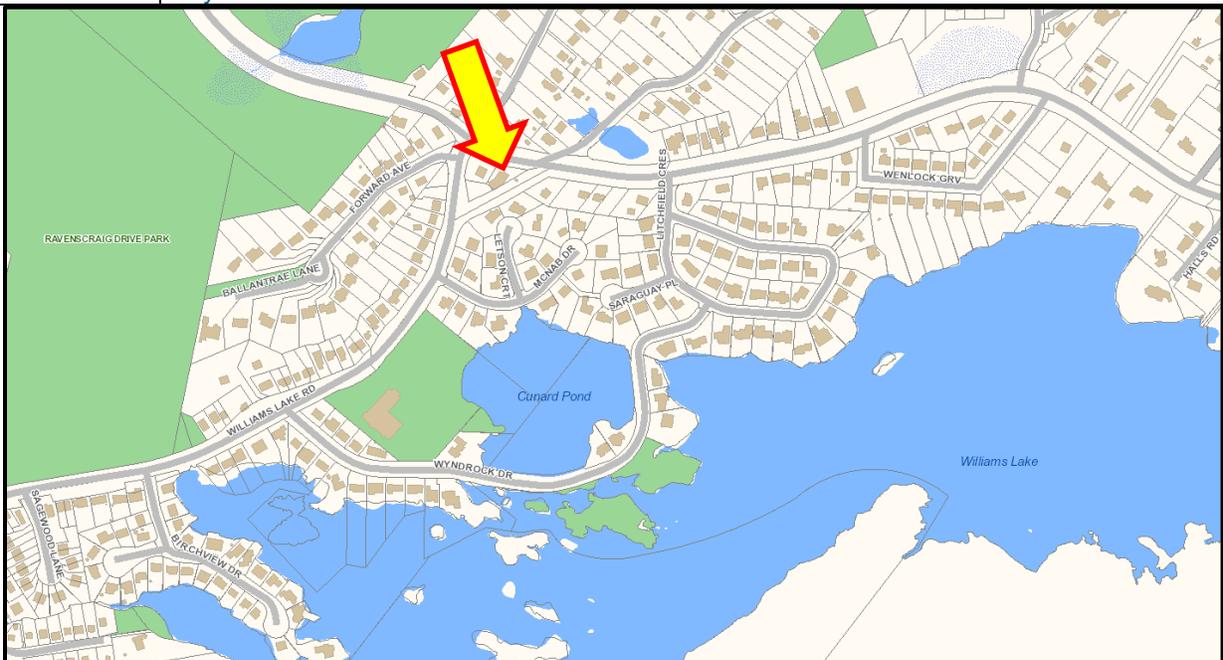
Land Adjacent to 28 Sunset Avenue, Halifax, District 9, PIDs 40214702 & 40425621



Southwest View

Attachment D – Extraordinary Properties
 COUNCIL REPORT – Administrative Order 50 – Package 07.19

Land Adjacent to 1875 Purcells Cove Road, Halifax, District 9, PIDs 40934341 & 40932998 (portion of)			
Surplus Category <small>(proposed)</small>	Extraordinary	Councillor	Shawn Cleary
Current Asset Use	Right-of-Way	Current Land Area	~127,000 square feet
Building Area	Not applicable	Land Area for Disposal <small>(proposed)</small>	~27,000 square feet (subject to survey)
Building Condition	Not applicable		
Interim Management	Transportation and Public Works	Operating Costs	No Material Costs
Land Use Bylaw	9 - Mainland	PVSC Assessment	Not applicable
Zone	R-1 Single Family Dwelling	Deed on File	Not applicable
Environmental Risk	There are no known environmental reports assigned to this property. Prospective purchasers are urged to conduct their own due diligence.		
Background	<p>The subject property was the former alignment of Williams Lake Road, which intersected with Purcells Cove Road. The proponent who owns 1875 Purcells Cove Road would like to formalize their driveway, which runs through a portion of the subject right-of-way property. Several other properties appear to encroach on portions of the subject right-of-way property, as well. Therefore, the balance of the property may either be sold to other abutters, or sold as a buildable lot, pending subdivision approval process.</p> <p>A condition of disposal includes the retention of enough municipal property such that the right-of-way line along the south side of Purcells Cove Road may be normalized, consistent with the remainder of the streetline.</p> <p>A public hearing would be required to close this section of right-of-way, if its value is more than fifty thousand dollars.</p>		



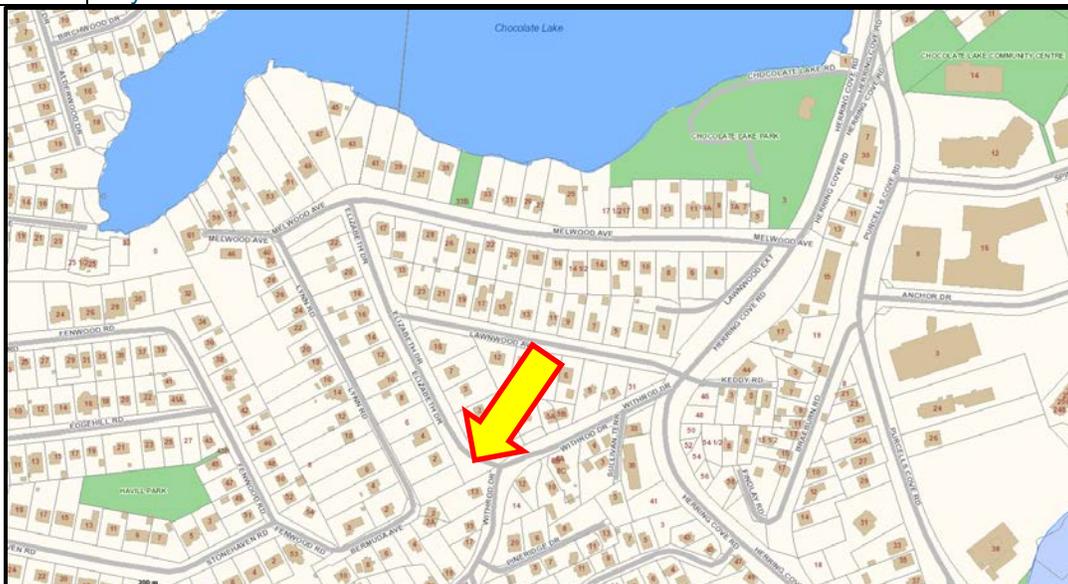
Attachment D – Extraordinary Properties
COUNCIL REPORT – Administrative Order 50 – Package 07.19

Land Adjacent to 1875 Purcells Cove Road, Halifax, District 9, PIDs 40934341 & 40932998 (portion of)



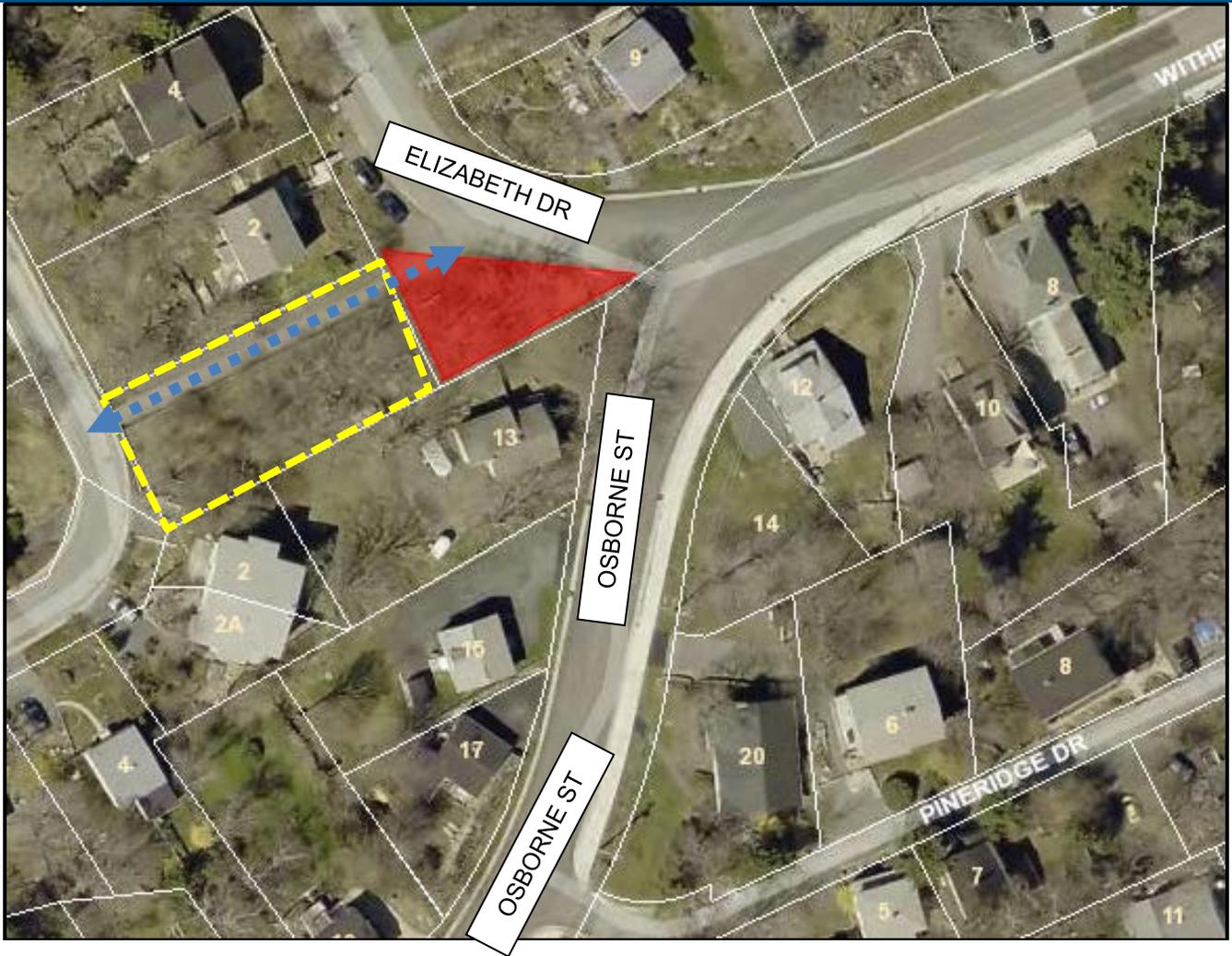
Attachment D – Extraordinary Properties
 COUNCIL REPORT – Administrative Order 50 – Package 07.19

Corner of Osborne Street and Elizabeth Drive, Halifax, District 9, PID 40931537 (portion of)			
Surplus Category <small>(proposed)</small>	Extraordinary	Councillor	Shawn Cleary
Current Asset Use	Right-of-Way	Current Land Area	~37,800 square feet
Building Area	Not applicable	Land Area for Disposal <small>(proposed)</small>	~2,240 square feet (subject to survey)
Building Condition	Not applicable		
Interim Management	Transportation and Public Works	Operating Costs	No Material Costs
Land Use Bylaw	9 – Halifax Mainland	PVSC Assessment	Not applicable
Zone	R-1 Single Family Dwelling	Deed on File	Not applicable
Environmental Risk	There are no known environmental reports assigned to this property. Prospective purchasers are urged to conduct their own due diligence.		
Background	<p>The proponent who owns the property to the south at 13 Osborne Street (formerly Withrod Drive prior to 2017), and who also owns the property over which a public walkway is situated (connecting Lynn Road and Elizabeth Drive), wishes to acquire a portion of the right-of-way on the corner of Osborne Street (formerly Withrod Drive) and Elizabeth Drive (as shaded red in the aerial photo.) There is no easement in place for the existing walkway (blue dashed line) on the proponent's property, PID 40595977 (highlighted by a yellow dashed boundary line.) A preliminary subdivision involving the proponent's property and the requested HRM property has been received by Planning and Development.</p> <p>Recommended conditions of disposal include:</p> <ul style="list-style-type: none"> Establishing easements for existing overhead and underground utilities located on the subject section of street right-of-way; and Acquiring an easement in favour of HRM for the existing walkway (blue line) that connects Lynn Road and Elizabeth Drive. <p>A public hearing would be required to close this section of right-of-way, if its value is more than fifty thousand dollars.</p>		



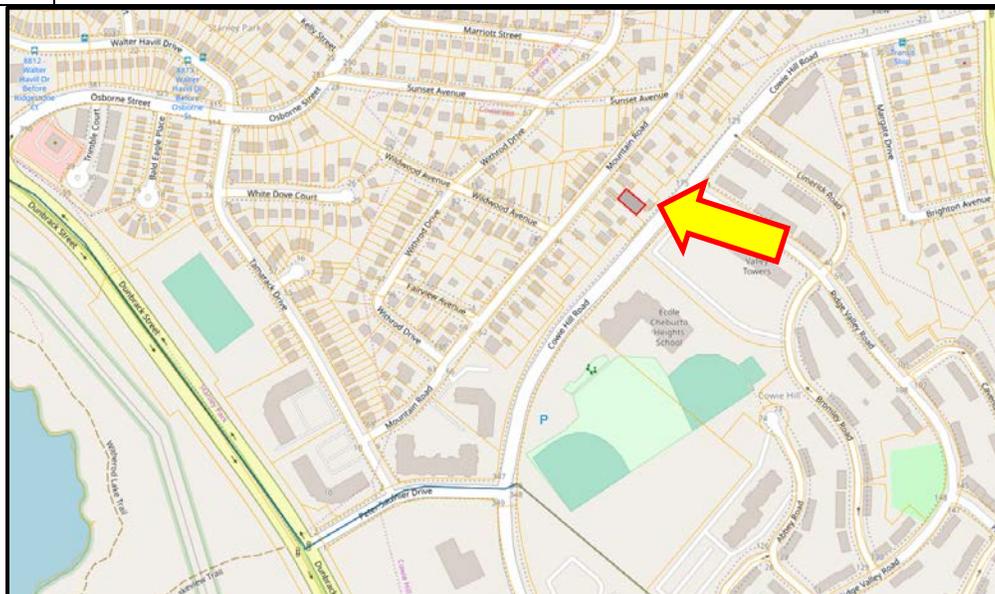
Attachment D – Extraordinary Properties
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Corner of Osborne Street and Elizabeth Drive, Halifax, District 9, PID 40931537 (portion of)



Attachment D – Extraordinary Properties
 COUNCIL REPORT – Administrative Order 50 – Package 07.19

Cowie Hill Road adjacent to 32 Mountain Road, Halifax, District No. 9, PID 40931867 (portion of)			
Surplus Category (proposed)	Extraordinary	Councillor	Shawn Cleary
Current Asset Use	Right-of-way	Current Land Area	Unspecified (over 1 acre)
Building Area	No building	Land Area for Disposal (proposed)	~1,270 square feet (subject to survey)
Building Condition	Not applicable		
Interim Management	Transportation and Public Works	Operating Costs	No material costs
Land Use Bylaw	9 – Halifax Mainland	PVSC Assessment	Not applicable
Zone (hyperlink)	R-2	Deed on File	Not applicable
Environmental Risk	There are no known environmental reports assigned to this property. Prospective purchasers are urged to conduct their own due diligence.		
Background	<p>The proponent at 32 Mountain Road (PID 00270660) seeks to acquire a portion of the Cowie Hill Road right-of-way (ROW) indicated as a yellow rectangle in the plan on the next page, below.</p> <p>The proponent owns the adjoining parcel to the southeast (PID 00270678), as outlined in red. Acquiring the Cowie Hill Road portion of right-of-way (yellow parcel) would provide the proponent with additional land suitable for development.</p> <p>However, upon review, it is recommended that in order to ensure that adequate right-of-way remains (i.e., in case HRM decides to install a future sidewalk on this side of Cowie Hill Road), then the parcel to be surplusd should not extend closer to Cowie Hill Road than the extension of the property line at civic 177, as depicted in the plan below, coloured green, and labeled 'surplus'. The surplus parcel (~1,270 square feet) must also be consolidated with the proponent's adjoining property at time of sale.</p> <p>A public hearing would be required to close this section of right-of-way, if its value is more than fifty thousand dollars.</p>		



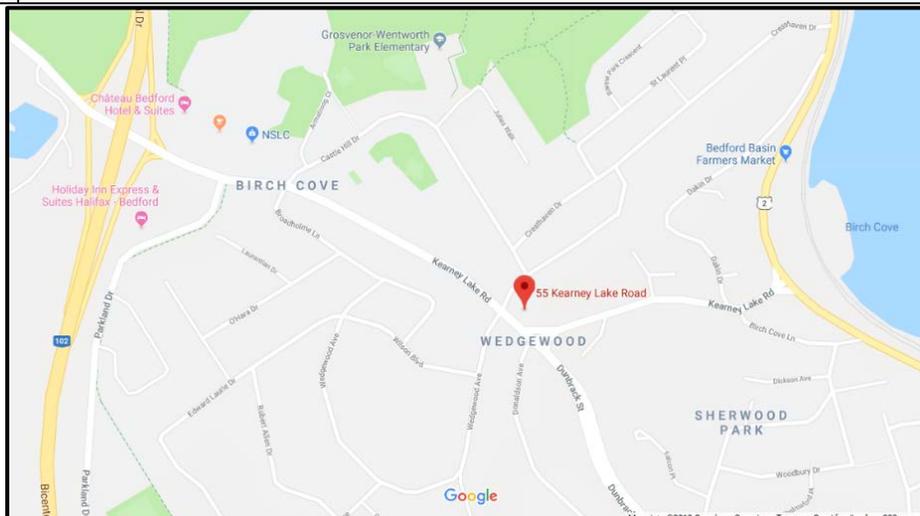
Attachment D – Extraordinary Properties
COUNCIL REPORT – Administrative Order 50 – Package 07.19



Attachment D – Extraordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 07.19

55 Kearney Lake Road, District No. 10, PIDs 40920134 and 40919938 (portion of)			
Surplus Category (proposed)	Extraordinary	Councillor	Russell Walker
Current Asset Use	Right-of-way	Current Land Area	Unspecified (over 1 acre)
Building Area	No building	Land Area for Disposal (proposed)	~2,000 square feet (subject to survey)
Building Condition	Not applicable		
Interim Management	Transportation and Public Works	Operating Costs	No material costs
Land Use Bylaw	9 – Halifax Mainland	PVSC Assessment	Not applicable
Zone (hyperlink)	R-1	Deed on File	Not applicable
Environmental Risk	There are no known environmental reports assigned to this property. Prospective purchasers are urged to conduct their own due diligence.		
Background	<p>The proponent is the adjacent property owner of both, civic 55 Kearney Lake Road and 4 Grosvenor Road, who operates a daycare within two buildings. The property owner currently has a development agreement (DA) application (Case 21795 as per approved notice of motion, Item 13.1.1, Halifax and West Community Council, July 9, 2019), to permit daycare expansion.</p> <p>The proponent has requested ownership of a portion of street right-of-way along Grosvenor Road (Parcel A, yellow, in the subsequent survey plan, ~1,300 square feet), as it represents a large portion of their front yard and driveway. The proponent’s potential ownership of this parcel would also facilitate the realignment and connection of the existing driveways to create a horseshoe-type alignment. This proposed internal driveway realignment would improve traffic flow and safety when children are dropped-off and picked-up, given that there is a nearby intersection.</p> <p>This proposed transaction would also involve HRM’s acquisition of a portion of right-of-way (labelled as Parcel C in the subsequent survey plan, ~1,050 square feet), that includes a portion of sidewalk and overhead sign base along Kearney Lake Road, and which is now encroaching on the proponent’s property. It is also recommended that HRM surplus that portion of Parcel B (~890 square feet) that is not required for right-of-way purposes, with the intent to sell that portion at a later time, if the proponent expresses interest.</p> <p>A public hearing is required to close any portion of right-of-way, if its value is more than fifty thousand dollars.</p>		



Attachment D – Extraordinary Properties
COUNCIL REPORT – Administrative Order 50 – Package 07.19

55 Kearney Lake Road, District No. 10, PIDs 40920134 and 40919938 (portion of)

