

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

Original Signed by 

**SUBMITTED BY:** \_\_\_\_\_  
Jacques Dubé, Chief Administrative Officer

**DATE:** August 8, 2022

**SUBJECT:** **Administrative Order 50 – Declaration of Surplus Real Property – Package 08.21**

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## **ORIGIN**

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

## **LEGISLATIVE AUTHORITY**

The *Halifax Regional Municipality Charter*, S.N.S. 2008, c.39, subsections 61(3),61(5)(b), 63(1) through 63(5), section 64, and subsection 283(14) provide:

### **Powers of Municipality regarding property**

**61 (3)** The property vested in the Municipality, absolutely or in trust, is under the exclusive management and control of the Council, unless an Act of the Legislature provides otherwise.

**(5)** The Municipality may

(b) sell property at market value when the property is no longer required for the purposes of the Municipality;

### **Sale or lease of municipal property**

**63 (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.

**(2)** A resolution to sell or lease property referred to in subsection (1) at less than market value shall be passed by a two-thirds majority of the Council present and voting.

**RECOMMENDATION ON PAGE 2**

(3) Where the Council proposes to sell property referred to in subsection (1) valued at more than ten thousand dollars at less than market value, the Council shall first hold a public hearing respecting the sale.

(4) The Council shall advertise the public hearing at least twice, in a newspaper circulating in the Municipality, the first notice to appear at least fourteen days before the hearing.

(5) Notice of the public hearing shall include the date, time and place of the hearing, the location of the real property or description of the tangible personal property, the estimated value of the property and the purpose of the sale.

**Sale to abutting owner**

**64** 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.

**Land or cash-in-lieu**

**283 (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 Number 50 Respecting the Disposal of Surplus Real Property provides:

**\*See BACKGROUND below, and Attachment A of this report.**

**RECOMMENDATION**

It is recommended that Halifax Regional Council:

1. Declare the properties, listed in Attachments B, C, and D of this report, as surplus to municipal requirements.
2. Categorize the properties as specified in Attachments B, C, and D of this report, pursuant to Administrative Order Number 50 Respecting the Disposal of Surplus Real Property.
3. Recategorize the three properties in Attachment E, previously declared surplus by Regional Council as “Ordinary” to “Affordable Housing”: and
4. Revoke the surplus approval of the property in Attachment F.

## **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 and brought forward 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 inter-Business Unit review and identification of operationally surplus property, municipal staff will categorize the inventory of the properties.
3. Surplus properties are categorized as follows:
  - Economic Development
  - Community Interest
  - Ordinary Sale
  - Remnant
  - Extraordinary
  - Inter-Governmental Transfer
  - Affordable Housing
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. The properties within this report are limited to the recommended categories of Remnant, Extraordinary and Affordable Housing.

Upon Regional Council declaring and categorizing the properties identified in the report as surplus, staff are directed to dispose of the surplus properties as per the disposal methods, terms and conditions as provided in Administrative Order 50 (Attachment A). Any future contemplated recategorization of a surplus property would require Regional Council approval.

Properties declared surplus and categorized under Affordable Housing will be under the full stewardship of Planning & Development as currently administered through its Social Planning Division.

**TABLE 1**

<b>Summary of Attached Surplus Properties by Category</b>				
<b>Property Category</b>	<b>Report Attachment</b>	<b>Quantity</b>	<b>Total Area* (sq. ft.)</b>	<b>PVSC* Assessment</b>
Remnant	B	3	14,022	\$209,500
Extraordinary	C	7	308,510	\$772,800
Affordable Housing	D & E	7	196,904	\$1,322,100
<b>Totals</b>		<b>17</b>	<b>519,435</b>	<b>\$2,304,400</b>

**\*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 and C 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, in accordance with the Halifax Regional Municipality Charter Section 120(3)(a).

Where the context permits, 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.

### **SOCIAL VALUE**

No social value was identified.

### **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 - Remnant Properties  
Attachment C - Extraordinary Properties  
Attachment D - Affordable Housing Properties  
Attachment E - Surplus Properties to be Recategorized as Affordable Housing  
Attachment F - Property to have Surplus Approval Revoked

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A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210

Report Prepared by: Cale Kilyanek, Real Estate Officer, Corporate Real Estate, Property, Fleet & Environment, 782.640.7043

Michael Wile, Manager, Acquisitions, Disposals and industrial Lands, Corporate Real Estate, Property, Fleet & Environment, 902.476.9162

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## ATTACHMENT A

### 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) “affordable housing” means housing that meets the needs of a variety of households in the low to moderate income range;

(aa) “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;

(ab) “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;
- (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.

(g) Affordable Housing

Properties known to have potential for residential development respecting types of dwelling units and types of residential uses, where, in the opinion of Council:

- (i) community need, supportive infrastructure, and conditions for affordable housing are demonstrable, or

- (ii) there exists
  - A. a higher market value cost for housing in certain areas, neighbourhoods or districts of the Municipality as compared to the rest of the Municipality, or
  - B. a scarcity of housing types or residential uses,

that limits property ownership or tenancy in the area where the property is located, or,

- (iii) the:
  - A. future growth in any given area is anticipated to create demands for housing, and
  - B. housing options through proposed development appear to be limited in variety and financial accessibility, and
  - C. consideration for affordable housing would reasonably arise.

### **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 the Asset Owner Business Unit reviews and identification of operationally surplus property by that Owner the Corporate Real Estate staff shall undertake an interdepartmental 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.

(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.

(4A) For greater certainty, an individual Local Councillor has no authority under this Administrative Order, including no authority to declare a municipal property to be a surplus property, to determine the category of the municipal property, to determine the disposal method for the municipal property, or to approve the disposal of the municipal property.

(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
- (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.

### **Affordable Housing**

(5) This category of properties shall be disposed of through direct sale, or a call for submissions, open to eligible not-for-profit organizations meeting the submission requirements and program criteria established from time-to-time by the Director, or their designate, of the department of the Municipality that is responsible for planning and development.

**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.

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Cathy Mellett, Municipal Clerk

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

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

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

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

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

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Amendment # 5 – addition of new interpretation and category – Affordable Housing  
Notice of Motion: December 1, 2020  
Approval: December 15, 2020  
Effective Date: March 1, 2021

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Amendment # 6 – addition of subsection 3(4A)  
Notice of Motion: July 20, 2021  
Approval: August 31, 2021

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**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.

### **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.

(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.

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:
  - (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:

(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.

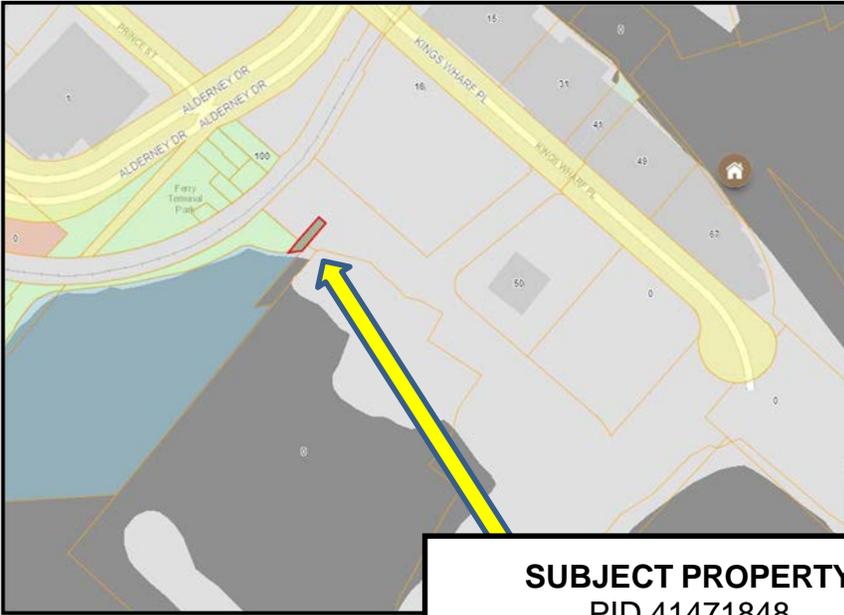
- (2) The Treasurer may only approve and enter into a payment plan if all the parties agree to the following terms and conditions:

- (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.

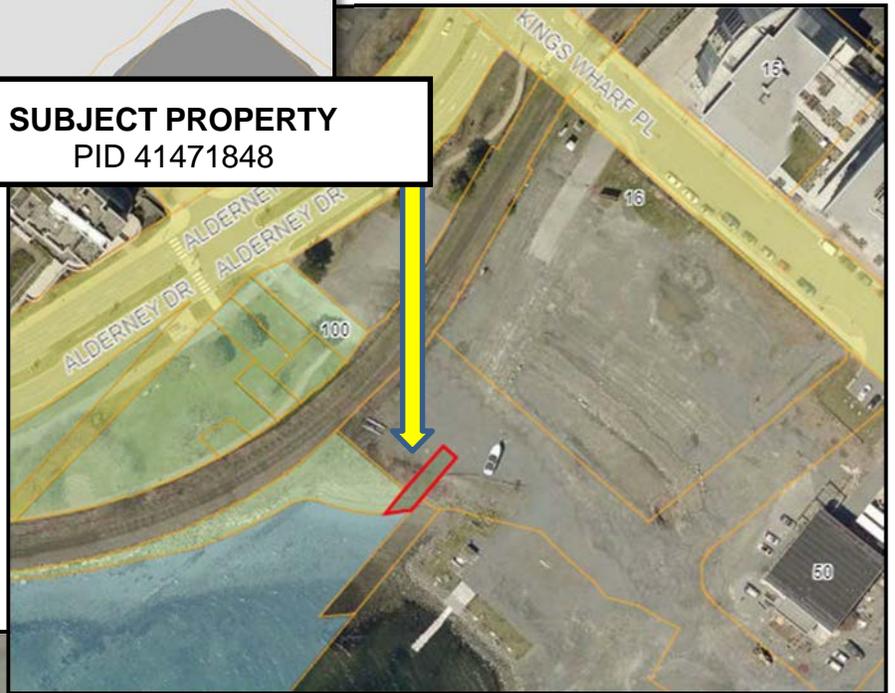
## Attachment B – Remnant Properties

COUNCIL REPORT – Administrative Order 50 – Package 08.21

### Alderney Drive, Dartmouth, PID 41471848 (portion of)



**SUBJECT PROPERTY**  
PID 41471848



**AREA TO BE  
DECLARED SURPLUS**



## Attachment B – Remnant Properties

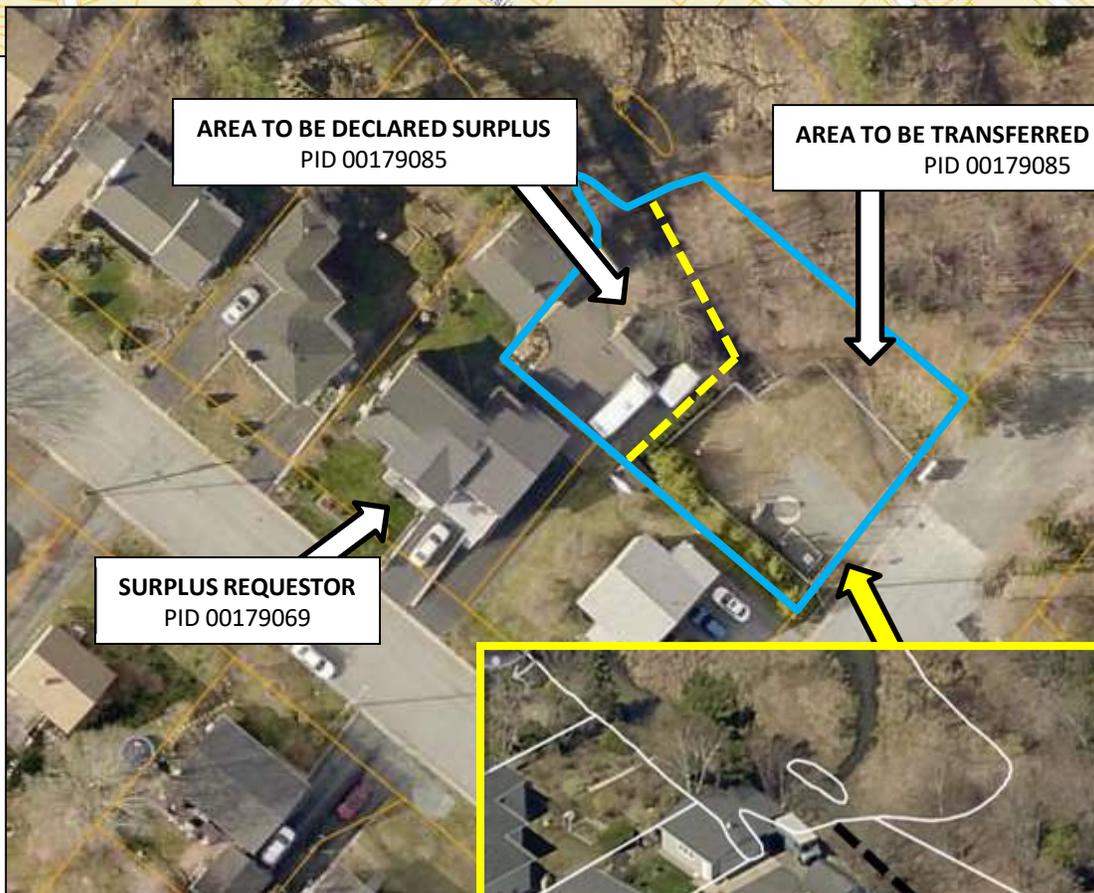
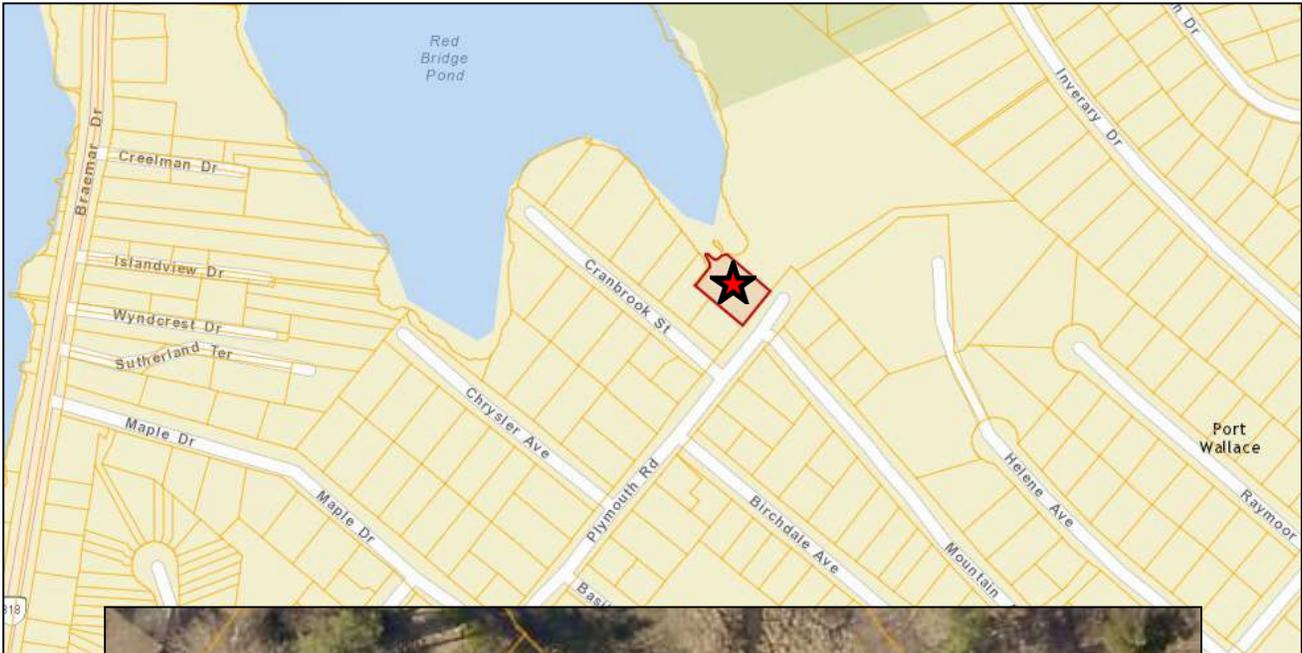
COUNCIL REPORT – Administrative Order 50 – Package 08.21

Alderney Drive, Dartmouth, PID 41471848 (portion of)			
<b>Surplus Category</b> (proposed)	Remnant	<b>Councillor / District</b>	Sam Austin / District 5
<b>Current Asset Use</b>	Vacant Land	<b>Current Land Area</b> (Parent)	±1,022 sq.ft.
<b>Building Area</b>	N/A	<b>Land Area for Disposal</b> (proposed)	±720 sq.ft.
<b>Building Condition</b>	N/A		
<b>Interim Management</b>	Parks & Recreation	<b>Operating Costs</b>	None
<b>Land Use Bylaw</b>	Regional Centre	<b>PVSC Assessment</b>	\$5,200 (2022 Commercial Exempt)
<b>Zone</b> (hyperlink)	<a href="#">PCF</a> (Park & Community Facility) Zone	<b>Deed on File</b>	Deed Registered on NS Property Online (1884)
<b>Environmental Risk</b>	<p>There are no contaminated site files for this location.</p> <p><b>Note:</b> Prospective purchasers are urged to conduct their own due diligence.</p>		
<b>Background</b>	<p>This property was acquired by the City of Dartmouth in 1884.</p> <p>The proponent seeks to acquire an approximately 720 square foot land portion (outlined in blue) of the subject parcel to normalize the dimensions of the proponent's property and to facilitate further development of neighbouring lands (King's Wharf). Note that while the parent parcel of the subject property comprises a water lot, the area being proposed for surplus declaration does not include the water lot.</p> <p>In the Fall of 2017, consideration for surplus designation pursuant to Administrative Order 50 was paused in order for the request to be considered in conjunction with other King's Wharf development considerations. In early 2018, municipal staff from the Planning &amp; Development, Parks &amp; Recreation, and Corporate Real Estate business units met to revisit the matter and determined that the disposal of the subject area would not pose an impediment to progressing the Development Agreement or other municipal interests (e.g., second access), and that any development and/or parkland issues can be dealt with via the planning process.</p> <p>The subject property is subject to an agreement regarding the use of land (Development Agreement) between the developer and HRM registered June 22, 2020 (Document 116518391).</p>		

## Attachment B – Remnant Properties

COUNCIL REPORT – Administrative Order 50 – Package 08.21

25 Plymouth Road, Dartmouth, PID 00179085 (portion of)



## Attachment B – Remnant Properties

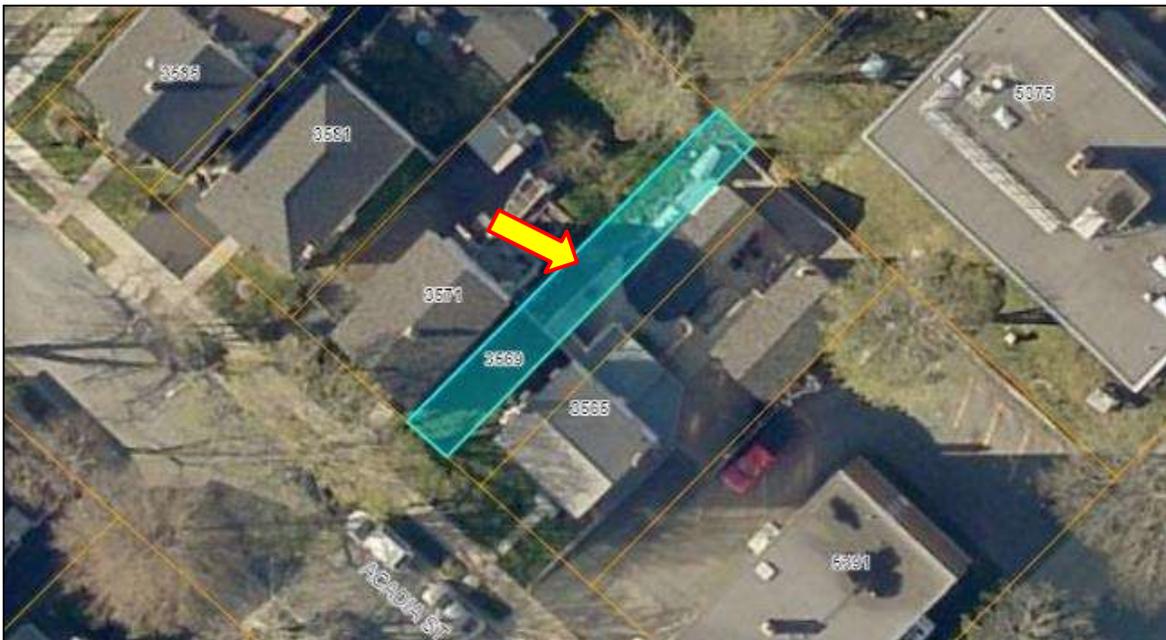
COUNCIL REPORT – Administrative Order 50 – Package 08.21

25 Plymouth Road, Dartmouth, PID 00179085 (portion of)			
<b>Surplus Category</b> (proposed)	Remnant	<b>Councillor / District</b>	Tony Mancini / District 6
<b>Current Asset Use</b>	HRWC	<b>Current Land Area</b> (Parent)	± 12,000 sq.ft.
<b>Building Area</b>	N/A	<b>Land Area for Disposal</b> (proposed)	± 4,000 sq.ft.
<b>Building Condition</b>	N/A		
<b>Interim Management</b>	HRWC	<b>Operating Costs</b>	Unknown
<b>Land Use Bylaw</b>	Dartmouth	<b>PVSC Assessment</b>	\$116,300 (2022 Residential Exempt)
<b>Zone</b> (hyperlink)	<a href="#">R-1</a> (Single Family Residential) Zone	<b>Deed on File</b>	December 1974
<b>Environmental Risk</b>	<p>No contaminated site files were located for this property.</p> <p><b>Note:</b> Prospective purchasers are urged to conduct their own due diligence.</p>		
<b>Background</b>	<p>The proponent is an abutting property owner to the Southeast (see imagery above) and has requested a portion of the 25 Plymouth Road lot.</p> <p>The property was deeded to the former County for municipal purposes as it contains wastewater infrastructure (pump station as well as piped infrastructure).</p> <p>As the lot contains HRWC infrastructure, it is subject to the 2007 Wastewater/Stormwater Transfer Agreement. The portion of this lot not deeded by the abutter will be transferred to HRWC and will not require surplus designation by Regional Council.</p> <p>Corporate Real Estate has contacted the HRWC and confirmed that the wastewater/stormwater infrastructure can be managed with the proposed reduced lot area.</p>		

## Attachment B – Remnant Properties

COUNCIL REPORT – Administrative Order 50 – Package 08.21

3569 Acadia Street, Halifax, PID 00061010



## Attachment B – Remnant Properties

COUNCIL REPORT – Administrative Order 50 – Package 08.21

3569 Acadia Street, Halifax, PID 00061010			
<b>Surplus Category</b> <small>(proposed)</small>	Remnant	<b>Councillor / District</b>	Lindell Smith / District 8
<b>Current Asset Use</b>	Vacant	<b>Current Land Area</b> <small>(Parent)</small>	± 1,000 sq.ft.
<b>Building Area</b>	N/A	<b>Land Area for Disposal</b> <small>(proposed)</small>	± 1,000 sq.ft.
<b>Building Condition</b>	N/A		
<b>Interim Management</b>	Presumably, the abutters	<b>Operating Costs</b>	No Material Cost
<b>Land Use Bylaw</b>	Regional Centre	<b>PVSC Assessment</b>	\$88,000 (2022 Commercial Exempt)
<b>Zone</b> <small>(hyperlink)</small>	<a href="#">ER-2</a> (Established Residential 2) Zone	<b>Deed on File</b>	None
<b>Environmental Risk</b>	E&E has no environmental reports on this property, surrounding properties or ROW. <b>Note:</b> Prospective purchasers are urged to conduct their own due diligence.		
<b>Background</b>	<p>This property was identified by HRWC as HRM-owned with several encroachments from abutting properties. There does not appear to be any HRWC infrastructure associated with this property.</p> <p>This lot does not appear to meet the minimum required lot area or frontage for any use permitted in the ER-2 zone which makes the abutter(s) the most likely prospective purchaser(s).</p>		

**Attachment C – Extraordinary Properties**  
COUNCIL REPORT – Administrative Order 50 – Package 08.21

**18 Travis Court, Cow Bay, PID 00369041**



## Attachment C – Extraordinary Properties

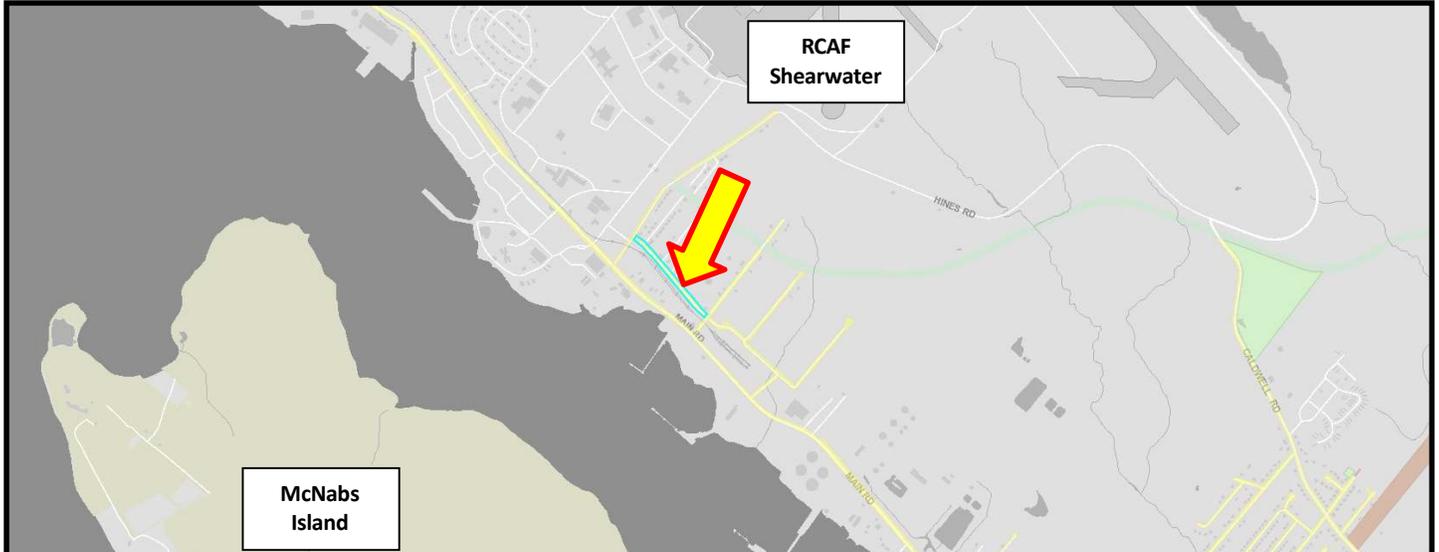
COUNCIL REPORT – Administrative Order 50 – Package 08.21

18 Travis Court, Cow Bay, PID 00369041			
<b>Surplus Category</b> <small>(proposed)</small>	Extraordinary	<b>Councillor / District</b>	Becky Kent / District 3
<b>Current Asset Use</b>	Park (vacant)	<b>Current Land Area</b> <small>(Parent)</small>	± 77,800 sq.ft.
<b>Building Area</b>	N/A	<b>Land Area for Disposal</b> <small>(proposed)</small>	± 77,800 sq.ft.
<b>Building Condition</b>	N/A		
<b>Interim Management</b>	Parks and Recreation	<b>Operating Costs</b>	None
<b>Land Use Bylaw</b>	Eastern Passage/Cow Bay	<b>PVSC Assessment</b>	\$79,800 (2022 Residential Exempt)
<b>Zone</b> <small>(hyperlink)</small>	<a href="#">RA &amp; EC</a> (Rural Area & Environmental Conservation) Zones	<b>Deed on File</b>	Deed Registered on NS Property Online (1997)
<b>Environmental Risk</b>	<p>There are no contaminated site files for this location.</p> <p><b>Note:</b> Prospective purchasers are urged to conduct their own due diligence.</p>		
<b>Background</b>	<p>The subject property is an undeveloped, gently sloping lot with 125 feet of frontage on Travis Court.</p> <p>The property was deeded to HRM in 1997 as a parkland dedication for 30 residential lots comprising Bayview Estates Subdivision. Most of this lot is zoned RA (Rural Area) under the Eastern Passage/Cow Bay Land Use By-law (LUB). It is not within the Urban Service Area. The RA zone was established in 1998, after the approval of this lot in 1997. While the RA zone requires a minimum of 200 feet of public road frontage and this lot has only 125 feet of public road frontage, this lot is eligible to be developed under Section 4.6 (Existing Undersized Lots) of the LUB. A permit can be applied for any use permitted in the zone, and any proposed use shall conform to all requirements of the LUB. This lot cannot be further subdivided and is not migrated.</p> <p>An HRM-owned drainage corridor (highlighted in blue) abuts the western boundary of the parcel and an identified provincial wetland abuts the southern boundary. A small portion of the southwest corner of the lot is zoned EC (Environmental Conservation) and no structures, or portions of structures, would be permitted within the EC zoned portion of this lot. If sold, communication with HRM Development and any prospective buyers is recommended to ensure that any development on this parcel does not affect the drainage corridor.</p> <p>If declared surplus, the property must be sold pursuant to Section 283(14) of the HRM Charter (notification to subdivision residents and direction regarding proceeds of sale.)</p>		

## Attachment C – Extraordinary Properties

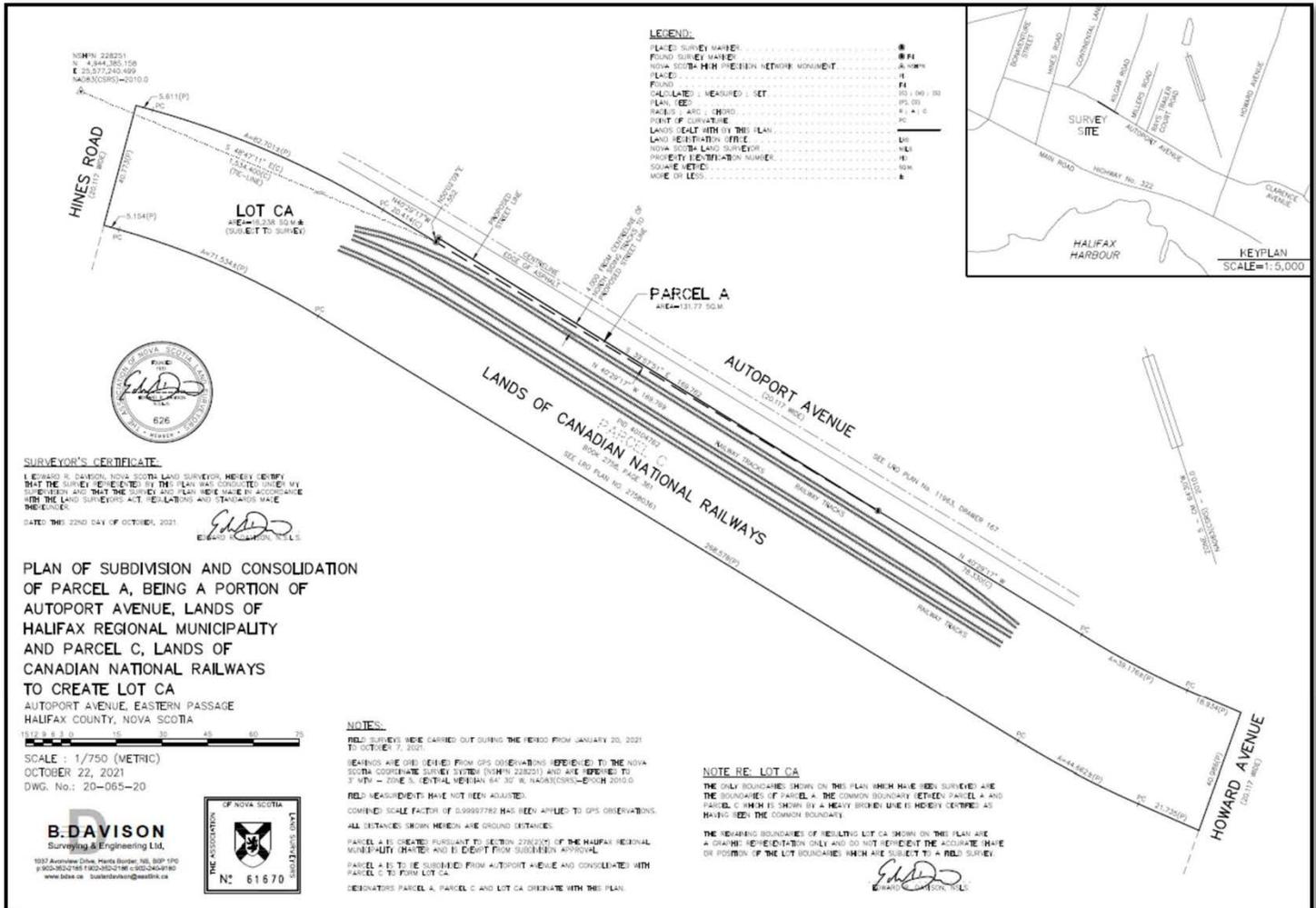
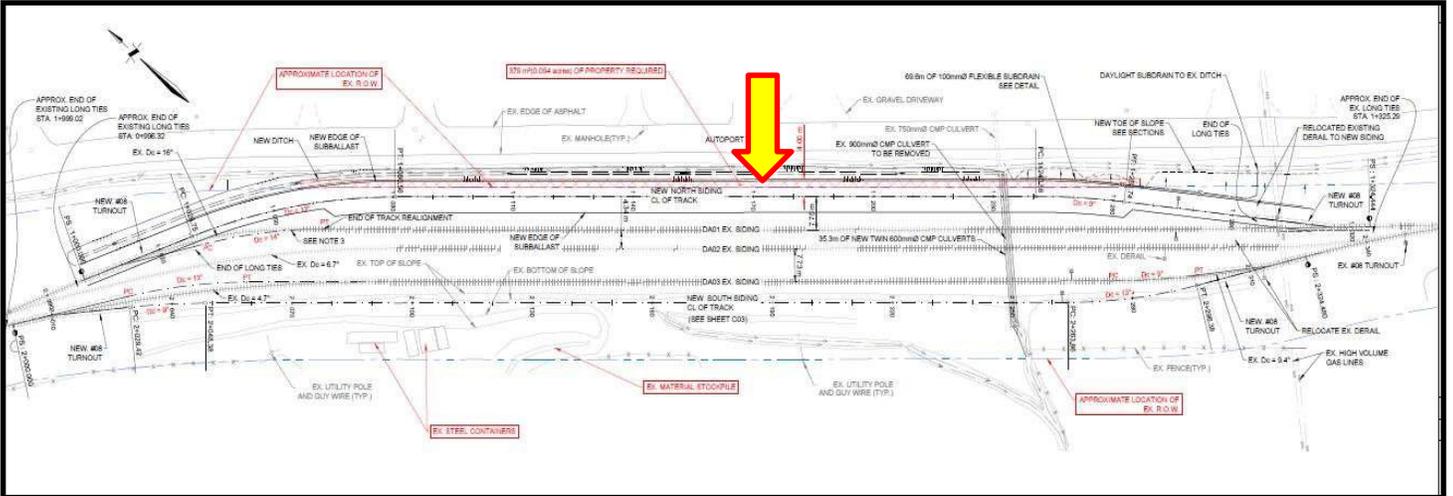
COUNCIL REPORT – Administrative Order 50 – Package 08.21

### Autoport Avenue, Eastern Passage, PID 40950438 (portion of)



## Attachment C – Extraordinary Properties COUNCIL REPORT – Administrative Order 50 – Package 08.21

### Autoport Avenue, Eastern Passage, PID 40950438 (portion of)



## Attachment C – Extraordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 08.21

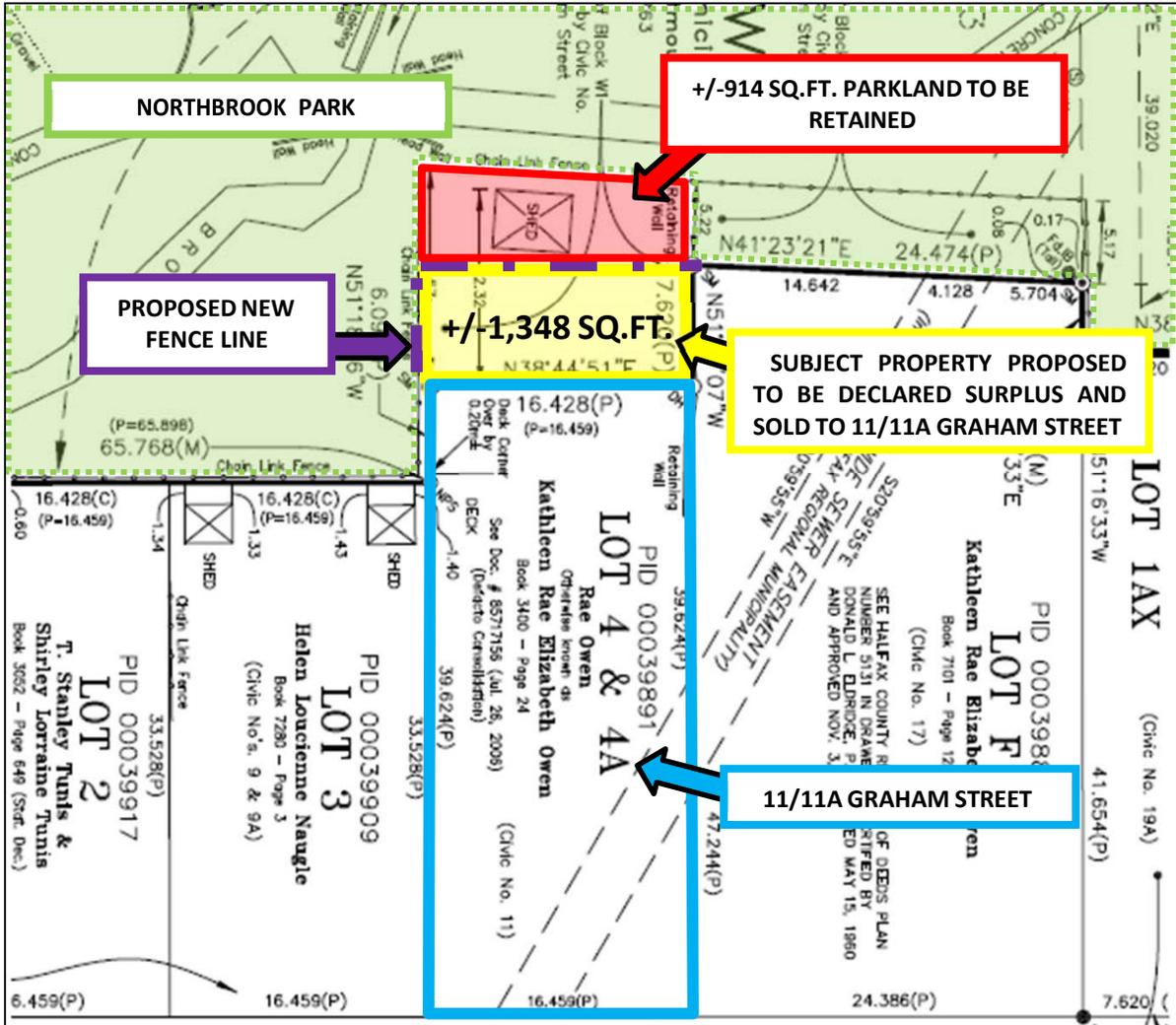
Autoport Avenue, Eastern Passage, PID 40950438 (portion of)			
<b>Surplus Category</b> <small>(proposed)</small>	Extraordinary	<b>Councillor / District</b>	Becky Kent / District 3
<b>Current Asset Use</b>	Right-of-Way	<b>Current Land Area</b> <small>(Parent)</small>	± 1,418.36 sq.ft.
<b>Building Area</b>	N/A	<b>Land Area for Disposal</b> <small>(proposed)</small>	± 1,418.36 sq.ft.
<b>Building Condition</b>	N/A		
<b>Interim Management</b>	Public Works	<b>Operating Costs</b>	No material cost
<b>Land Use Bylaw</b>	Eastern Passage/Cow Bay	<b>PVSC Assessment</b>	N/A
<b>Zone</b> <small>(hyperlink)</small>	Unzoned	<b>Deed on File</b>	TBD
<b>Environmental Risk</b>	Property is located near a bulk storage facility and CN rail track, both potential sources of environmental risk.		
<b>Background</b>	<p>To accommodate a track expansion between Hines Road and Howard Avenue, CN is requesting that HRM declare a portion of the Autoport Avenue right-of-way adjacent to their railway right-of-way as surplus to municipal requirements. Due to design constraints, CN was unable to keep the entire expansion within their right-of-way. In 2018, CN was issued a temporary streets and services permit to do the construction within the municipal right-of-way. Construction of the track expansion has been completed.</p> <p>The area which CN is requesting be declared surplus is located along the western boundary of the Autoport Avenue right-of-way and measures approximately 1.5 metres wide by 170 metres long. The area is shown crosshatched red on the attached CN engineering plan and outlined in red on the aerial image. This portion of the right-of-way is located behind the ditch and is not needed for street purposes.</p> <p>A public hearing will be required to close this portion of right-of-way, if its value is more than \$50,000.</p>		



## Attachment C – Extraordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 08.21

### Portion of Northbrook Park, Dartmouth, PID 40175853 Northbrook Park Boundary Encroachment Resolution



## Attachment C – Extraordinary Properties

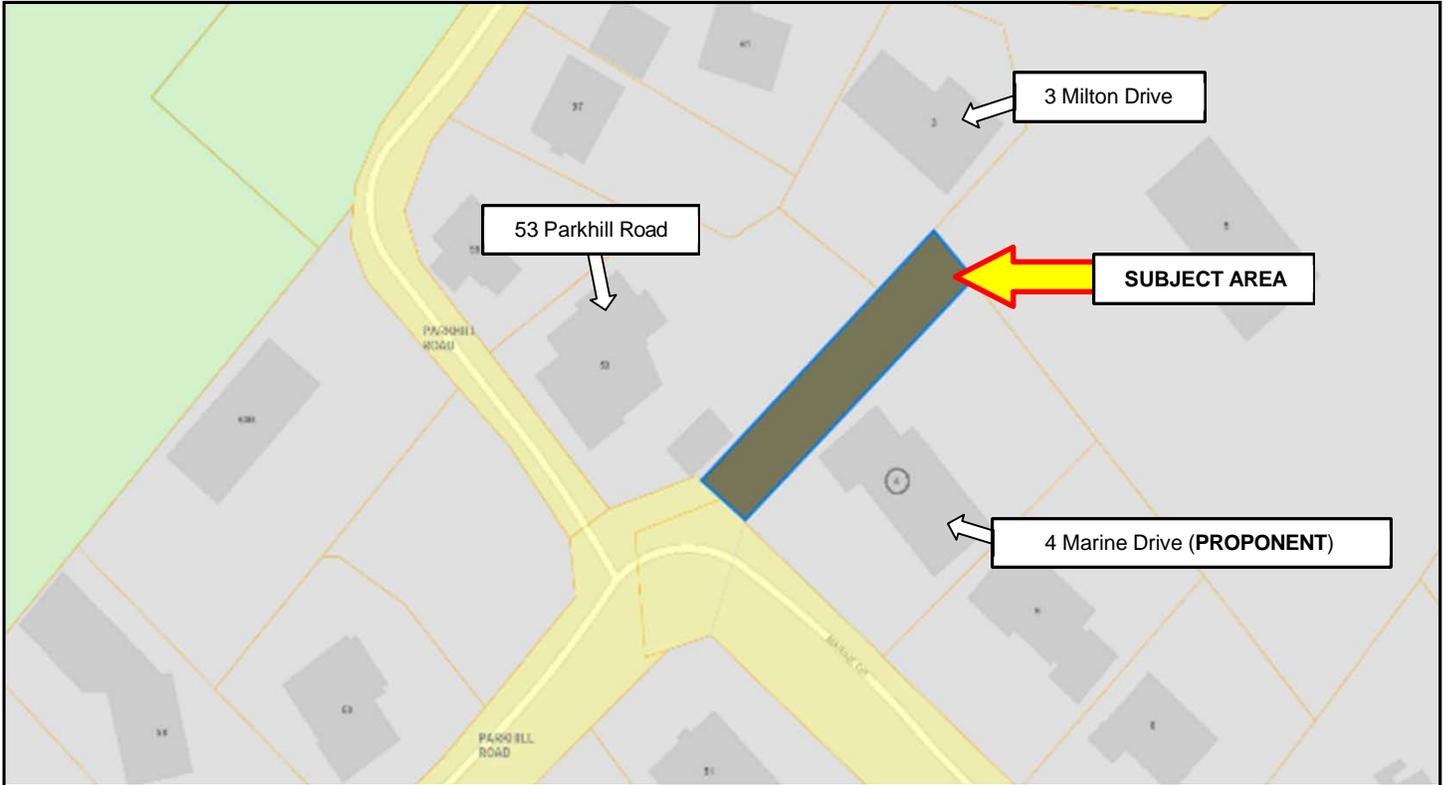
COUNCIL REPORT – Administrative Order 50 – Package 08.21

Portion of Northbrook Park, Dartmouth, PID 40175853 Northbrook Park Boundary Encroachment Resolution			
<b>Surplus Category</b> <small>(proposed)</small>	Extraordinary	<b>Councillor / District</b>	Sam Austin / District 5
<b>Current Asset Use</b>	Parkland	<b>Current Land Area</b> <small>(Parent)</small>	±91,040 sq.ft.
<b>Building Area</b>	N/A	<b>Land Area for Disposal</b> <small>(proposed)</small>	±1,348 sq.ft.
<b>Building Condition</b>	N/A		
<b>Interim Management</b>	Real Property Planning	<b>Operating Costs</b>	None
<b>Land Use Bylaw</b>	Regional Centre	<b>PVSC Assessment</b>	\$595,200 (2022 Commercial Exempt)
<b>Zone</b> <small>(hyperlink)</small>	<a href="#">PCF</a> (Park & Community Facility) Zone	<b>Deed on File</b>	Yes
<b>Environmental Risk</b>	There are no contaminated site files for this property.  <b>Note:</b> Prospective purchasers are urged to conduct their own due diligence.		
<b>Background</b>	<p>HRM Parks and Recreation intend on undertaking capital improvement work in Northbrook Park (PID 40175853). In the course of planning for this work a discrepancy in property ownership was identified between an existing fence line which was thought to demarcate the boundary between Northbrook Park and the private property at 11/11A Graham Street (PID 00039891). Upon further review it has been confirmed that the park's limit extends beyond the fence line and the owners of 11/11A Graham Street have been occupying this portion of parkland between the fence and their property as their own.</p> <p>For historical context, apparently there is a record of previous correspondence between the property owner and the former City of Dartmouth that was intended to resolve this situation by clarifying and better formalizing this boundary. This work however was never finalized.</p> <p>Discussions with the owners of 11/11A Graham Street, lead by Parks and Recreation and Councillor Austin, have identified a potential solution to the encroachment issue. Subject to this review and a decision to ultimately declare a portion of parkland surplus for sale to the owners of 11/11A Graham Street, the proposed solution is viewed as both reasonable and to the mutual benefit of both parties. More specifically, through a relocation of the fence line to a place closer to the original property boundary:</p> <ul style="list-style-type: none"> <li>• The property boundary may be better demarcated and re-established to more consistently align with property boundaries along this corridor, and in turn;</li> </ul> <p>The Municipality would:</p> <ul style="list-style-type: none"> <li>• Regain additional useable space and function to the benefit of Northbrook Park.</li> <li>• Address an existing encroachment on Northbrook Park.</li> </ul> <p>The Owners of 11/11A Graham Street would:</p> <ul style="list-style-type: none"> <li>• Purchase and retain a portion of the property long perceived and used as part of their backyard.</li> </ul> <p>If declared surplus, the property must be sold pursuant to Section 283(14) of the HRM Charter (notification to subdivision residents and direction regarding proceeds of sale).</p>		

## Attachment C – Extraordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 08.21

### Parkhill Road and Marine Drive, Halifax, PID 40933046 (portion of)



## Attachment C – Extraordinary Properties

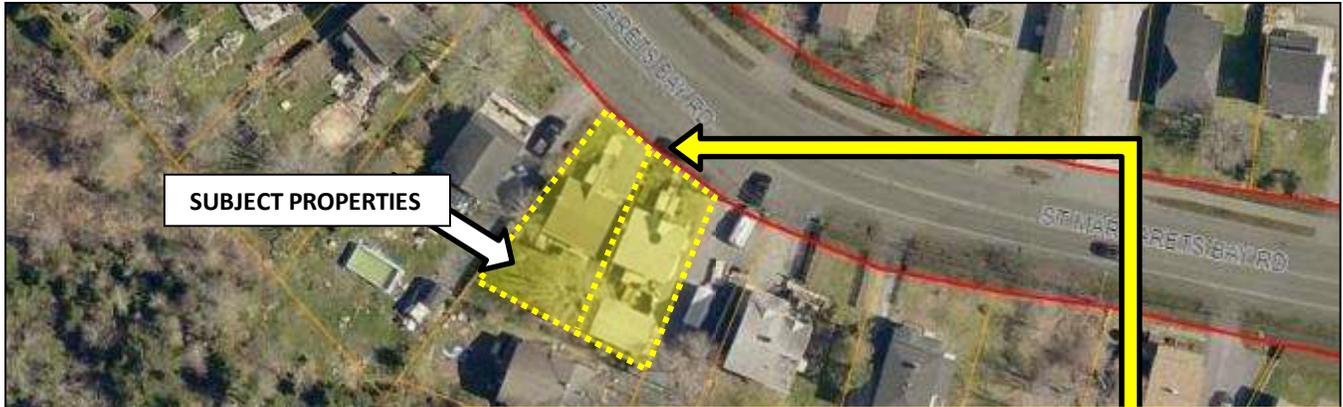
COUNCIL REPORT – Administrative Order 50 – Package 08.21

Parkhill Road and Marine Drive, Halifax, PID 40933046 (portion of)			
<b>Surplus Category</b> (proposed)	Extraordinary	<b>Councillor / District</b>	Shawn Cleary / District 9
<b>Current Asset Use</b>	Unutilized Right-of-Way	<b>Current Land Area</b> (Parent)	No Area Measurement Available
<b>Building Area</b>	N/A	<b>Land Area for Disposal</b> (proposed)	± 3,176 sq.ft.
<b>Building Condition</b>	N/A		
<b>Interim Management</b>	Public Works	<b>Operating Costs</b>	Unknown
<b>Land Use Bylaw</b>	Halifax Mainland	<b>PVSC Assessment</b>	Not Assessed
<b>Zone</b> (hyperlink)	<a href="#">R-1</a> (Single Family Dwelling) Zone	<b>Deed on File</b>	No Deed Information on NSPOL
<b>Environmental Risk</b>	<p>There are no contaminated site files for this location.</p> <p><b>Note:</b> Prospective purchasers are urged to conduct their own due diligence.</p>		
<b>Background</b>	<p>The proponent who requests surplus consideration for a portion of Parkhill Road owns the abutting property at 4 Marine Drive.</p> <p>The requested area is a portion of PID 40933046, which shows on GIS as an extension of the Parkhill Road Right-of-Way. The subject portion appears to be an unused section of street right-of-way between Civic 4 Marine Drive and 53 Parkhill Road to the northwest.</p> <p>Old area survey plans identify the subject property as a 25-foot-wide right-of-way in favour of Lots 1 and 4 (today, 4 Marine Dr. and 3 Milton Dr., respectively).</p> <p>Property is zoned R-1 under Halifax Mainland Land Use By-Law (LUB) and with only ±25 feet of frontage it would not meet the requirements for a single-unit residential development (even if considered as an “existing” lot under Section 14C of the LUB which requires 30 feet of road frontage). If rights-of-way are discharged and parcel created, an easement for overhead utilities may be required.</p> <p>If declared surplus, a public hearing will be required to close the subject right-of-way, if its value is more than fifty thousand dollars.</p>		

## Attachment C – Extraordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 08.21

Portion of St. Margarets Bay Road, Lakeside, PID 40898140 (portion of)



## Attachment C – Extraordinary Properties

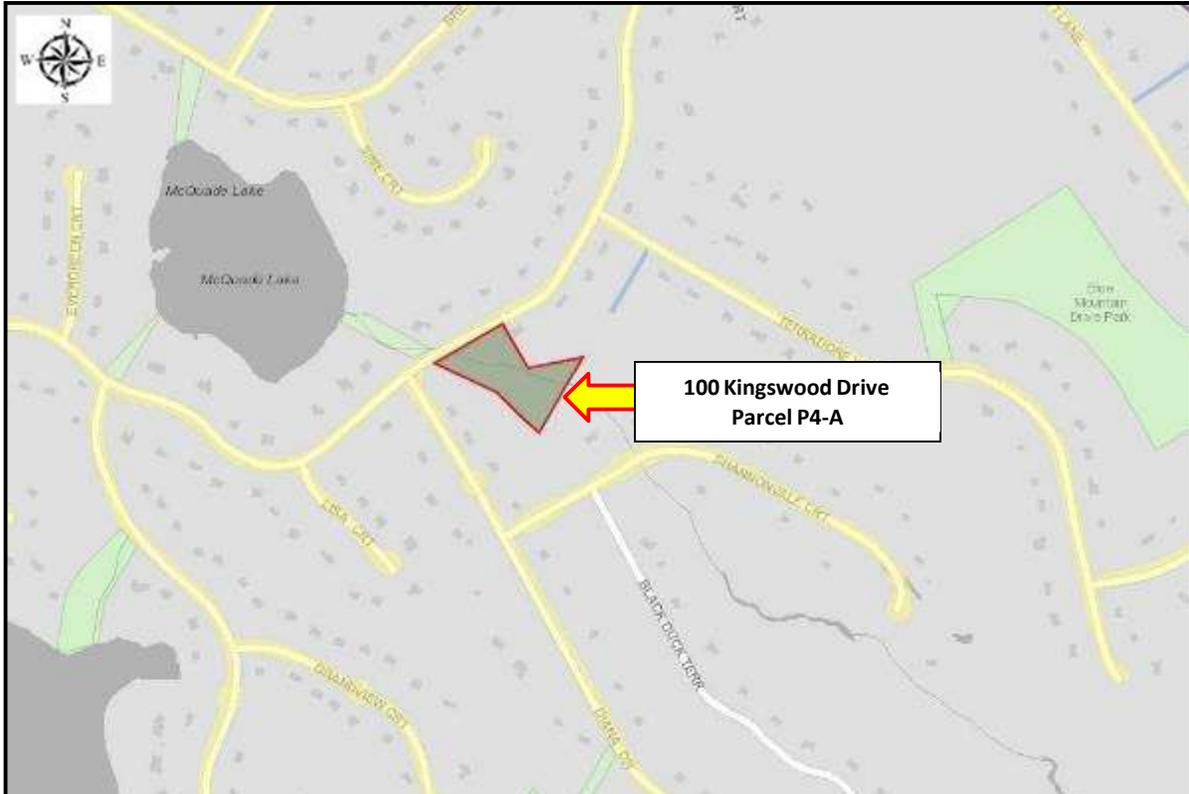
COUNCIL REPORT – Administrative Order 50 – Package 08.21

Portion of St. Margarets Bay Road, Lakeside, PID 40898140 (portion of)			
<b>Surplus Category</b> <small>(proposed)</small>	Extraordinary	<b>Councillor / District</b>	Iona Stoddard / District 12
<b>Current Asset Use</b>	Street Right of Way / Private Yard	<b>Current Land Area</b> <small>(Parent)</small>	No Area Measurement Available
<b>Building Area</b>	N/A	<b>Land Area for Disposal</b> <small>(proposed)</small>	±1,600 sq.ft.
<b>Building Condition</b>	N/A		
<b>Interim Management</b>	Public Works	<b>Operating Costs</b>	None
<b>Land Use Bylaw</b>	Timberlea/Lakeside/Beechville	<b>PVSC Assessment</b>	N/A
<b>Zone</b> <small>(hyperlink)</small>	<a href="#">R-1</a> (Single Unit Dwelling) Zone	<b>Deed on File</b>	N/A
<b>Environmental Risk</b>	<p>There are no contaminated site files for this section of St Margaret's Bay Rd.</p> <p><b>Note:</b> Prospective purchasers are urged to conduct their own due diligence.</p>		
<b>Background</b>	<p>Abutting property owners at 1546 (PID 40050742) and 1550 (PID 40050635) St. Margaret's Bay Road recently had their properties surveyed. The plan shows the street right of way boundary at their front door. The front porch, steps, yard, and parking fall within the street right of way.</p> <p>The street alignment shown in GIS is not accurate, this issue came to light when the two abutters had their properties surveyed. In 1936 the street was realigned (to the north). The 'encroachments' appear to not be the fault of the abutters, but most likely due to their deed descriptions originating from the realignment of St. Margaret's Bay Road. There appear to be other similar scenarios in the immediate vicinity.</p> <p>Traffic Management (Public Works) has recommended to retain the greater of 20 metres of the right of way measured from the opposite side of the road using the road boundary from after the 1936 realignment, or 4.85m from the current (south) edge of pavement.</p>		

## Attachment C – Extraordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 08.21

### 100 Kingswood Drive (Parcel P4-A) Hammonds Plains, PID 40615189



## Attachment C – Extraordinary Properties

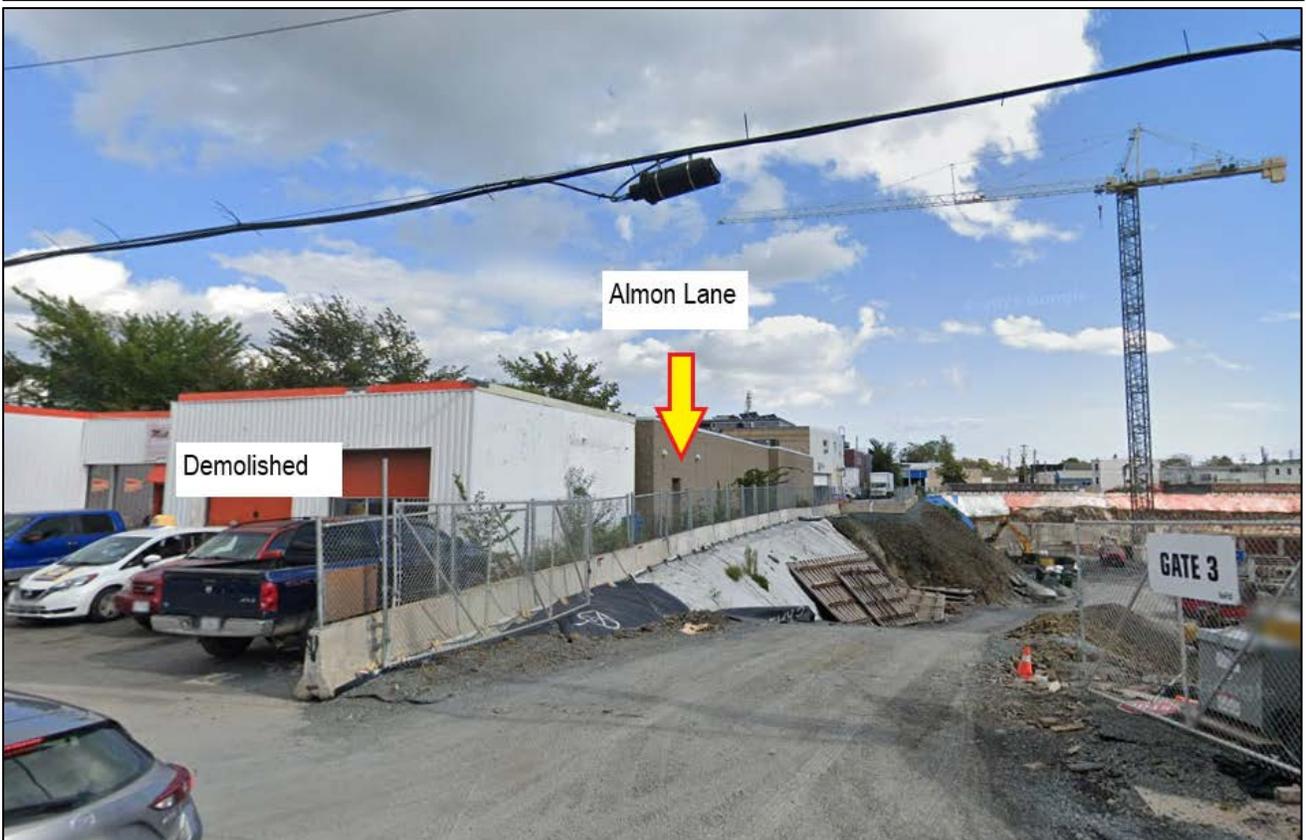
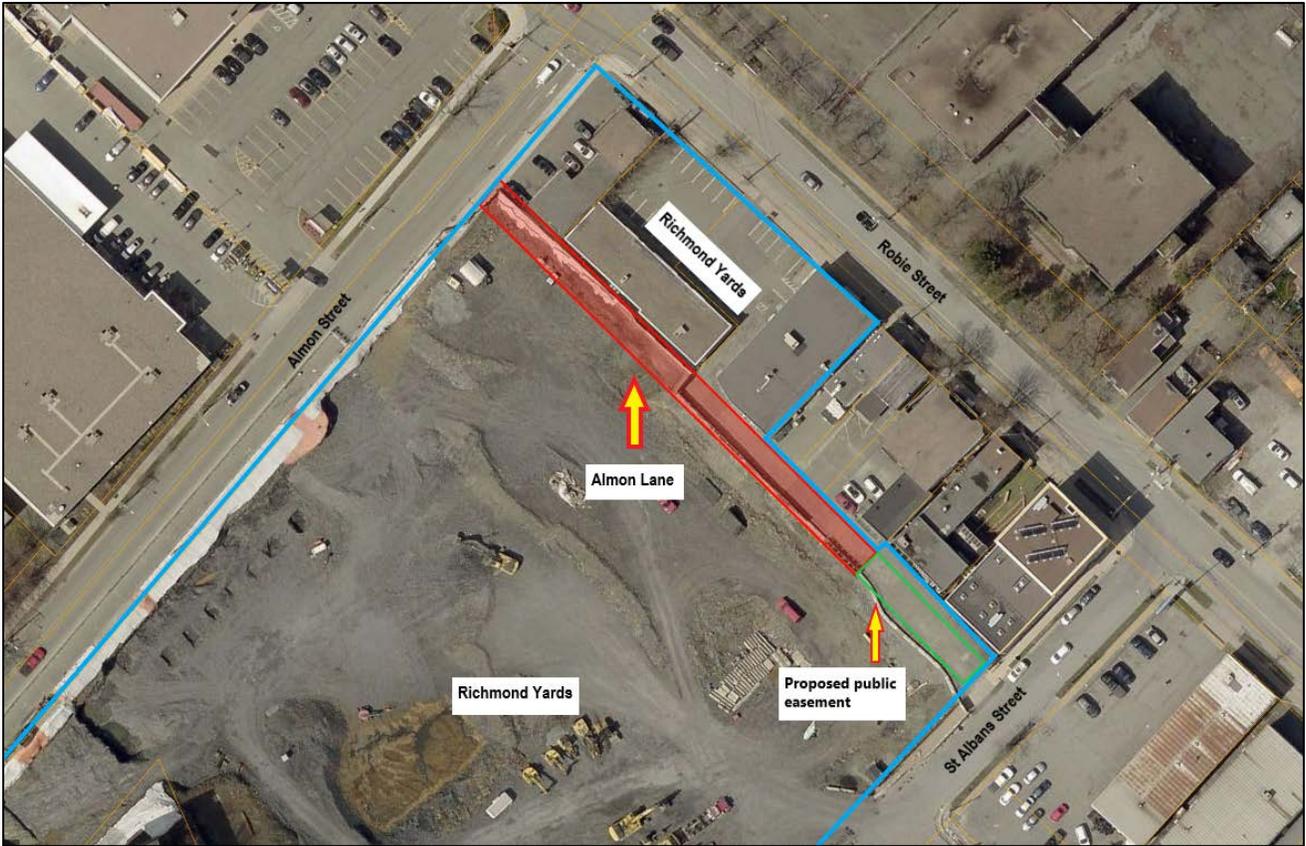
COUNCIL REPORT – Administrative Order 50 – Package 08.21

100 Kingswood Drive (Parcel P4-A) Hammonds Plains, PID 40615189			
<b>Surplus Category</b> <small>(proposed)</small>	Extraordinary	<b>Councillor / District</b>	Pam Lovelace / District 13
<b>Current Asset Use</b>	Unused park open space	<b>Current Land Area</b> <small>(Parent)</small>	± 131,551 sq.ft.
<b>Building Area</b>	N/A	<b>Land Area for Disposal</b> <small>(proposed)</small>	± 127,256 sq.ft.
<b>Building Condition</b>	N/A		
<b>Interim Management</b>	Parks & Recreation	<b>Operating Costs</b>	None
<b>Land Use Bylaw</b>	Beaver Bank, Hammonds Plains & Upper Sackville	<b>PVSC Assessment</b>	\$97,800 (2022 Residential Exempt)
<b>Zone</b> <small>(hyperlink)</small>	<a href="#">R-1</a> (Single Unit Dwelling) Zone	<b>Deed on File</b>	August 26, 1992 - Armoyan Group Limited to The Municipality of the County of Halifax (HRM) (Instrument #43520).
<b>Environmental Risk</b>	<p>E&amp;E has no environmental reports on this property, surrounding properties or ROW. A water course runs through this property which is possibly why it was never developed.</p> <p><b>Note:</b> Prospective purchasers are urged to conduct their own due diligence.</p>		
<b>Background</b>	<p>Corporate Real Estate staff has received a request from the owner of 6 George Samuel Drive, Hammonds Plains, to acquire all of 100 Kingswood Drive (Parcel P4-A) Hammonds Plains (outlined in red on the attached site plan) for construction of a new single unit dwelling. The subject parcel was acquired in 1992 by subdivision agreement as the required Parkland dedication as per the HRM Charter and has remained passive undeveloped open space since its conveyance with no identified plans for its future development.</p> <p>Green Network Plan policy (Policy 4.4.3.3) identifies developing service level targets (park area per capita) that can account for the varied type of settlement patterns in HRM. These targets can then be a consideration in the acquisition or disposition of parkland properties. Parks and Recreation indicates that the Kingswood community has a park area per capita metric that is approximately three times the (informal) metric that is identified with the denser Regional Centre. There is underutilized space at developed parks within the community which can be expanded to include additional amenities, as and if needed, as well as additional open space lands have not yet been developed as parkland.</p> <p>The proponent has indicated the subject HRM property contains an “intermittent” watercourse which drains towards to McQuade Lake to the west of Kingswood Drive. HRM mapping shows the presence of a blue shaded drainage corridor at PID# 40770364, perpendicular to Terradore Lane, to the northeast of Parcel P4-A, and the registered drainage easement DE270, across the northwest portion of Civic 74 Shannonvale Court, which would support the proponent’s claim.</p> <p>While the volume of water and related on-site conditions have not been confirmed, a registered plan of survey (1992) shows a watercourse intersecting the parcel. Riparian buffer legislation adopted in 2006 established protective buffer areas adjacent to watercourses and wetlands that are contiguous with watercourses. As such, it is recommended that any prospective purchaser be made aware of the buffer restrictions and that the purchase and sale agreement ensure that any development will abide by any applicable requirements.</p> <p>Furthermore, Traffic Management (Public Works) has recommended that a ±3.7-metre-wide portion along Kingswood Drive be retained to make the right-of-way a consistent width for ease of maintenance and drainage.</p> <p>If declared surplus, the property must be sold pursuant to Section 283(14) of the HRM Charter (notification to subdivision residents and direction regarding proceeds of sale).</p>		

## Attachment C – Extraordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 08.21

### Almon Lane, Halifax, PID 40925802



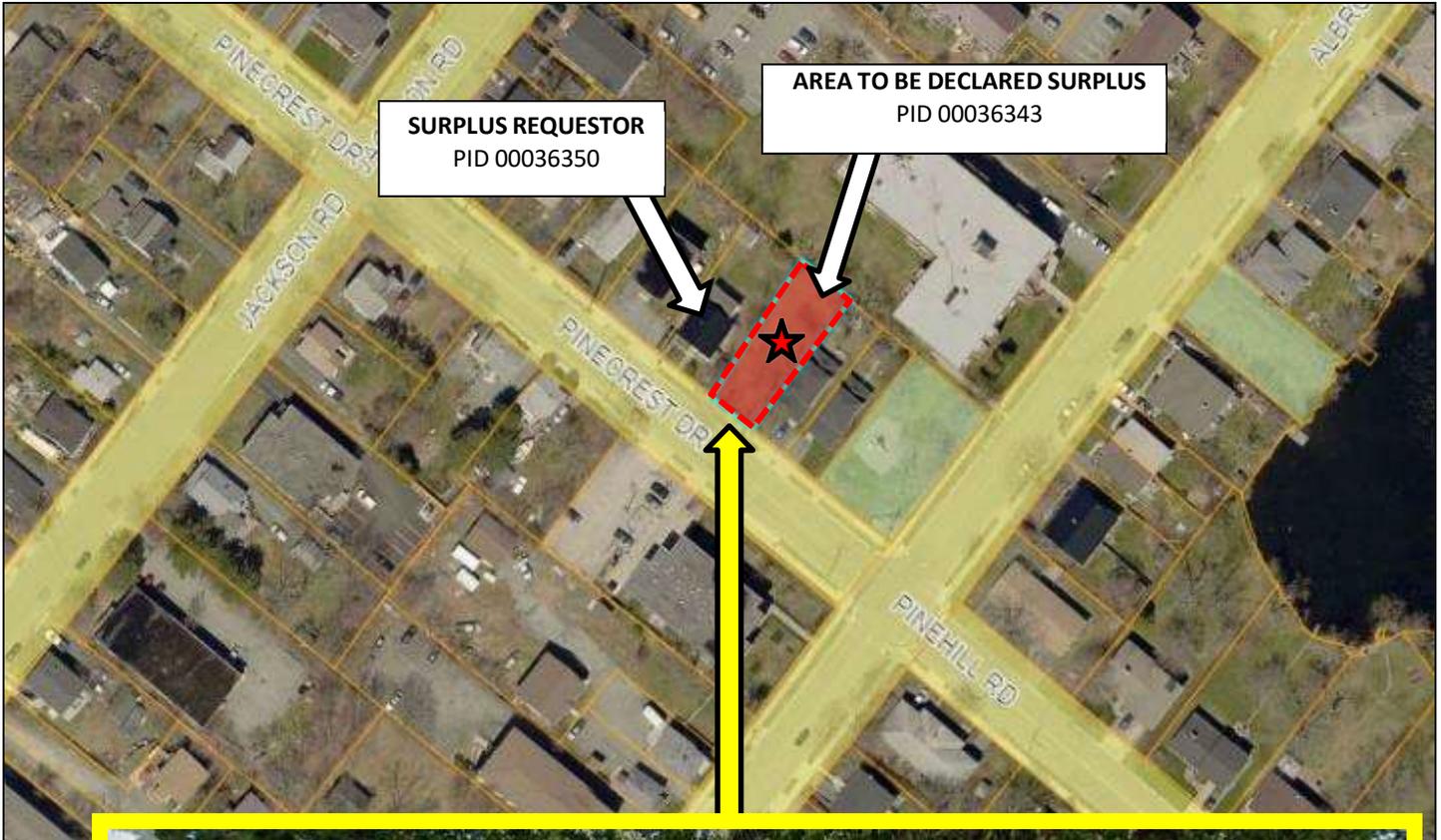
## Attachment C – Extraordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 08.21

Almon Lane, Halifax, PID 40925802			
<b>Surplus Category</b> <small>(proposed)</small>	Extraordinary	<b>Councillor / District</b>	Lindell Smith / District 8
<b>Current Asset Use</b>	Unmaintained Laneway	<b>Current Land Area</b> <small>(Parent)</small>	± 6,700 sq.ft.
<b>Building Area</b>	N/A	<b>Land Area for Disposal</b> <small>(proposed)</small>	± 6,700 sq.ft.
<b>Building Condition</b>	N/A		
<b>Interim Management</b>	Public Works	<b>Operating Costs</b>	None
<b>Land Use Bylaw</b>	Regional Centre	<b>PVSC Assessment</b>	Not Assessed
<b>Zone</b> <small>(hyperlink)</small>	<a href="#">CEN-2 (Centre 2) Zone</a>	<b>Deed on File</b>	No Deed Information on NSPOL
<b>Environmental Risk</b>	<p>The laneway is adjacent to former industrial/transportation uses, which are sources of potential environmental risk.</p> <p><b>Note:</b> Prospective purchasers are urged to conduct their own due diligence.</p>		
<b>Background</b>	<p>The subject property is an approximately 20' wide unmaintained laneway which exists behind the 2732-2774 block of Robie Street with unresolved title issues.</p> <p>The proponent (Halifax County Condo Corporation 428) seeks to acquire Almon Lane (shown highlighted in red) from the Municipality for the purpose of consolidating it with their abutting land holdings and integrating it into their redevelopment of the block (Richmond Yards). The proponent intends to use the area under Almon Lane for underground parking, reserving the surface as a public right of way.</p> <p>If Almon Lane is approved as surplus and sold to the proponent, the Municipality will retain an easement over Almon Lane permitting public access and the proponent will grant an easement over a portion of their lands (shown approximately outlined in green) to create a continuous public right of way from Almon Street to St. Albans Lane.</p>		

**Attachment D – Affordable Housing Properties**  
COUNCIL REPORT – Administrative Order 50 – Package 08.21

**48 Pinecrest Drive, Dartmouth, PID 00036343**

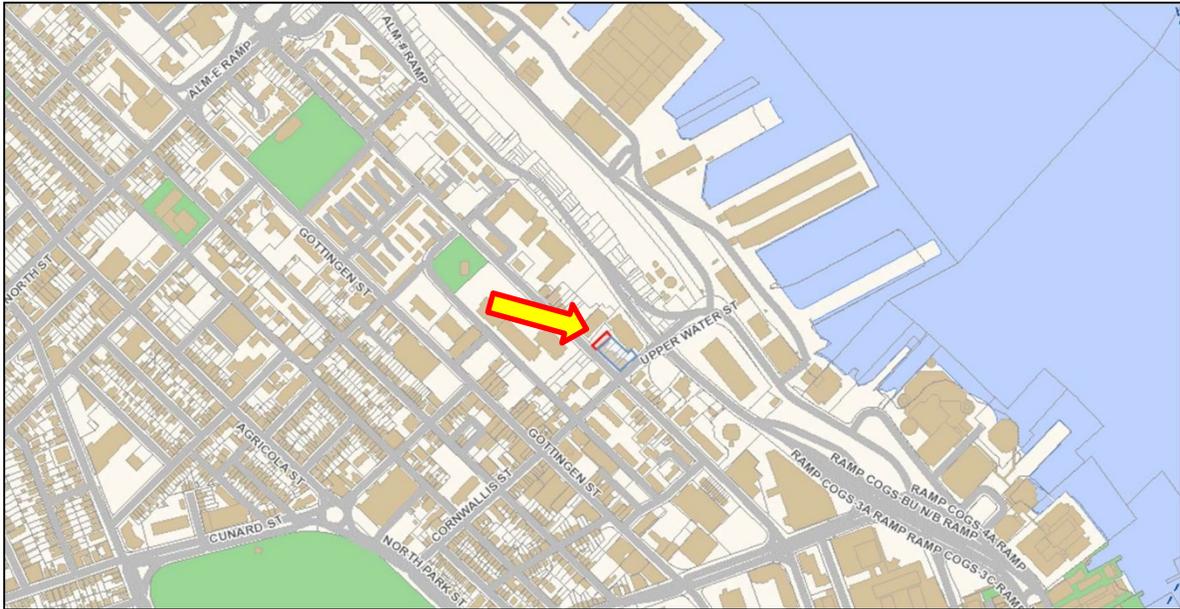


**Attachment D – Affordable Housing Properties**  
COUNCIL REPORT – Administrative Order 50 – Package 08.21

48 Pinecrest Drive, Dartmouth, PID 00036343			
<b>Surplus Category</b> <small>(proposed)</small>	Affordable Housing	<b>Councillor / District</b>	Tony Mancini / District 6
<b>Current Asset Use</b>	Vacant	<b>Current Land Area</b> <small>(Parent)</small>	±4,600 sq.ft.
<b>Building Area</b>	N/A	<b>Land Area for Disposal</b> <small>(proposed)</small>	±4,600 sq.ft.
<b>Building Condition</b>	N/A		
<b>Interim Management</b>	N/A	<b>Operating Costs</b>	Unknown
<b>Land Use Bylaw</b>	Regional Centre	<b>PVSC Assessment</b>	\$58,500 (2022 Residential Exempt)
<b>Zone</b> <small>(hyperlink)</small>	<a href="#">HR-1</a> (High-Order Residential) Zone	<b>Deed on File</b>	Yes
<b>Environmental Risk</b>	<p>There are no contaminated site files for this property.</p> <p><b>Note:</b> Prospective purchasers are urged to conduct their own due diligence.</p>		
<b>Background</b>	<p>Corporate Real Estate received a request from an abutting property owner at 50 Pinecrest Drive (PID 00036350) to acquire HRM-owned vacant property at 48 Pinecrest Drive (PID 00036343) to extend his yard.</p> <p>The lot was deeded to the former City of Dartmouth in 1993.</p> <p>Upon Technical Review it was determined that the subject parcel has potential for the development of affordable housing.</p>		

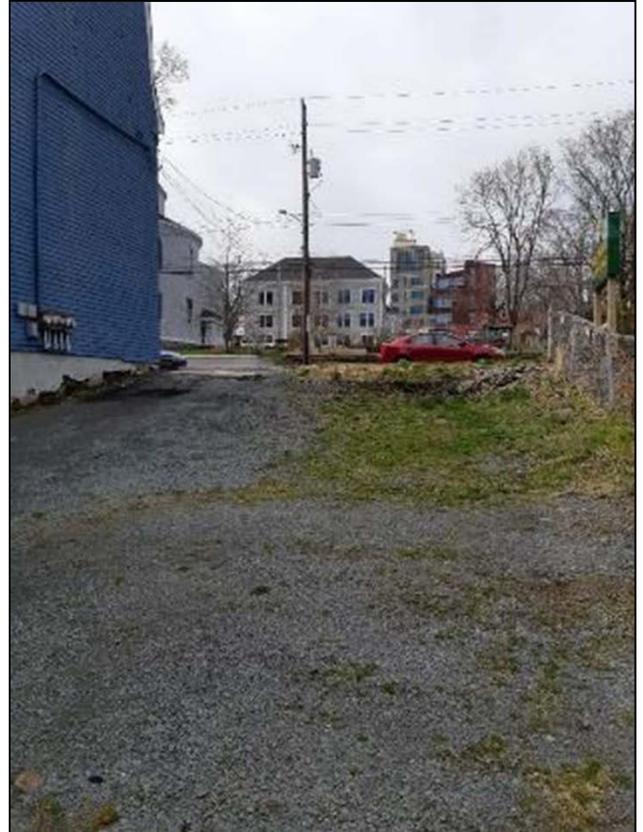
**Attachment D – Affordable Housing Properties**  
COUNCIL REPORT – Administrative Order 50 – Package 08.21

**Lot E-1, Brunswick Street, Halifax, PID 40286932**



**Attachment D – Affordable Housing Properties**  
COUNCIL REPORT – Administrative Order 50 – Package 08.21

Lot E-1, Brunswick Street, Halifax, PID 40286932

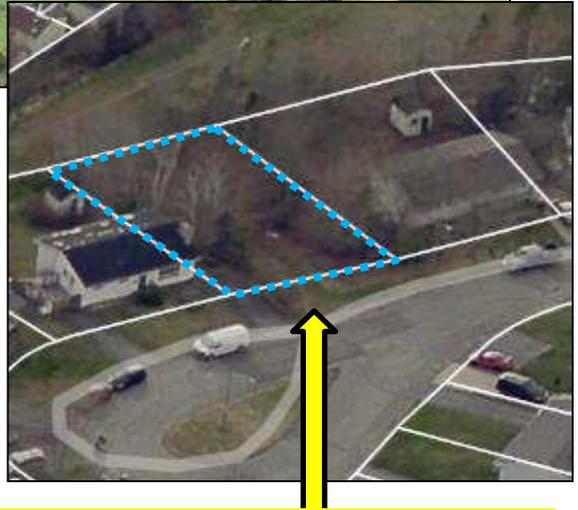


**Attachment D – Affordable Housing Properties**  
 COUNCIL REPORT – Administrative Order 50 – Package 08.21

Lot E-1, Brunswick Street, Halifax, PID 40286932			
<b>Surplus Category</b> <small>(proposed)</small>	Affordable Housing	<b>Councillor / District</b>	Lindell Smith / District 8
<b>Current Asset Use</b>	Vacant lot	<b>Current Land Area</b> <small>(Parent)</small>	± 3,299 sq.ft.
<b>Building Area</b>	N/A	<b>Land Area for Disposal</b> <small>(proposed)</small>	± 3,299 sq.ft.
<b>Building Condition</b>	N/A		
<b>Interim Management</b>	Hfx Non-Profit Housing Society	<b>Operating Costs</b>	Unknown – Maintained by Abutter
<b>Land Use Bylaw</b>	Regional Centre	<b>PVSC Assessment</b>	\$330,000 (2022 Residential Exempt)
<b>Zone</b> <small>(hyperlink)</small>	<a href="#">ER-1</a> (Established Residential 1) Zone	<b>Deed on File</b>	May 31, 1972, Book 2567, Page 100
<b>Environmental Risk</b>	<p>E&amp;E has no environmental reports on this property, surrounding properties or ROW. There are issues on the adjacent Maitland Street but not close enough to affect this site.</p> <p><b>Note:</b> Prospective purchasers are urged to conduct their own due diligence.</p>		
<b>Background</b>	<p>The subject property was conveyed from Sanford Realty Limited to City of Halifax on May 31, 1972 (Bk. 2567, Pg.100). The Schedule A to this deed describes the property as being; 125 ft. x 31ft. 6 inches x 124 ft. x 32 feet 6 inches, which equals 3,984 sq. ft. +/- in area. Based on a review of available survey plans, it appears at some point in the 1970s, the boundary lines of the properties within this block were altered, creating the present parcel size of approximately 32' x 100' (± 3,299 ft.<sup>2</sup>).</p> <p>The property was also included in the October 22, 1980 expropriation to ensure clear title of City of Halifax / CMHC partnership owned lands within the Uniacke Square redevelopment area (Bk. 3441, Pg. 844).</p> <p>NS Property Online shows the property being part of an Amending Agreement (Bk. 3639, Pg.607) between the City of Halifax and City of Halifax Non-Profit Housing Society, dated December 9, 1982. The original Agreement being dated August 14, 1980 (Bk. 3428, Pg. 465). The Development Agreement was for the development of affordable housing in the Uniacke Square area.</p> <p>Corporate Real Estate received two independent requests to surplus this property:</p> <p>Saint Patrick's Catholic Church Parish, located immediately north of Lot E-1 (outlined green in the attached aerial image), were first to register their interest in acquiring Lot E-1. The Parish express need for the subject property for parking and restoration lay-down space in the short-to-medium term, and then for affordable/accessible housing and parking in the longer-term. The Parish seeks to acquire the property at less than market value.</p> <p>A subsequent enquiry was tendered by Michael Lawen, the owner of the 5 properties to the south of the subject property. Mr. Lawen owns the properties through the holding company 3242367 Nova Scotia Limited. The HRM-owned property is shown shaded red on the attached aerial image, whereas Mr. Lawen's properties are shown shaded blue.</p> <p>3242367 NS Limited acquired the five properties south of the HRM property from the City of Halifax Non-Profit Housing Society in 2016. According to Mr. Lawen, the subject property is used as parking for the five properties to the south and was maintained by the Housing Society, even though it remained in Municipal ownership. Mr. Lawen states he has been maintaining the subject property since acquiring the Housing Society properties.</p> <p>Based on a site visit by CRE staff, it appears that tenants of 3242367 NS Limited's buildings are continuing to use the subject property for parking (see photos on the following pages).</p> <p>Upon Technical Review, it was noted that the subject property may be a good candidate for the development of affordable housing.</p>		

**Attachment D – Affordable Housing Properties**  
COUNCIL REPORT – Administrative Order 50 – Package 08.21

**19 Howland Court, Lower Sackville, PID 00442038**

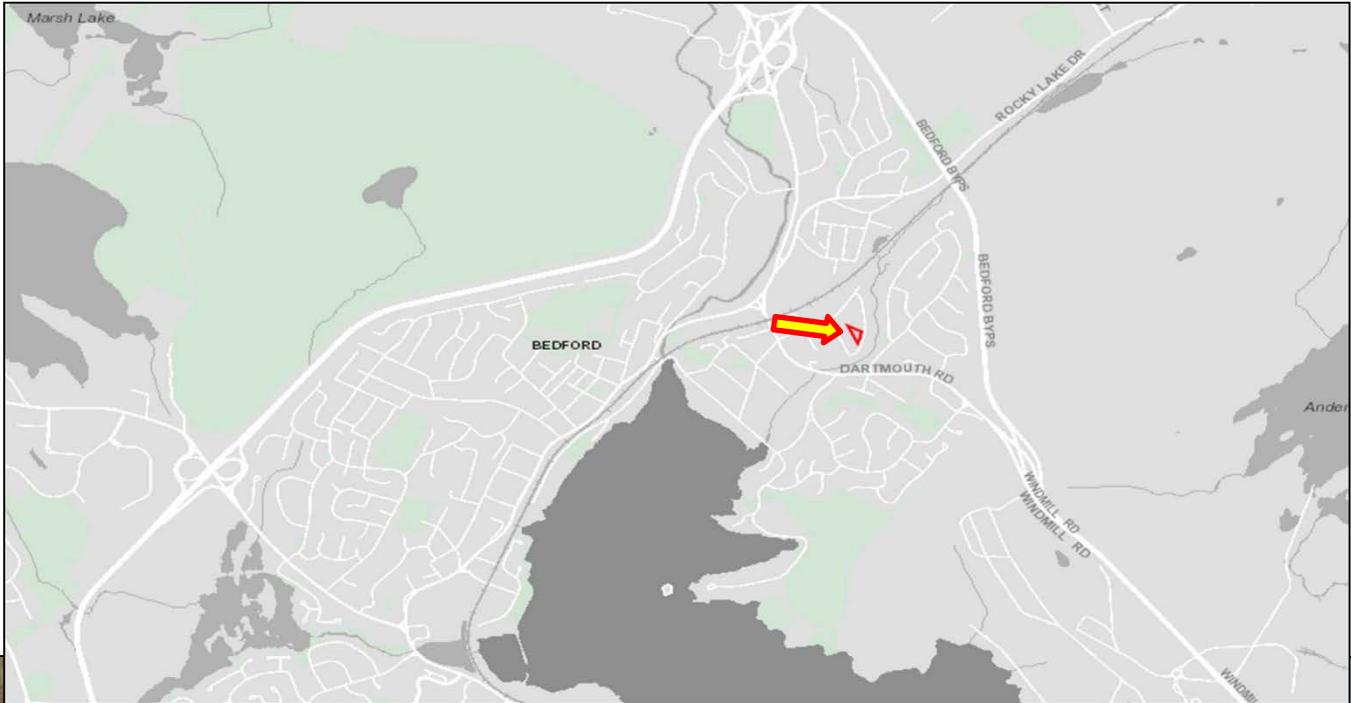


**Attachment D – Affordable Housing Properties**  
 COUNCIL REPORT – Administrative Order 50 – Package 08.21

19 Howland Court, Lower Sackville, PID 00442038			
<b>Surplus Category</b> <small>(proposed)</small>	Affordable Housing	<b>Councillor / District</b>	Paul Russell / District 15
<b>Current Asset Use</b>	Parkland	<b>Current Land Area</b> <small>(Parent)</small>	± 6,500 sq.ft.
<b>Building Area</b>	N/A	<b>Land Area for Disposal</b> <small>(proposed)</small>	± 6,500 sq.ft.
<b>Building Condition</b>	N/A		
<b>Interim Management</b>	Parks & Recreation	<b>Operating Costs</b>	None
<b>Land Use Bylaw</b>	Sackville	<b>PVSC Assessment</b>	\$75,000 (2022 Residential Exempt)
<b>Zone</b> <small>(hyperlink)</small>	<a href="#">P-1</a> (Open Space) Zone	<b>Deed on File</b>	1983
<b>Environmental Risk</b>	<p>There are no contaminated site files for this location.</p> <p><b>Note:</b> Prospective purchasers are urged to conduct their own due diligence.</p>		
<b>Background</b>	<p>The property was deeded to the former County by NS Housing Commission in 1983. The lot is adjacent to Municipally owned Fun Park. The lot is covered with trees and vegetation and has a grass covered pathway which provides access to the park. Fun Park also has access via a walkway on Skyridge Ave.</p> <p>Corporate Real Estate received a request from a neighbouring property owner interested in purchasing the subject property with a vision to redevelop both properties, potentially with townhouses, although a planning application has not yet been submitted.</p> <p>Upon Technical Review it was determined that the subject parcel has potential for the development of affordable housing. Planning and Development has indicated that a request to change the zoning of the subject parcel will be required to allow for residential development.</p> <p>This request was submitted to Parks &amp; Recreation for an Asset Owner Business Unit Review, and it was determined this property is surplus to their operational needs. The main property that is identified with Fun Park is not considered surplus.</p>		

**Attachment D – Affordable Housing Properties**  
COUNCIL REPORT – Administrative Order 50 – Package 08.21

31 Lister Drive, Bedford, PID 40112302



**Attachment D – Affordable Housing Properties**  
 COUNCIL REPORT – Administrative Order 50 – Package 08.21

31 Lister Drive, Bedford, PID 40112302			
<b>Surplus Category</b> <small>(proposed)</small>	Affordable Housing	<b>Councillor / District</b>	Tim Outhit / District 16
<b>Current Asset Use</b>	Open Space	<b>Current Land Area</b> <small>(Parent)</small>	± 27,578 sq.ft.
<b>Building Area</b>	N/A	<b>Land Area for Disposal</b> <small>(proposed)</small>	± 27,578 sq.ft.
<b>Building Condition</b>	N/A		
<b>Interim Management</b>	Parks and Recreation	<b>Operating Costs</b>	None
<b>Land Use Bylaw</b>	Bedford	<b>PVSC Assessment</b>	\$91,500 (2022 Resource Exempt)
<b>Zone</b> <small>(hyperlink)</small>	<a href="#">P</a> (Park) Zone	<b>Deed on File</b>	1978
<b>Environmental Risk</b>	<p>E&amp;E has no environmental reports on this property, surrounding properties or ROW.</p> <p><b>Note:</b> Prospective purchasers are urged to conduct their own due diligence.</p>		
<b>Background</b>	<p>This property (shown outlined in red on the following pages) was deeded to the former County of Halifax by St. Paul's Home for Girls in 1978. The property is zoned "Park Zone" however it is not identified as parkland on HRM GIS.</p> <p>Originally, Corporate Real Estate staff received a request from the abutting owner at 10 Brockwell Street (PID 00436535, shown outlined in blue on the preceding page) to either A) acquire the property in fee simple or B) acquire an easement over the property for the purposes of installing a secondary driveway to facilitate the installation of an in-law suite on their property.</p> <p>Upon Technical Review, the property's history as a social housing use and relatively close proximity to amenities along the Bedford Highway (i.e. transit, grocery stores, public library, etc.) were noted to make it a good candidate for the development of affordable housing. Planning and Development has indicated that a request to change the zoning of the subject parcel to allow for residential development would require an amendment to the Bedford Municipal Planning Strategy.</p>		

**Attachment E – Properties to be Recategorized as Affordable Housing**  
 COUNCIL REPORT – Administrative Order 50 – Package 08.21

The following properties were previously declared surplus by Regional Council and have now been requested to be recategorized as Affordable Housing by HRM’s Affordable Housing Team (Planning & Development).

**CATEGORY: ORDINARY**



**18 Scotia Drive, Bedford**  
**PID# 00428961**

**Surplus Approval Date:** February 16, 2016  
**Report Title:** Surplus Municipal Property at 18 Scotia Drive, Bedford

**District:** 16  
**Zone:** RTU  
 (Residential Two Unit)

**Disposal Method:** Market Listing  
**Asset Condition:** N/A  
**Operating Costs:** N/A  
**Assessed Value:** \$512,700

**Land Area:** 2.75 acres  
 (8,500 square feet to be retained for a municipal park)

**Known As:** Former Sunnyside Elementary School

**Notes:** Former school which has been deemed surplus by HRSB and demolished by HRM. The property is located on the southwest side of the Bedford Bypass and contains numerous encroachments from neighbouring properties. The intent is to permit the encroachments through sale/consolidation with the abutting properties. To do so the area of the encroachments will need to remain designated Ordinary. A 8,500 square foot parcel intended for a park is to remain under HRM ownership and not be declared surplus.

**CATEGORY: ORDINARY**



**232 Crichton Avenue, Dartmouth**  
**PID# 40401861**

**Surplus Approval Date:** August 6, 2013  
**Report Title:** Administrative Order 50 – Disposal of Surplus Real Property

**District:** 5  
**Zone:** R-1  
 (Single Family Residence)

**Disposal Method:** As per Administrative Order 50  
**Asset Condition:** N/A  
**Operating Costs:** N/A  
**Assessed Value:** \$127,200

**Land Area:** 13,939 ft.<sup>2</sup>  
**Bldg. Area:** N/A

**Known As:**  
**Notes:** Vacant parcel.

**CATEGORY: ORDINARY**



**234 Crichton Avenue, Dartmouth**  
**PID# 00100503**

**Surplus Approval Date:** August 6, 2013  
**Report Title:** Administrative Order 50 – Disposal of Surplus Real Property

**District:** 5  
**Zone:** R-1  
 (Single Family Residence)

**Disposal Method:** As per Administrative Order 50  
**Asset Condition:** N/A  
**Operating Costs:** N/A  
**Assessed Value:** \$127,200

**Land Area:** 12,632 ft.<sup>2</sup>  
**Bldg. Area:** N/A

**Known As:**  
**Notes:** Vacant parcel.

**Attachment F – Property to have Surplus Approval Revoked**  
 COUNCIL REPORT – Administrative Order 50 – Package 08.21

The following property was previously declared surplus by Regional Council on March 20, 2018 as part of Administrative Order 50 – Disposal of Surplus Real Property – Package 06.17. Public Works (PW) has since identified that a portion of the parcel will need to be retained for upcoming street work as part of its 2022-2023 capital plan. The property will be recommended for Council to revoke the prior Surplus approval and PW will become the steward of the property.

1 Bluewater Road, Bedford, District No.16, PID 40098352			
<b>Surplus Category</b> (proposed)	Ordinary Sale	<b>Councillor</b>	Councillor Outhit
<b>Current Asset Use</b>	Vacant	<b>Current Land Area</b>	~ 199,940 square feet (4.5 acres)
<b>Building Area</b>	No building	<b>Land Area for Disposal</b> (proposed)	~ 199,940 square feet (4.5 acres)
<b>Building Condition</b>	Not applicable		
<b>Interim Management</b>		<b>Operating Costs</b>	
<b>Land Use Bylaw</b>	1 – Bedford	<b>PVSC Assessment</b>	\$1,193,400 (Commercial Exempt)
<b>Zone</b> (hyperlink)	P ( <a href="#">Park Zone</a> )	<b>Deed on File</b>	1987
<b>Environmental Risk</b>			
<b>Background</b>	Parcel was deeded to the Town of Bedford by Industrial Estates Limited in 1987. Presently it is being used for storm water and sedimentation retention, a portion of the parcel may be required for continued storm water retention purposes.		



**Attachment F – Property to have Surplus Approval Revoked**  
COUNCIL REPORT – Administrative Order 50 – Package 08.21

