

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed

SUBMITTED BY: _____
Cathie O'Toole, Chief Administrative Officer

DATE: October 30, 2023

SUBJECT: **Administrative Order 50 – Declaration of Surplus Real Property – Package 09.23**

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.

RECOMMENDATIONS 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, as categorized and listed in Attachments B, D, E, F, and G of this report, surplus to municipal requirements pursuant to Administrative Order Number 50 Respecting the Disposal of Surplus Real Property;
2. Recategorize the properties in Attachment C, previously declared surplus by Regional Council from “Ordinary” to “Affordable Housing”; and
3. Recategorize the properties in Attachment H, previously declared surplus by Regional Council from “Ordinary” to “Intergovernmental Transfer”.

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
 - Intergovernmental Transfer
 - Affordable Housing
4. Area 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 Affordable Housing, Community Interest, Extraordinary, Ordinary, and Remnant.

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

Summary of Attached Surplus Properties by Category				
Property Category	Report Attachment	Quantity	Total Area* (sq. ft.)	PVSC* Assessment
Affordable Housing	B & C	7	338,066.2	\$727,000
Community Interest	D	2	121,811.0	\$114,700
Extraordinary	E	3	34,461.0	\$320,600
Ordinary	F	2	408,157.2	\$80,400
Remnant	G	3	18,279.0	\$79,300
Intergovernmental Transfer	H	2	123,679	\$67,600
Totals		19	1,044,453.4	\$1,389,600

***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

Any significant risks identified for individual properties are provided in the 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 – Affordable Housing Properties
Attachment C – Surplus Properties to be Recategorized as Affordable Housing
Attachment D – Community Interest Properties
Attachment E – Extraordinary Properties
Attachment F – Ordinary Properties
Attachment G – Remnant Properties
Attachment H – Surplus Properties to be Recategorized as Intergovernmental Transfer

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) “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:

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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

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- (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.

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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.

Attachment A – Administrative Order No.50

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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

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

Amendment # 6 – addition of subsection 3(4A)

Notice of Motion: July 20, 2021
Approval: August 31, 2021

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.

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(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.

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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;

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- (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:

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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 be 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.

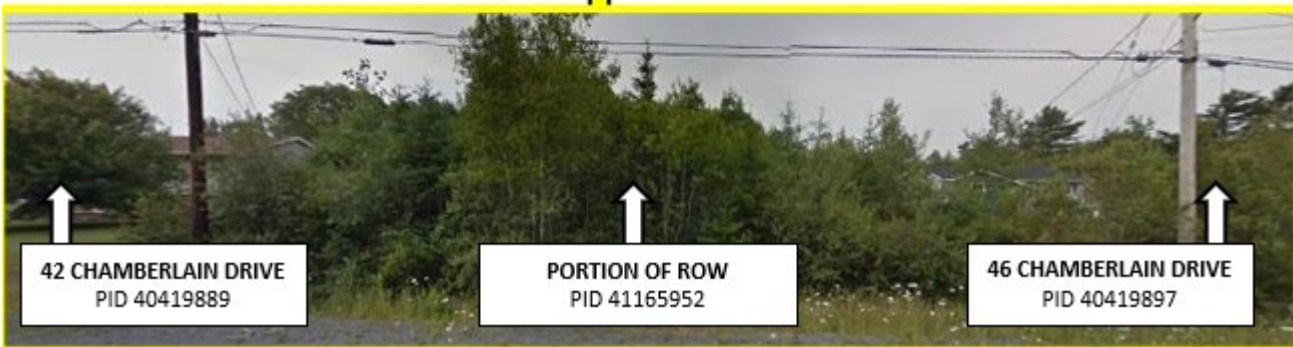
ROW Between 42 & 46 Chamberlain Drive, Westphal - PID 40955775 (portion of)

SURPLUS

District 4 - Councillor Trish Purdy

Affordable Housing

Current Use: Right-of-Way



Attachment B – Affordable Housing Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

ROW Between 42 & 46 Chamberlain Drive, Westphal - PID 40955775 (portion of)			
Surplus Category <small>(proposed)</small>	Affordable Housing	District / Councillor	4 - Councillor Trish Purdy
Current Asset Use	Right-of-Way	Current Land Area <small>(Parent)</small>	± 158,644 Sq. Ft.
Building Area	N/A	Land Area for Disposal <small>(proposed)</small>	± 21,000 Sq. Ft.
Building Condition	N/A		
Interim Management	Public Works	Operating Costs	Unknown
Land Use Bylaw	North Preston, Lake Major, Lake Loon, Cherry Brook and East Preston	PVSC Assessment	N/A
Zone <small>(hyperlink)</small>	N/A	Deed on File	No
Environmental Risk	<p>There are no contaminated site files for this location.</p> <p>Note: Prospective purchasers are urged to conduct their own due diligence.</p>		
Background	<p>Property owner at 12 Lenora Lane (PID 40419988) has requested to purchase a portion of the right-of-way parcel (PID 40955775) between 42 & 46 Chamberlain Drive. The 1986 Subdivision Survey notes this portion of right-of-way parcel was a road reserve for future development purposes.</p> <p>This request was submitted to Transportation & Public Works for an Asset Owner Business Unit Review in May 2021, and it was determined this portion of PID 40955775 is no longer required for right-of-way operational needs.</p> <p>Upon Technical Review, Planning and Development's Affordable Housing Team requested that this property be categorized as Affordable Housing.</p> <p>Rights-of-Way: A public hearing will be required to close the subject right-of-way, if its value is more than fifty thousand dollars.</p>		

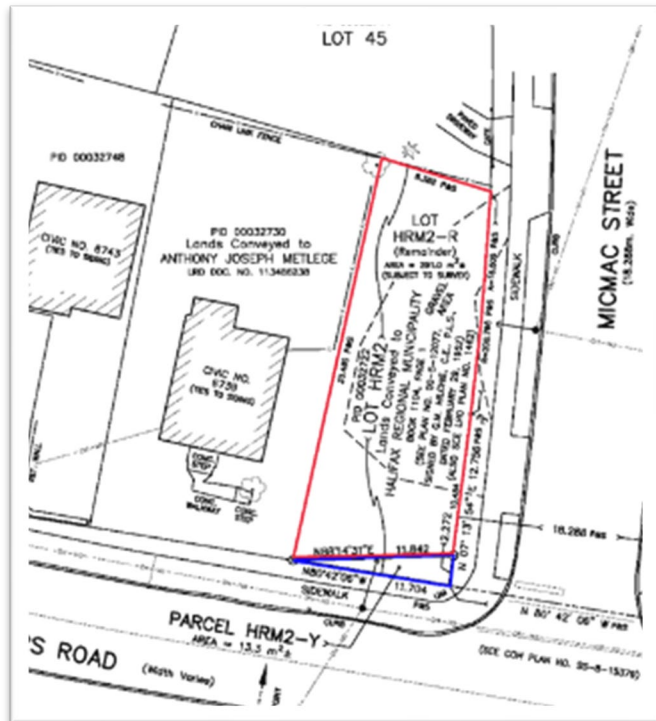
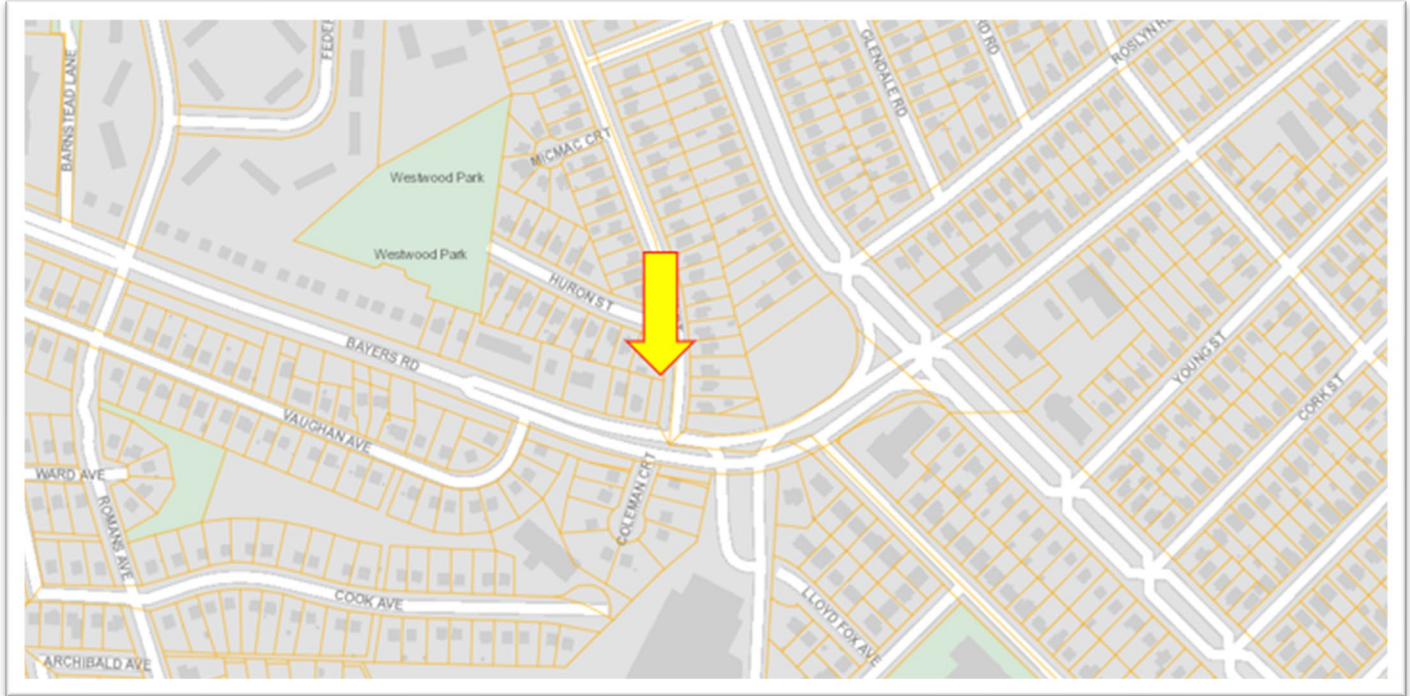
Lot HRM2-R, Bayers Road, Halifax - PID 00032722

District 9 - Councillor Shawn Cleary

SURPLUS

Affordable Housing

Current Use: Vacant Land



Attachment B – Affordable Housing Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

Lot HRM2-R, Bayers Road, Halifax - PID 00032722			
Surplus Category <small>(proposed)</small>	Affordable Housing	District / Councillor	9 - Councillor Shawn Cleary
Current Asset Use	Vacant Land	Current Land Area <small>(Parent)</small>	±304 sq.m.
Building Area	N/A	Land Area for Disposal <small>(proposed)</small>	±291 sq.m.
Building Condition	N/A		
Interim Management	Public Works	Operating Costs	Unknown
Land Use Bylaw	Regional Centre	PVSC Assessment	\$211,800 2023 Resource Exempt
Zone <small>(hyperlink)</small>	ER-3	Deed on File	N/A
Environmental Risk	<p>No HRM contaminated site files located for this property or adjacent properties. The closest impacted site is located at the intersection of Bayers Road and Connaught Avenue.</p> <p>Note: Prospective purchasers are urged to conduct their own due diligence.</p>		
Background	<p>This property was previously reviewed by Planning & Development and Transportation & Public Works in Fall 2020 and it was recommended the property be retained pending the completion of Phase I of the Bayers Road Transit Priority Project, which was completed in 2021. Additionally, the zoning of the property changed from ER-1 to ER-3 with the adoption of Centre Plan Package B.</p> <p>The portion of Lot HRM2 shown outlined in red is on the attached survey plan is the area that is subject to surplus review. The area shown outlined in blue (Parcel HRM2-Y) will be subdivided and added to the Bayers Road right-of-way.</p> <p>Lot HRM2 is a vacant lot located adjacent to 6739 Bayers Road. Based on a review of historical imagery, it appears that this property has been used by 6739 Bayers Road for driveway access and parking (unpermitted) since at least 2003. The owner of 6739 Bayers Road has requested to acquire the entire property.</p> <p>Upon Technical Review, Planning and Development's Affordable Housing Team requested that this property be categorized as Affordable Housing.</p>		

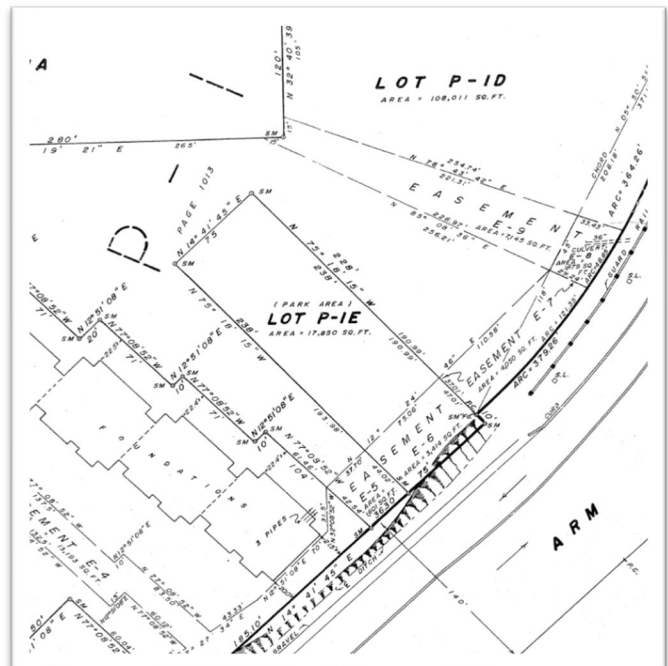
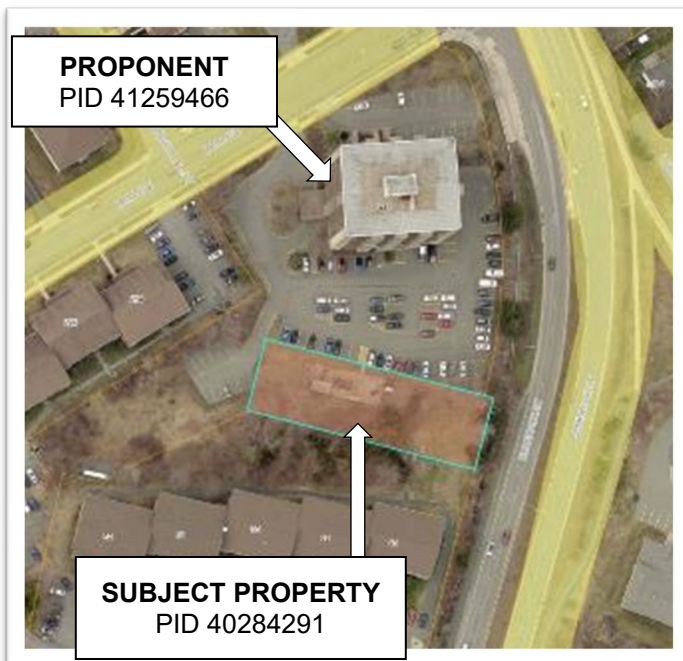
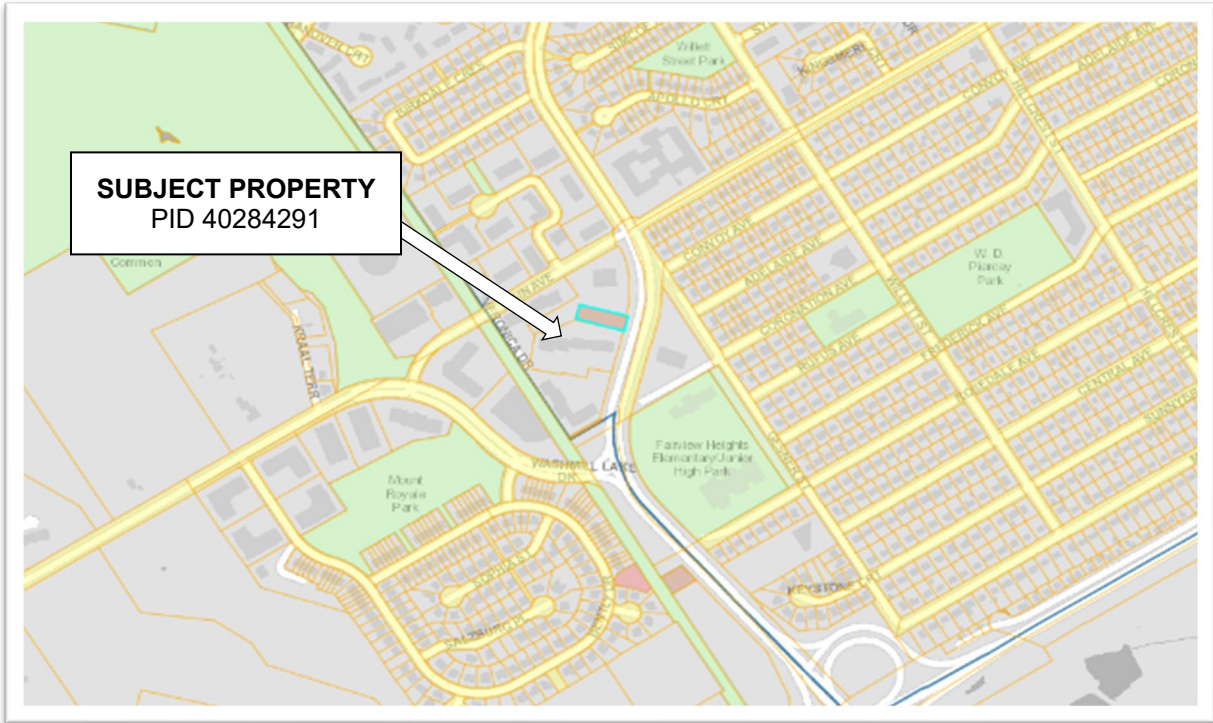
Lot P-1E Main Avenue, Halifax - PID 40284291

District 10 - Councillor Kathryn Morse

SURPLUS

Affordable Housing

Current Use: Vacant Land with playground for abutting daycare



Attachment B – Affordable Housing Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

Lot P-1E Main Avenue, Halifax - PID 40284291			
Surplus Category <small>(proposed)</small>	Affordable Housing	District / Councillor	10 - Councillor Kathryn Morse
Current Asset Use	Vacant Land with playground for abutting daycare	Current Land Area <small>(Parent)</small>	±17,850 sq. ft.
Building Area	N/A	Land Area for Disposal <small>(proposed)</small>	±17,850 sq. ft.
Building Condition	N/A		
Interim Management	N/A / Proponent	Operating Costs	Unknown
Land Use Bylaw	Halifax Mainland	PVSC Assessment	\$250,000 2023 Residential Exempt
Zone <small>(hyperlink)</small>	R-4	Deed on File	Yes - 1981
Environmental Risk	<p>No HRM contaminated site files located for this property or adjacent properties but there is a close contaminated site located on Mandaville Court which migrated to the Main Avenue ROW.</p> <p>Note: Prospective purchasers are urged to conduct their own due diligence.</p>		
Background	<p>The proponent, owner of the adjacent parcel to the north at 290 Main Avenue (Condominium Corporation No. 44 with common PID 41259466 – currently operated as an apartment building and known as King Andrew Tower), has requested to purchase HRM-owned vacant parcel known as Lot P-1E PID 40284291 (outlined in blue).</p> <p>The subject property previously had HRM playground equipment that was destroyed by Hurricane Juan and subsequently removed. A brief check-in with Parks & Recreation indicates that this parcel is not in their parkland inventory and there are no park assets currently in place on the subject property. The proponent later installed and continues to operate a playground for a daycare located at their building.</p> <p>While the subject property has not been migrated, NS POL shows a builders' / mechanics' lien registered on August 1, 1983. The lien does not name HRM and appears to be related to gravel and paving work performed shortly after subdivision of the parent Parcel P-1.</p> <p>A portion of the subject property's frontage along Dunbrack Street will likely need to be retained to accommodate future Transportation Planning projects.</p> <p>Planning and Development's Social Policy Team has identified the subject property as having potential for the development of affordable housing.</p>		

Parcel R-9 & P1-2, Forming 9 Theakston Avenue, Halifax - PIDs 40722837 (portion of) & 40040149

SURPLUS

District 11 - Councillor Patty Cuttell

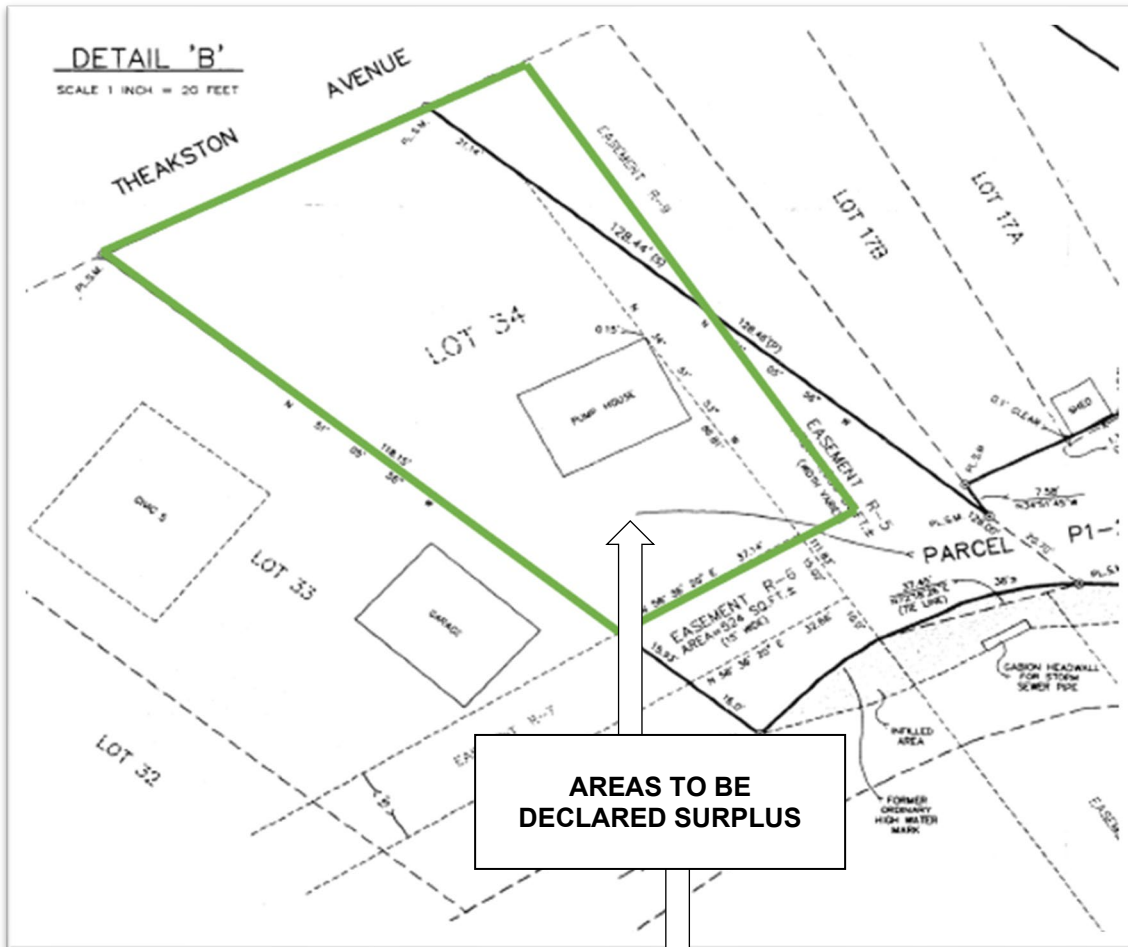
Affordable Housing

Current Use: Former Storage



Attachment B – Affordable Housing Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23



Attachment B – Affordable Housing Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

Parcel R-9 & P1-2, Forming 9 Theakston Avenue, Halifax - PIDs 40722837 (portion of) & 40040149			
Surplus Category <small>(proposed)</small>	Affordable Housing	District / Councillor	11 - Councillor Patty Cuttell
Current Asset Use	Former Storage	Current Land Area <small>(Parent)</small>	± 84,820 Sq. Ft.
Building Area	600 Sq. Ft.	Land Area for Disposal <small>(proposed)</small>	± 10,420 Sq. Ft.
Building Condition	N/A		
Interim Management	Facilities Operations & Management	Operating Costs	Unknown
Land Use Bylaw	Halifax Mainland	PVSC Assessment	\$44,600 (2023 Commercial Exempt) & \$26,300 (2023 Residential Exempt)
Zone <small>(hyperlink)</small>	RDD	Deed on File	Yes
Environmental Risk	<p>There are no contaminated site files for this location.</p> <p>Note: Prospective purchasers are urged to conduct their own due diligence.</p>		
Background	<p>The portion of property to be surplus was the location of a former Pumphouse and more recently used for municipal equipment storage. Facilities Operations & Management recently identified this property as surplus to their needs for continued storage.</p> <p>This request was submitted to Parks & Recreation for an Asset Owner Business Unit Review, and it was determined that the portion of parcel being requested is considered surplus to their needs.</p> <p>In terms of how these parcels became municipal land, Parks & Recreation noted where a portion was taken through expropriation. While part of PID 40722837 appears to have been conveyed as parkland, another part appears to have been purchased directly by the (then) City of Halifax, and a third portion appears to have been a result of an expropriation for utility purposes. The final plan identifying the PID consolidated the various pieces.</p> <p>A third round of CMHC's Rapid Housing initiative (RHI) was announced in November 2022 with HRM accepting expressions of interest from registered non-profit and charitable housing providers for the development of new residential units that will provide housing for those in need of deeply affordable housing (more RHI information can be found here).</p> <p>Upon Technical Review, this property was identified as having potential for the development of Affordable Housing. A portion of the lands from Theakston Avenue to MacIntosh Run, as well as a portion abutting MacIntosh Run, should be retained for secondary access/egress and connectivity purposes.</p> <p>Service easements and Halifax Regional Water Commission infrastructure currently encumber portions of the subject properties. These will be investigated further and addressed as needed prior to any disposal.</p>		

21 Fox Hollow Drive, Upper Tantallon - PID 40684557

District 13 - Councillor Pam Lovelace

SURPLUS

Affordable Housing

Current Use: Parkland



Attachment B – Affordable Housing Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

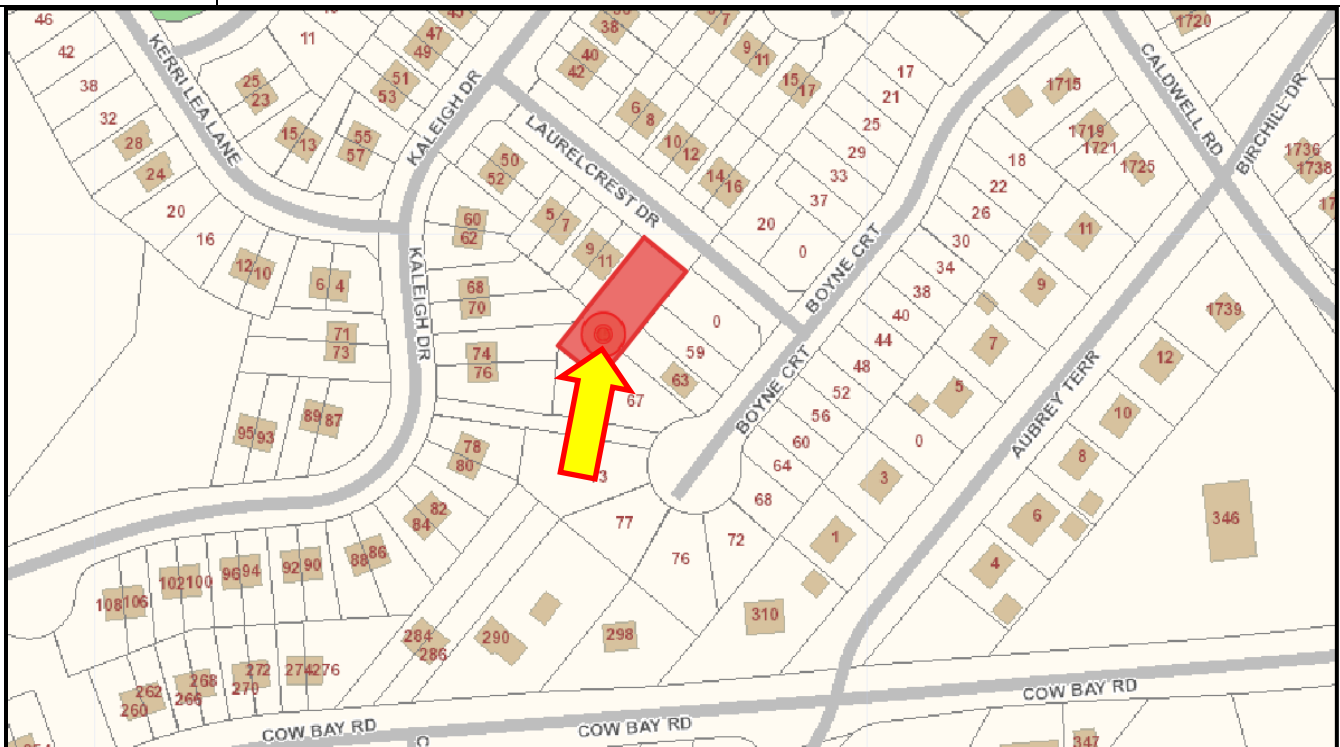
21 Fox Hollow Drive, Upper Tantallon - PID 40684557			
Surplus Category <small>(proposed)</small>	Affordable Housing	District / Councillor	13 - Councillor Pam Lovelace
Current Asset Use	Parkland	Current Land Area <small>(Parent)</small>	± 40,144 Sq. Ft.
Building Area	N/A	Land Area for Disposal <small>(proposed)</small>	± 40,144 Sq. Ft.
Building Condition	N/A		
Interim Management	Parks & Recreation	Operating Costs	Unknown
Land Use Bylaw	Planning Districts 1 & 3	PVSC Assessment	\$ 75,000 (2023 Residential Exempt)
Zone <small>(hyperlink)</small>	VR	Deed on File	August 1997
Environmental Risk	<p>There are no contaminated site files for this location.</p> <p>Note: Prospective purchasers are urged to conduct their own due diligence.</p>		
Background	<p>A request has been submitted for the acquisition of HRM-owned parkland at 21 Fox Hollow, known as Fox Hollow Drive Park, Lot 3. This property was deeded to HRM as parkland dedication in support of the St. Margaret's Village IV subdivision.</p> <p>The lot is treed/vegetated and appears to be undeveloped. The park backs on the Active Transportation/Multi-use pathway, however access to this pathway system exists 550 m from Lot 3. In addition, there is a developed park within the subdivision (Audrey's Park – 65 Ashford Close) which contains a playground and basketball and tennis courts, with space for further development as well as another undeveloped parkland located at 120 Fox Hollow Drive.</p> <p>This request was submitted to Parks & Recreation for an Asset Owner Business Unit Review, and it was determined this parkland parcel is surplus to their operational need.</p> <p>Upon Technical Review, Planning and Development's Affordable Housing Team requested that this property be categorized as Affordable Housing.</p>		

Attachment C – Properties to be Recategorized Affordable Housing

COUNCIL REPORT – Administrative Order 50 – Package 09.23

The following property was declared Surplus by Regional Council on August 13, 2019 under the Extraordinary category. It has now been requested to be recategorized as Affordable Housing by HRM’s Affordable Housing Team (Planning & Development).

15 Laurelcrest Drive, Eastern Passage, District 3, PID 40507220			
Surplus Category (proposed)	Extraordinary	Councillor	Bill Karsten
Current Asset Use	Vacant Land	Current Land Area	~9,523 square feet
Building Area	Not applicable	Land Area for Disposal (proposed)	~9,523 square feet (subject to survey)
Building Condition	Not applicable		
Interim Management	Parks Recreation & Communities	Operating Costs	No material costs
Land Use Bylaw	6, Eastern Passage/Cow Bay	PVSC Assessment	\$115,000 2023 Residential Exempt
Zone (hyperlink)	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 C – Properties to be Recategorized Affordable Housing

COUNCIL REPORT – Administrative Order 50 – Package 09.23

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



Attachment C – Properties to be Recategorized Affordable Housing

COUNCIL REPORT – Administrative Order 50 – Package 09.23

The following property was declared Surplus by Regional Council on March 20, 2018 under the Extraordinary category. It has now been requested to be recategorized as Affordable Housing by HRM’s Affordable Housing Team (Planning & Development).

Hillside Avenue, Sackville, District No. 15, PID 00347120			
Surplus Category <small>(proposed)</small>	Extraordinary	Councillor	Russell
Current Asset Use	Vacant	Current Land Area	~ 23,813 square feet (~half-acre)
Building Area	No building	Land Area for Disposal <small>(proposed)</small>	~ 23,813 square feet (~half-acre)
Building Condition	Not applicable		
Interim Management	Municipal Operations	Operating Costs	No material cost
Land Use Bylaw	17 – Sackville	PVSC Assessment	\$4,300 2023 Residential Exempt
Zone <small>(hyperlink)</small>	R-1 (Single Unit Dwelling)	Deed on File	1982
Environmental Risk	Low risk. Energy and Environment, Planning and Development, has no files on this property.		
Background	This property was deeded to the municipality by the Nova Scotia Housing Commission in 1982 as open space, for which they entered in to a Planned Unit Development (PUD) agreement with the County of Halifax. Several encroachments onto the property from abutters have taken place over time. In addition, the configuration of the parcel is such that it does not allow for ideal public use, with limited visibility. Therefore, it is recommended for disposal. The property is subject to a grant of easement and rights of way in favour of Nova Scotia Power and Bell, and is subject to other conditions.		

Attachment C – Properties to be Recategorized Affordable Housing

COUNCIL REPORT – Administrative Order 50 – Package 09.23

Hillside Avenue, Sackville, District No. 15, PID 00347120



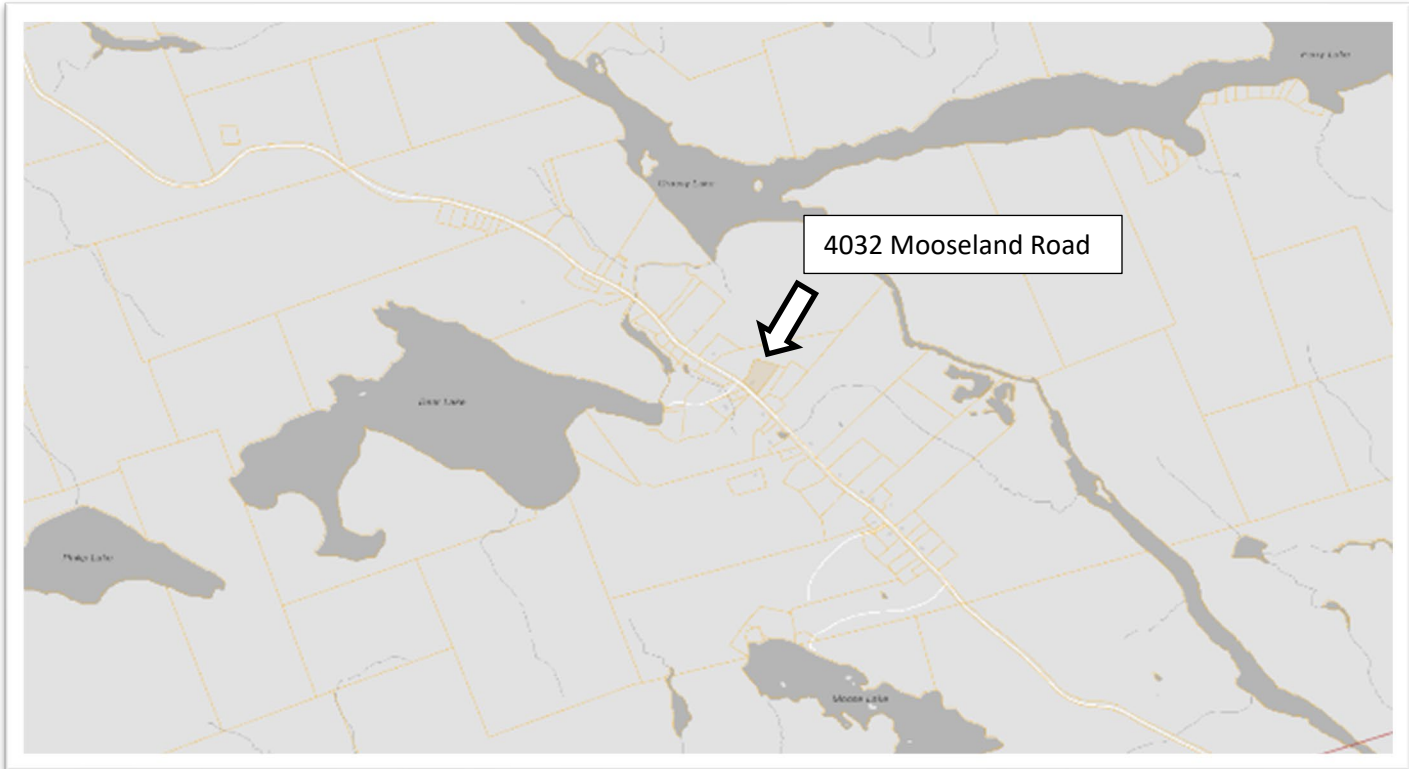
4032 Mooseland Road, Mooseland - PID 40877581

District 2 - Councillor David Hendsbee

SURPLUS

Community Interest

Current Use: Community Centre



Attachment D – Community Interest Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

4032 Mooseland Road, Mooseland - PID 40877581			
Surplus Category <small>(proposed)</small>	Community Interest	District / Councillor	2 - Councillor David Hendsbee
Current Asset Use	Community Centre	Current Land Area <small>(Parent)</small>	±113,531 sq. ft. (2.6 acres)
Building Area	3,200 sq. feet	Land Area for Disposal <small>(proposed)</small>	±113,531 sq. ft. (2.6 acres)
Building Condition	Good		
Interim Management	Property, Fleet & Environment	Operating Costs	Unknown
Land Use Bylaw	Eastern Shore (East)	PVSC Assessment	\$73,300 2023 Commercial Exempt
Zone <small>(hyperlink)</small>	RE (Rural Resource)	Deed on File	No
Environmental Risk	<p>No HRM contaminated site files located for this property or adjacent properties.</p> <p>Note: Prospective purchasers are urged to conduct their own due diligence.</p>		
Background	<p>This building originated as a schoolhouse and was used as a fire station before its current use as a community hall. The Mooseland & Area Community Association (MACA) has operated the building as a community hall since 2001. MACA has requested the municipality surplus the property and sell to them for less than market value.</p> <p>This property has been before council previously for surplus designation: 1) October 6, 2015 – Regional Council directed staff to enter into a Facility License Agreement with the community association. 2) March 6, 2018 – Regional Council directed staff to enter into a less than market value leases with MACA, reviewing the property for surplus within 5 years.</p> <p>Disposal Methodology: Direct Sale to the Mooseland & Area Community Association</p>		

Lot 1, St. Margaret's Bay Rd., No. 3 Highway, Beechville - PID 40050098

District 12 - Councillor Iona Stoddard

SURPLUS

Community Interest

Current Use: Vacant Right-of-Way



Attachment D – Community Interest Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

Lot 1, St. Margaret's Bay Rd., No. 3 Highway, Beechville - PID 40050098			
Surplus Category <small>(proposed)</small>	Community Interest	District / Councillor	12 - Councillor Iona Stoddard
Current Asset Use	Vacant Right-of-Way	Current Land Area <small>(Parent)</small>	± 8,280 Sq. Ft.
Building Area	N/A	Land Area for Disposal <small>(proposed)</small>	± 8,280 Sq. Ft.
Building Condition	N/A		
Interim Management	Public Works	Operating Costs	No Material Costs
Land Use Bylaw	Timberlea / Lakeside / Beechville	PVSC Assessment	\$ 41,400 (2023 Commercial Exempt)
Zone <small>(hyperlink)</small>	I-1 (Light Industry) Zone	Deed on File	July 15, 1998
Environmental Risk	<p>There are no contaminated site files associated with this property. There is a contaminated site located at 1141 St. Margaret's Bay Rd but it is not close enough to be an issue for the site in question.</p> <p>Note: Prospective purchasers are urged to conduct their own due diligence.</p>		
Background	<p>In 1998, HRM acquired Lot 1, Lot 3, Lot C, Lot F-1, Lot F-2, and Lot G-1 (outlined in map)—for a total of 3.89 acres—from Livingston International Inc. of Ontario. Lot F-1 and G-1, at 1300 St. Margarets Bay Road (PID 00382078), were specifically acquired to complete an approved 1997/98 capital intersection project and for future road alignment requirements.</p> <p>The subject property (PID 40050098) is situated between 1290 and 1282 St. Margarets Bay Road and is identified red in the attached imagery. The abutting property owners (NAPA Autopro to the east) at 1282 St. Margarets Bay Road (PID 40815862) inquired to request acquisition of the subject parcel to use in conjunction with their existing business. Subsequent to undergoing technical review, Corporate Real Estate received an inquiry from the Beechville Community Development Association (BCDA) expressing interest in acquiring the subject parcel (PID 40050098).</p> <p>In the Fall of 2018, HRM property to the west (outlined in blue), at 1296 St. Margarets Bay Road (PID 40050080), was reviewed via AO50 process. At the time, AO50 Steering Committee recommended to <i>not</i> surplus. Enviro-Care/Youth Live (consulted in January 2020) recommended potential need for—and thus retention of—the property in support of snow clearing operations and general driveway access purposes. However, Youth Live indicated no operational need for the subject property (PID 40050098), agreeing to its surplus potential.</p> <p>The subject property abuts a residential zone to west (PID 40050023) and Section 15.3 of the LUB states all buildings/structures for commercial or industrial use in the I-1 zone, that abut a residential zone, shall be a minimum of 50 feet from the residential zone. With an approximate width of 60 feet, the subject parcel has limited potential for commercial development.</p> <p>In September 2020, Regional Council approved the continuation of a Beechville Planning Strategy Review and the undertaking of a Community Benefit Action Plan for the African Nova Scotian Community of Beechville. This directed HRM staff to “ensure the matters identified by the Beechville Community Development Association (BCDA) are investigated, and resolved wherever possible,” specifically on a list of actions identified by the community as priorities and identified in the September 2020 staff report. These matters were identified by the BCDA during earlier phases of the ongoing Beechville Planning Strategy Review, and include: placing land under community control; identifying HRM-owned lands that can be transferred to the BCDA; and working with the BCDA in developing a Community Land Trust to support additional housing for the African Nova Scotian (ANS) Community. This initiative in Beechville is the first Community Benefit Action Plan HRM has undertaken, and is viewed by the broader African Nova Scotian Community in HRM as a best practice that supports Anti-Black Racism and Regional Council's African Nova Scotian Road to Economic Prosperity Action Plan.</p> <p>Disposal Methodology: Direct Sale to the Beechville Community Development Association</p>		

Attachment D – Community Interest Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

	<p>If declared surplus, Transportation & Public Works has asked to be consulted prior to any sale regarding the potential need to restrict driveway access to St. Margaret's Bay Road.</p>
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Attachment E – Extraordinary Properties

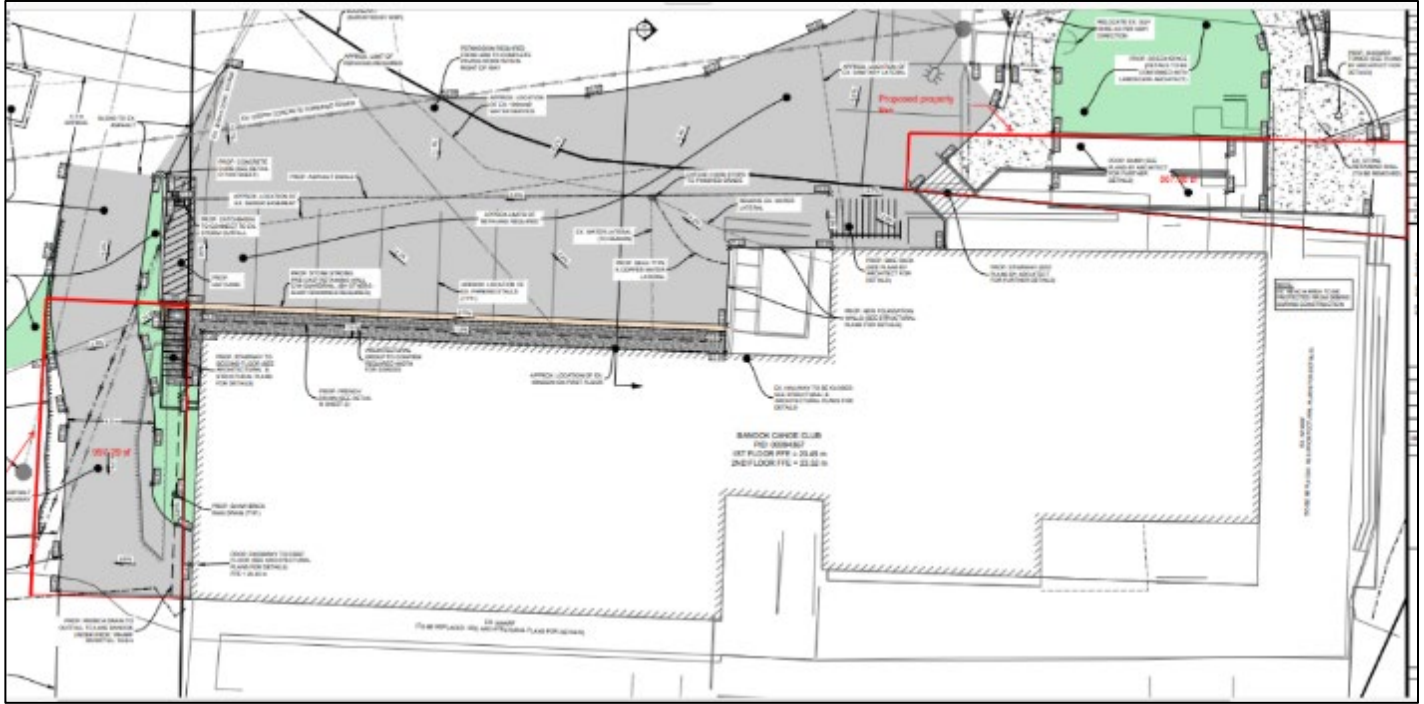
COUNCIL REPORT – Administrative Order 50 – Package 09.23

Portions of Henry Findlay Park & Former Banook Avenue - Portions of PIDs 00094375 & 41517194

District 5 - Deputy Mayor Sam Austin

Extraordinary

Current Use: Henry Findlay Park and Former Steet Right-of-Way



Attachment E – Extraordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

Portions of Henry Findlay Park & Former Banook Avenue – Portions of PIDs 00094375 & 41517194			
Date Request Received	April 6, 2023	Real Estate Staff	Mike Cowper
Surplus Category <small>(proposed)</small>	Extraordinary	District / Councillor	5 - Deputy Mayor Sam Austin
Current Asset Use	Parkland and Former Street ROW	Current Land Area <small>(Parent)</small>	±30,000 sq. ft. (Henry Findlay Park) ±4,461 sq. ft. (Former Banook Ave ROW)
Building Area	N/A	Land Area for Disposal <small>(proposed)</small>	±997sq. ft. ±867 sq. ft.
Building Condition	N/A		
Interim Management	Parks and Recreation	Operating Costs	Unknown
Land Use Bylaw	Regional Centre	PVSC Assessment	\$317,900 2023 Residential Exempt \$2,700 2023 Residential Exempt
Zone <small>(hyperlink)</small>	Park and Community Facility (PCF)	Deed on File	No
Environmental Risk	<p>There are no contaminated site files for this property or adjacent properties.</p> <p>Note: Prospective purchasers are urged to conduct their own due diligence.</p>		
Background	<p>Banook Canoe Club is undertaking a large renovation project. This had triggered the requirement for the installation of an egress stairwell (west side of the building) and accessibility ramp to the building's main entrance (east side) including appropriate setbacks. The location of the building in relation to the existing property lines does not allow this work to be completed on the club's property. Additionally, the club is interested in installing a new boat ramp on the west side of the building which will also aid in providing an accessible evacuation route from the rear of the building.</p> <p>If the two parcels are declared surplus, the intent is to continue to permit public access to Lake Banook as well as secure additional frontage for the park lot along Banook Avenue as part of a potential transaction.</p>		

Attachment E – Extraordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

90 Williams Lake Road, Halifax - PID 40932972 (portion of)

District 9 - Councillor Shawn Cleary

SURPLUS

Current Use: Right-of-Way

Extraordinary



Attachment E – Extraordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

90 Williams Lake Road, Halifax - PID 40932972 (portion of)			
Surplus Category <small>(proposed)</small>	Extraordinary	District / Councillor	9 - Councillor Shawn Cleary
Current Asset Use	Right-of-Way	Current Land Area <small>(Parent)</small>	± N/A
Building Area	N/A	Land Area for Disposal <small>(proposed)</small>	± 5,000 Sq. Ft.
Building Condition	N/A		
Interim Management	TPW	Operating Costs	Unknown
Land Use Bylaw	Halifax Mainland	PVSC Assessment	N/A
Zone <small>(hyperlink)</small>	P&D to Confirm	Deed on File	No
Environmental Risk	<p>There are no contaminated site files for this location.</p> <p>Note: Prospective purchasers are urged to conduct their own due diligence.</p>		
Background	<p>HRWC is proposing an expansion of the existing Williams Lake Road Pump Station (PID 00310409) which necessitates an encroachment into the street right-of-way. Williams Lake Road, in this immediate area, appears to have excess right-of-way width, perhaps due to a realignment of the street in the past.</p> <p>The pump station property, currently owned by HRM, will be transferred to HRWC as per the 2007 Transfer Agreement (Transfer of Municipal Stormwater and Wastewater infrastructure). The parcel, if declared surplus, will be consolidated with the pump station lot.</p> <p>Upon Technical Review, Public Works requested that a portion of the subject property fronting Williams Lake Road be retained to accommodate potential future Active Transportation.</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 E – Extraordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

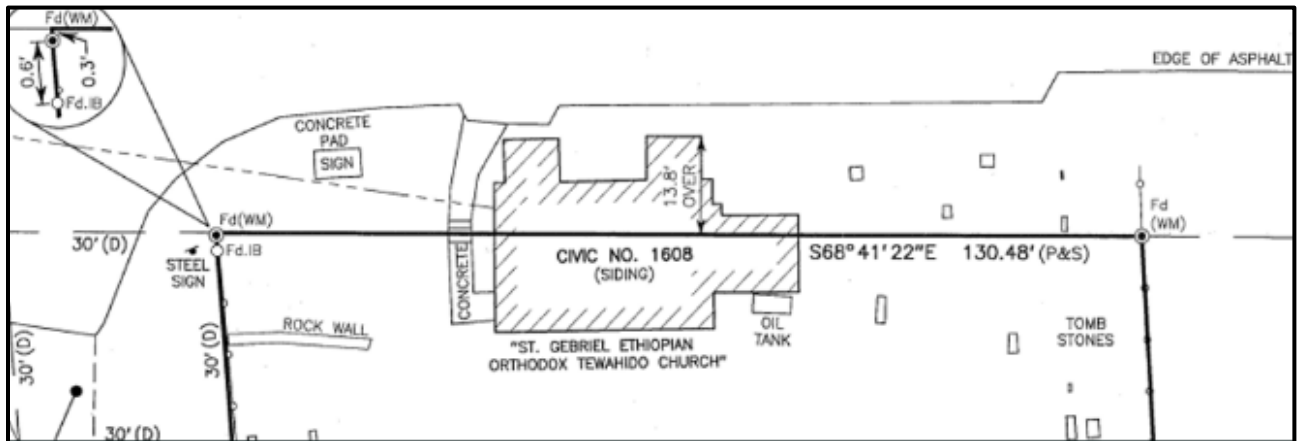
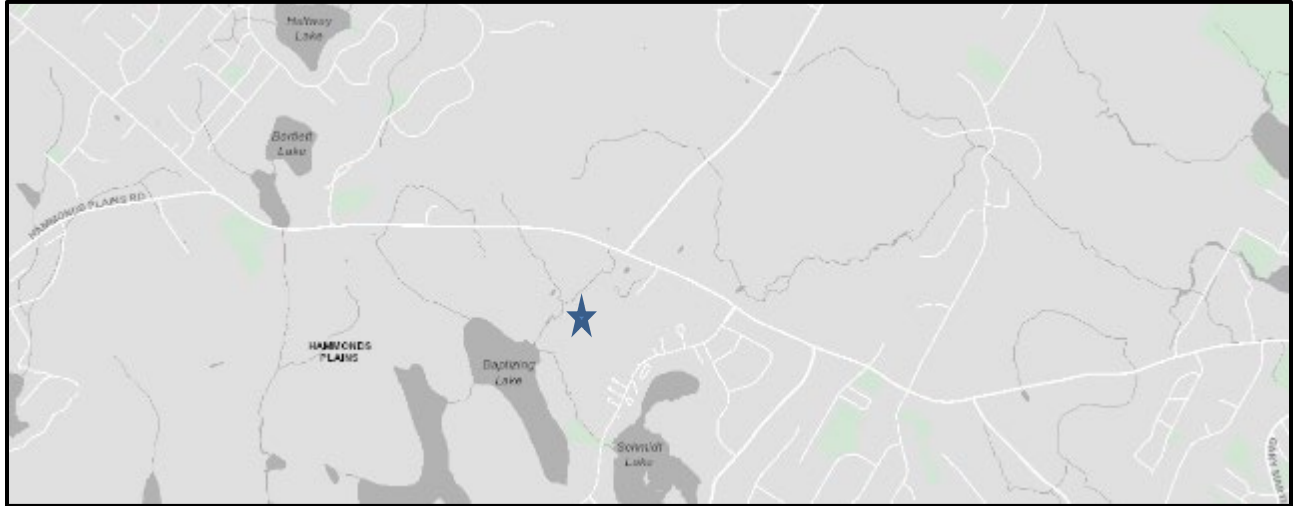
Portion of Hammonds Plains Road ROW - PID 40899601

District 13 - Councillor Pam Lovelace

SURPLUS

Extraordinary

Current Use: Street Right-of-Way



Attachment E – Extraordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

Portion of Hammonds Plains Road ROW - PID 40899601			
Surplus Category <small>(proposed)</small>	Extraordinary	District / Councillor	13 - Councillor Pam Lovelace
Current Asset Use	Right-of-Way	Current Land Area <small>(Parent)</small>	Unknown
Building Area	N/A	Land Area for Disposal <small>(proposed)</small>	±2,700 sq. ft.
Building Condition	N/A		
Interim Management	Public Works	Operating Costs	Unknown
Land Use Bylaw	Beaver Bank, Hammonds Plains and Upper Sackville	PVSC Assessment	\$72,300 2023 Commercial Exempt
Zone <small>(hyperlink)</small>	MU-1	Deed on File	N/A
Environmental Risk	<p>No HRM contaminated site files located for this property or adjacent properties.</p> <p>Note: Prospective purchasers are urged to conduct their own due diligence.</p>		
Background	<p>The church property at 1608 Hammonds Plains Road (PID 00421057) has been identified as having potential for municipal heritage designation. A large portion of the church building, and several burial sites are located within the Hammonds Plains Road street right-of-way. In order facilitate the heritage designation process, the encroaching features must be located on lands owned by the church.</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 F – Ordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

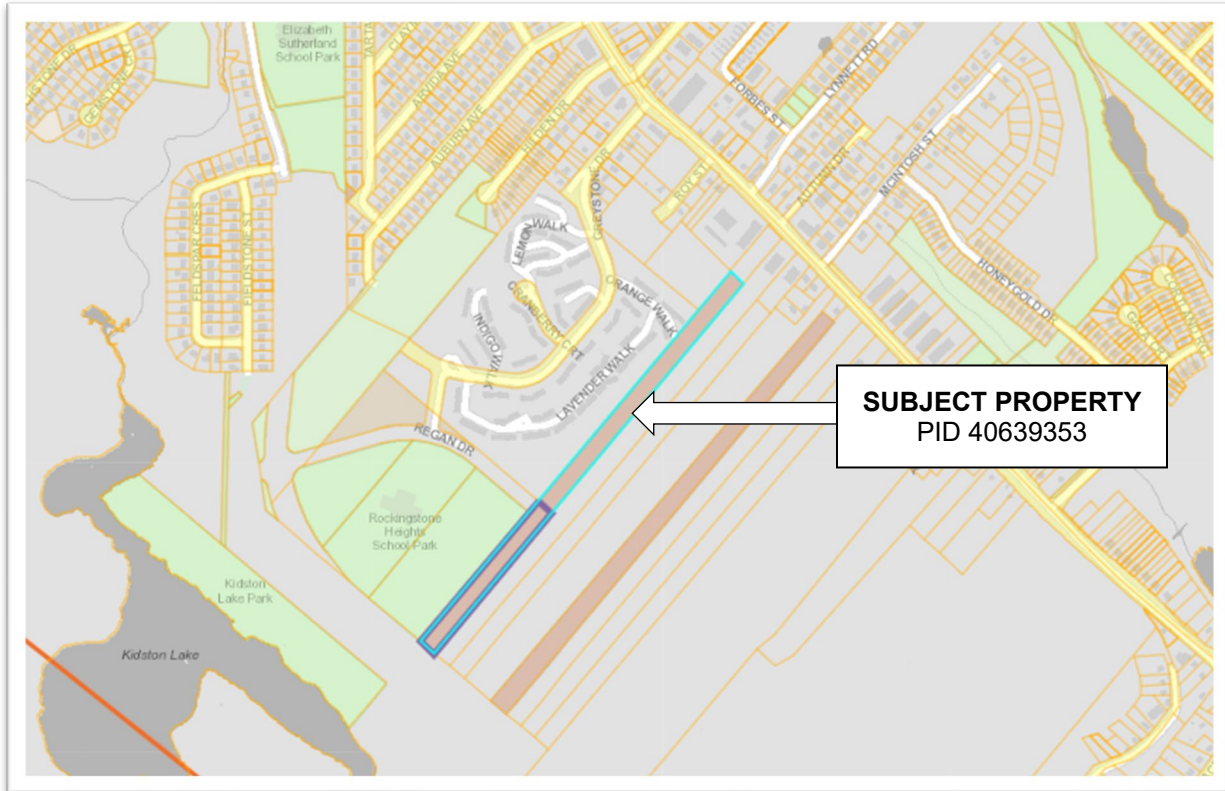
Lot 1-A 529 Herring Cove Road, Halifax - PID 40639353

District 11 - Councillor Patty Cuttell

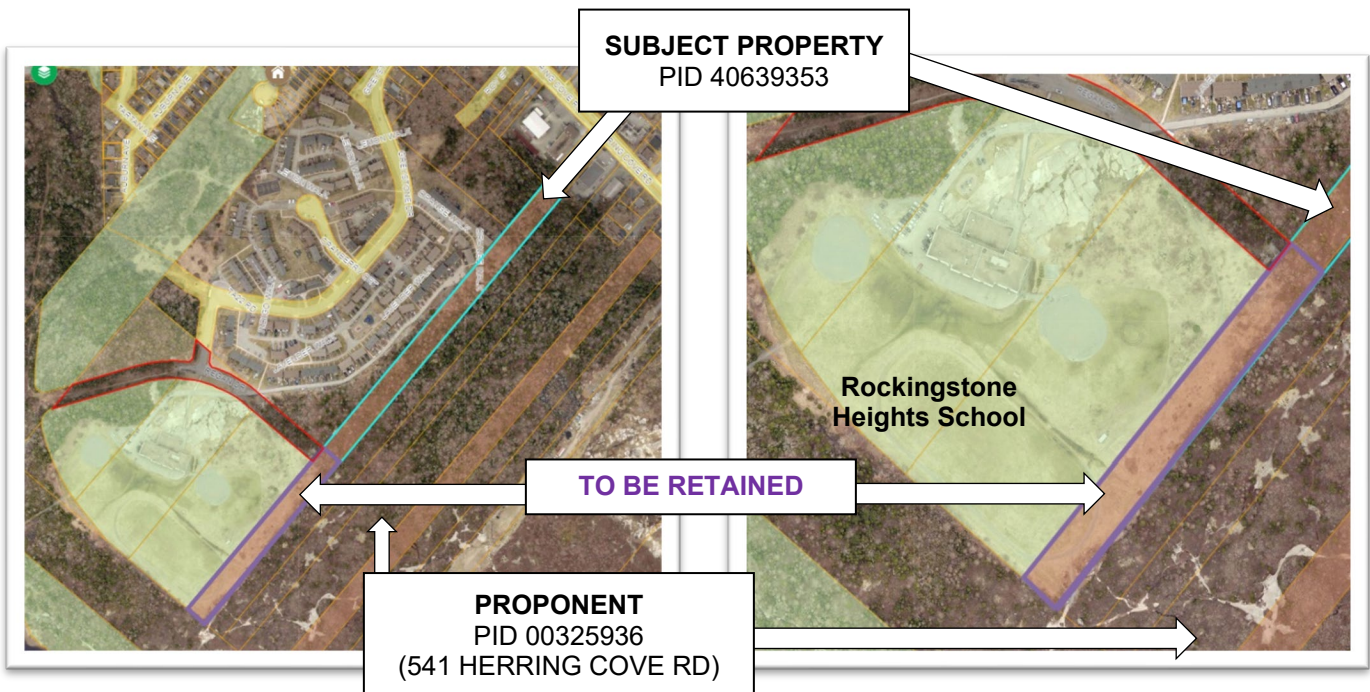
SURPLUS

Ordinary Sale

Current Use: Vacant Land & Sports Field



SUBJECT PROPERTY
PID 40639353



SUBJECT PROPERTY
PID 40639353

TO BE RETAINED

PROPONENT
PID 00325936
(541 HERRING COVE RD)

Attachment F – Ordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

Lot 1-A 529 Herring Cove Road, Halifax - PID 40639353			
Surplus Category <small>(proposed)</small>	Ordinary Sale	District / Councillor	11 - Councillor Patty Cuttell
Current Asset Use	Vacant Land & Sports Field	Current Land Area <small>(Parent)</small>	±4.87 acres (212,137 sq.ft.)
Building Area	N/A	Land Area for Disposal <small>(proposed)</small>	±3.17 acres (138,137 sq.ft.)
Building Condition	N/A		
Interim Management	N/A	Operating Costs	Unknown
Land Use Bylaw	Halifax Mainland	PVSC Assessment	\$24,100 2023 Commercial Exempt
Zone <small>(hyperlink)</small>	R-1, H	Deed on File	Yes - 1994
Environmental Risk	<p>No HRM contaminated site files located for this property or adjacent properties. There was a spill reported at 539 Herring Cove Rd in 2011 which impacted the HRM ROW, this file has since been closed.</p> <p>Note: Prospective purchasers are urged to conduct their own due diligence.</p>		
Background	<p>Along with the request to purchase Lot 6 (Portion of) 543 Herring Cove Road (PID 00325944 – see cutsheet below), the same proponent has also requested to purchase the HRM-owned vacant parcel known as Lot 1-A 529 Herring Cove Road (PID 40639353 – outlined in blue). The proponent owns adjacent 541 Herring Cove Road (PID 00325936), for which they are exploring options for residential development and hope to incorporate the subject property to maximize density.</p> <p>The subject parcel was acquired by in 1993 to enlarge the sports field for Rockingstone Heights School. The sports field appears to extend into the southwestern end of the subject parcel, with the remainder of the subject property being unimproved vacant land. The parcel is landlocked from Herring Cove Road by PID 40639346 but appears to abut an unimproved portion of road reserve (Regan Drive, PID 40892481 – outlined in red). Ownership of Regan Drive is unclear, and the parcel is classified as an “Arbitrary Road Parcel” on NSPOL.</p> <p>The subject parcel is not land registered and as such all interests and areas will need to be confirmed via title search and survey.</p> <p>Parks and Recreation has requested that the portion of the subject property abutting Rockingstone Heights School be retained.</p> <p>The portion of the subject property abutting the Regan Drive road reserve should also be retained to accommodate any future extensions to the right-of-way.</p> <p>The area being recommended for surplus is outlined in light blue above while the areas to be retained are outlined in purple.</p>		

Attachment F – Ordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

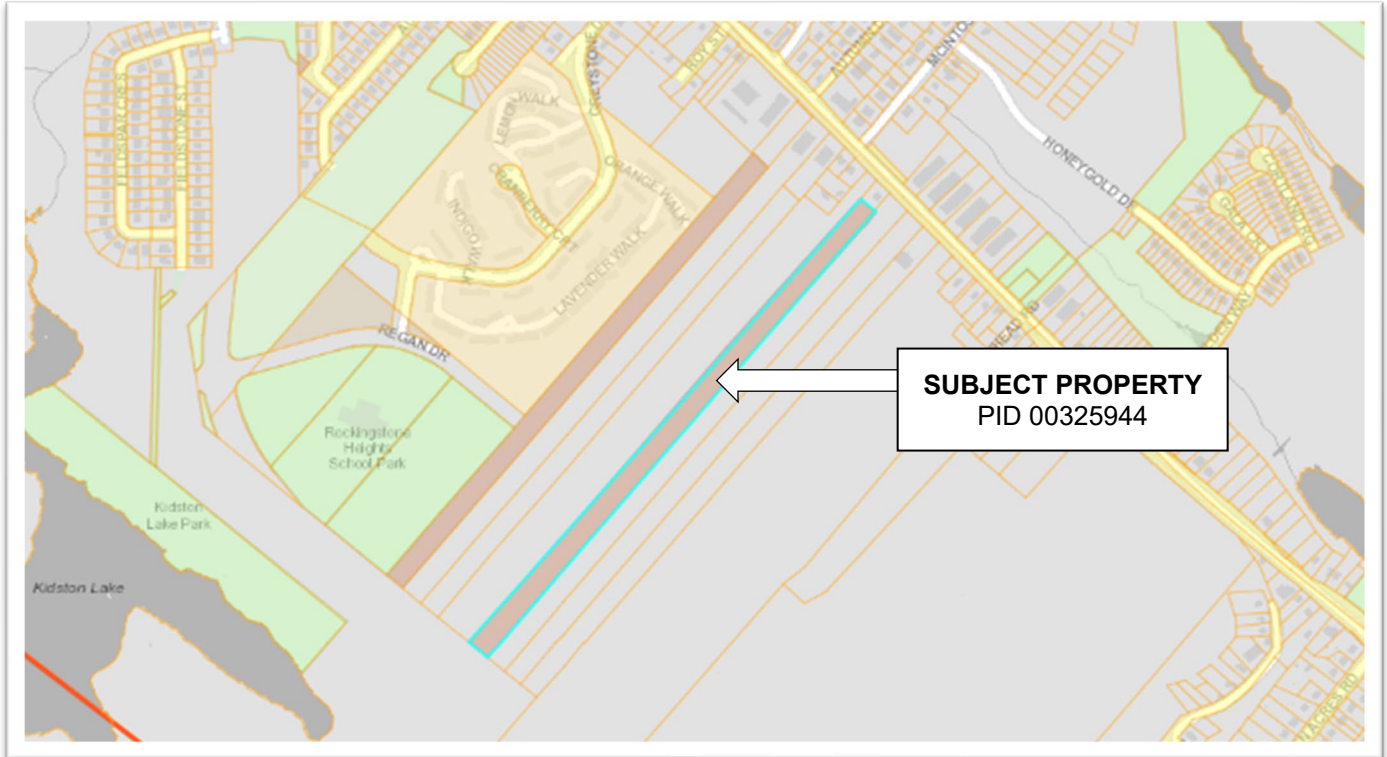
Lot 6 (Portion of) 543 Herring Cove Road, Halifax - PID 00325944

District 11 - Councillor Patty Cuttell

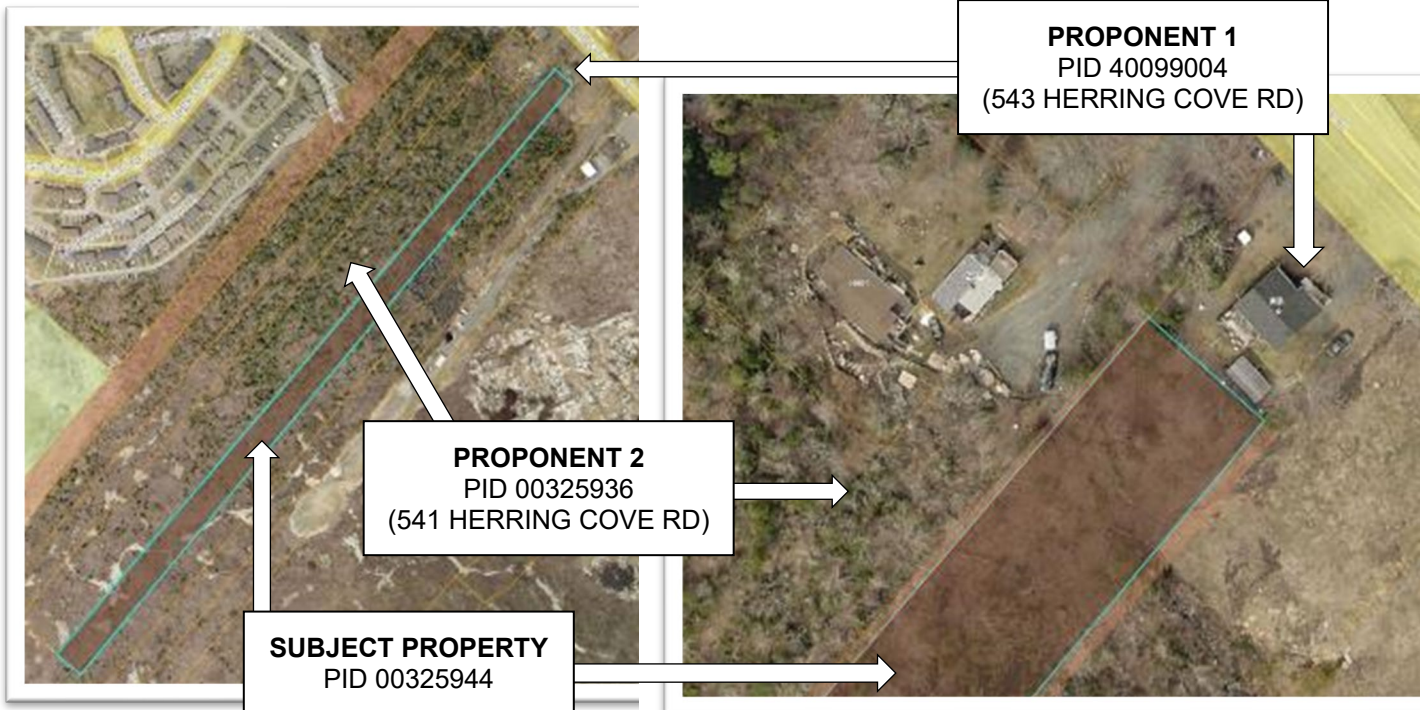
SURPLUS

Ordinary Sale

Current Use: Vacant Land



SUBJECT PROPERTY
PID 00325944



Attachment F – Ordinary Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

Lot 6 (Portion of) 543 Herring Cove Road, Halifax, PID 00325944			
Surplus Category <small>(proposed)</small>	Ordinary Sale	District / Councillor	11 - Councillor Patty Cuttell
Current Asset Use	Vacant Land	Current Land Area <small>(Parent)</small>	±4.5 acres
Building Area	N/A	Land Area for Disposal <small>(proposed)</small>	±4.5 acres
Building Condition	N/A		
Interim Management	N/A	Operating Costs	Unknown
Land Use Bylaw	Halifax Mainland	PVSC Assessment	\$56,300 2023 Residential Exempt
Zone <small>(hyperlink)</small>	R-1, C-2A, H	Deed on File	Yes - 1994
Environmental Risk	<p>No HRM contaminated site files located for this property or adjacent properties. There was a spill reported at 539 Herring Cove Rd in 2011 which impacted the HRM ROW, this file has since been closed.</p> <p>Note: Prospective purchasers are urged to conduct their own due diligence.</p>		
Background	<p>Corporate Real Estate received two requests to purchase the HRM-owned vacant parcel known as Lot 6 (Portion of) 543 Herring Cove Road (PID 00325944). The initial proponent owns adjacent 543 Herring Cove Road (PID 40099004) and would be interested in acquiring the entire parcel or an +/-80 ft. x 100 ft. portion immediately abutting their property. The second proponent owns adjacent 541 Herring Cove Road (PID 00325936), for which they are exploring options for residential development and hope to incorporate the subject property to maximize density. The second proponent has also inquired about PID 40639353 (see cutsheet above).</p> <p>The subject parcel, acquired by the HRM via tax sale in 1993, abuts and is landlocked by PID 40099004 (owned by the initial proponent). The subject parcel is not land registered and as such all interests and areas will need to be confirmed via title search and survey.</p>		

Attachment G – Remnant Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

Atikian Drive, Eastern Passage - PID 41178070

District 3 - Councillor Becky Kent

SURPLUS

Remnant

Current Use: Unknown (HRWC subgrade storm water main)



Attachment G – Remnant Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

Atikian Drive, Eastern Passage - PID 41178070			
Surplus Category <small>(proposed)</small>	Remnant	District / Councillor	3 - Councillor Becky Kent
Current Asset Use	Unknown	Current Land Area <small>(Parent)</small>	±4,454 sq. ft.
Building Area	N/A	Land Area for Disposal <small>(proposed)</small>	±4,454 sq. ft.
Building Condition	N/A		
Interim Management	Unknown	Operating Costs	Unknown
Land Use Bylaw	Eastern Passage/Cow Bay	PVSC Assessment	\$1,800 2023 Residential Exempt
Zone <small>(hyperlink)</small>	EC	Deed on File	Yes - 2006
Environmental Risk	<p>No HRM contaminated site files located for this property or adjacent properties.</p> <p>Note: Prospective purchasers are urged to conduct their own due diligence.</p>		
Background	<p>The neighbour of the abutting property, 25 Atikian Drive, requested the lot for use as additional yard for his family. Another neighbour appears to encroach on the southeastern portion of the lot. An HRWC stormwater main and outlet exist on the property, therefore an easement agreement is required.</p>		

Attachment G – Remnant Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

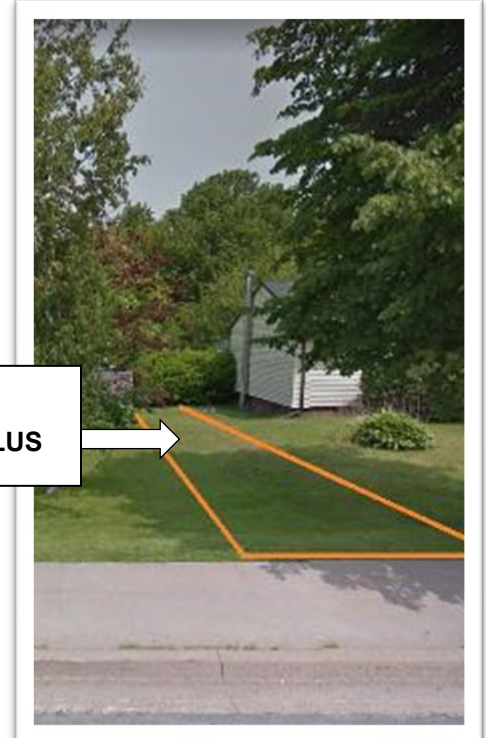
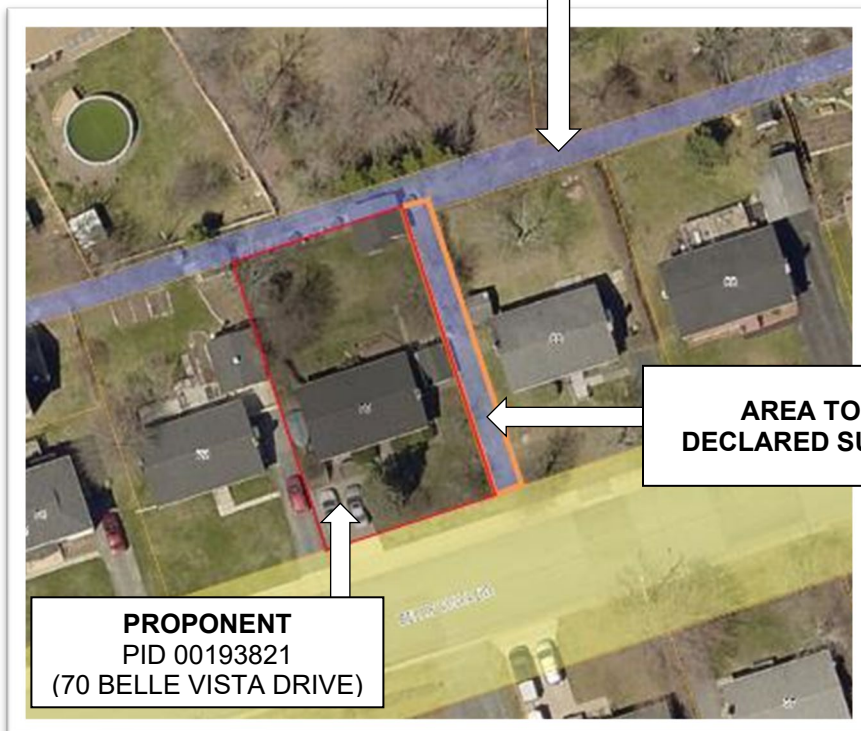
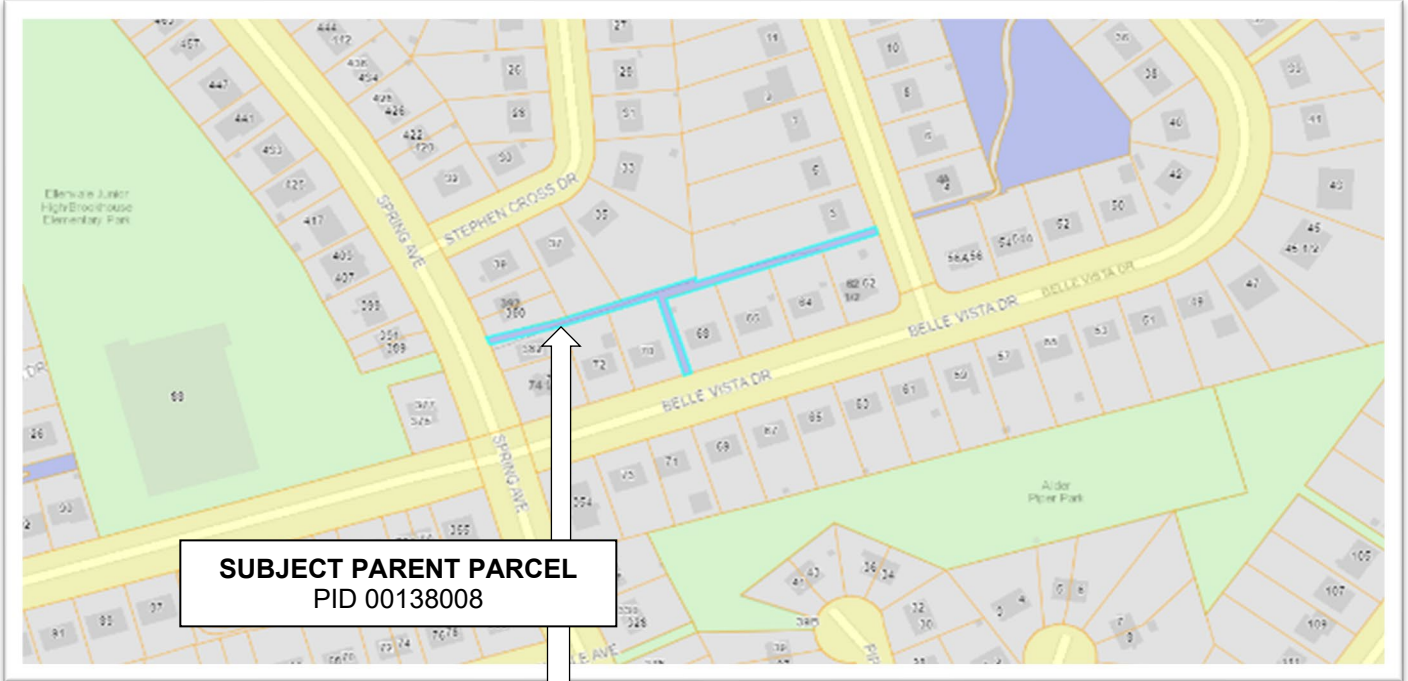
Between 68 & 70 Belle Vista Dr., Dartmouth - PID 00138008 (portion of)

District 3 - Councillor Becky Kent

SURPLUS

Remnant

Current Use: Brook Reserve



Attachment G – Remnant Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

Between 68 & 70 Belle Vista Dr., Dartmouth - PID 00138008 (portion of)			
Surplus Category <small>(proposed)</small>	Remnant	District / Councillor	3 - Councillor Becky Kent
Current Asset Use	Brook Reserve	Current Land Area <small>(Parent)</small>	±6,500 sq. ft.
Building Area	N/A	Land Area for Disposal <small>(proposed)</small>	±1,100 sq. ft.
Building Condition	N/A		
Interim Management	Abutters	Operating Costs	Unknown
Land Use Bylaw	Dartmouth	PVSC Assessment	\$74,500 2023 Residential Exempt
Zone <small>(hyperlink)</small>	R-2	Deed on File	No Deed on NSPOL
Environmental Risk	<p>ECC has no contaminated site files for this property or the adjacent ROW.</p> <p>Note: Prospective purchasers are urged to conduct their own due diligence.</p>		
Background	<p>The subject parent parcel (PID 001380089 – outlined/shaded in blue) is a brook reserve located in Glendale Park Subdivision. The portion running east-west from Spring Avenue to Pauline Crescent was originally an open stream but was upgraded to an enclosed cement culvert in 1983.</p> <p>The area requested for surplus consideration (outlined in orange) runs between the proponent's property at 70 Belle Vista Drive (PID 00193821 – outlined in red) and 68 Belle Vista Drive. The strip is approximately 10 feet in width and, according to the proponent, has never been developed for brook reserve purposes.</p> <p>P&D advised of possible encroachments at rear of 70 Belle Vista Drive with detached garage. Request for P&D to confirm permit for accessory building (garage).</p> <p>Any sale of the subject land is subject to satisfactory results of a title search and survey.</p>		

Walkway between Alder Cres & Riverside Dr, Lower Sackville - PIDs 00335000 & 00346759

SURPLUS

District 15 - Councillor Paul Russell

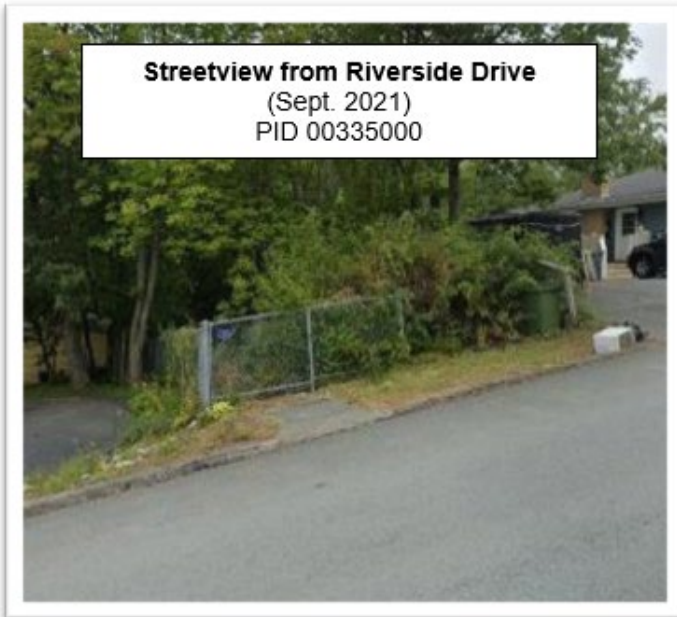
Remnant

Current Use: Former Walkway



Attachment G – Remnant Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23



NORTH WEST COMMUNITY COUNCIL
July 11, 2002

TO: Members of North West Community Council

SUBMITTED BY: _____
John Sheppard, P.Eng., A/Director, Public Works & Transportation

DATE: June 27, 2002

SUBJECT: STUDENTS CROSSING RIVERSIDE DRIVE (PATH)

INFORMATION REPORT

ORIGIN
Northwest Community Council, May 23, 2002, item 12.1.

BACKGROUND
A letter received from Sycamore Lane Elementary School Advisory Council expressing safety concerns was forwarded to the Traffic Authority for a report. The letter was a request to have Parks and Open Spaces staff reconsider their previous decision not to allow closure of a pedestrian walkway between Alder Crescent and Riverside Drive.

Page 2 North West Community Council
July 11, 2002

Students Crossing Riverside Drive (Path)

DISCUSSION
Closure of this walkway was a recommendation made by the School Advisory Committee and the HRM Traffic Authority as part of a pedestrian management plan intended to focus crossings of Riverside Drive to the safest and most appropriate locations. The walkway in question takes pedestrian traffic to a location on Riverside Drive where sight distance for approaching vehicles is limited by the crest of a hill.

Parks and Open Spaces staff have reconsidered the issue of the walkway and have now agreed that it may be closed. Staff will take steps to close the walkway, and have the land declared surplus.

BUDGET IMPLICATIONS
N/A

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN
This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES
N/A

Additional copies of this report and information on its status can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.
Report prepared by: David McCusker, P.Eng., Manager, Traffic & Transportation Services, 490-6696.

DMC/hmh

Attachment G – Remnant Properties

COUNCIL REPORT – Administrative Order 50 – Package 09.23

Walkway between Alder Cres & Riverside Dr, Lower Sackville - PIDs 00335000 & 00346759			
Surplus Category <small>(proposed)</small>	Remnant	District / Councillor	15 - Councillor Paul Russell
Current Asset Use	Former Walkway	Current Land Area <small>(Parent)</small>	±4,950 sq. ft. & ±2,375 sq. ft.
Building Area	N/A	Land Area for Disposal <small>(proposed)</small>	±4,950 sq. ft. & ±2,375 sq. ft.
Building Condition	N/A		
Interim Management	Unknown	Operating Costs	Unknown
Land Use Bylaw	Sackville	PVSC Assessment	\$1,500 2023 Residential Exempt, & \$1,500 2022 Residential Exempt
Zone <small>(hyperlink)</small>	R-1	Deed on File	Yes
Environmental Risk	<p>ECC has no contaminated site files for this property or the Riverside Dr ROW. There is a contaminated site to the north on Alder Cres but not close enough to be of concern.</p> <p>Note: Prospective purchasers are urged to conduct their own due diligence.</p>		
Background	<p>Corporate Real Estate received an inquiry from the owner of 1216 Riverside Drive who is interested in purchasing adjacent PID 00335000 (outlined in blue) to improve access to the rear of the proponent's property from Riverside Drive. The proponent notes that the parcel is not maintained (garbage, overgrown shrubs, rodents, etc.). Furthermore, the proponent is building a garage and has indicated that NSPI would like to install a utility pole on PID 00335000 to bring power to the accessory building.</p> <p>To treat the walkway as a whole we ask that PID 00346759 also be considered for surplus declaration.</p> <p>The requested parcel, along with PID 00346759 (outlined in red), were once used as a paved and fenced walkway between Alder Crescent and Riverside Drive but were officially closed in 2002 due to safety concerns caused by a hill crest limiting visibility for approaching vehicles and the need for pedestrians (primarily elementary school students) to cross Riverside Drive to access the sidewalk. There is still no sidewalk on the former walkway side of Riverside Drive and marked crosswalks have since been installed at both the top and bottom of the hill.</p>		

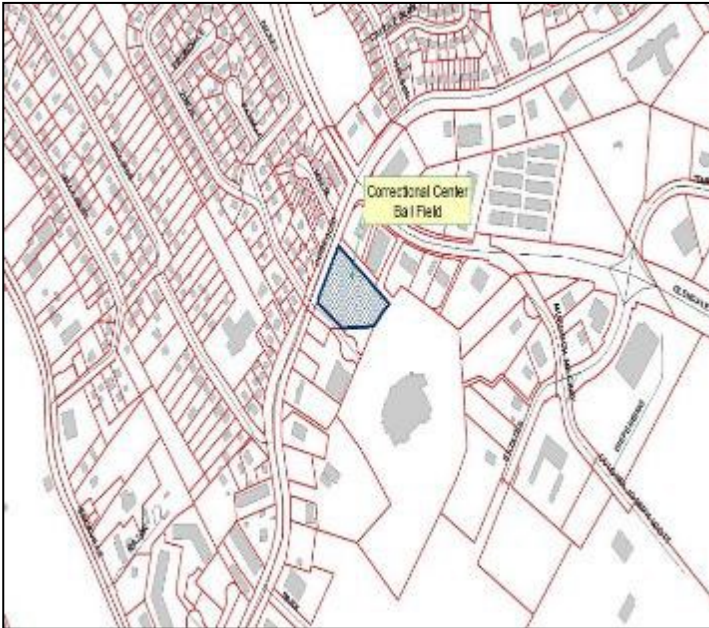
Attachment H – Properties to be Recategorized Intergovernmental Transfer

COUNCIL REPORT – Administrative Order 50 – Package 09.23

The following properties were previously declared Surplus by Regional Council on November 22, 2016 under the Ordinary category. Halifax Regional Fire & Emergency Services has since identified a future need for the properties. More recently, the Province of Nova Scotia announced the properties as the site of a future tiny home community development. Corporate Real Estate recommends that the properties be recategorized to Intergovernmental Transfer to facilitate any future need to transfer ownership to the Province of Nova Scotia.

191 Cobequid Road, Sackville

PID 40871337



Proposed Category	Ordinary	Land Area	+/- 111,078 sq. ft. (2.55 Acres)
Disposal Method	As per Admin. Order 50	Building Area	n/a
District	15	Asset Use	Ball Field
Councillor	Russell	Operating Costs	n/a
Land Use Bylaw	Sackville	PVSC Assessment	\$15,500 2023 Resource Exempt
Zone	P-2	Deed On File	No

Background

- This property is known as the Correctional Center Ball Field, and identified as Lot 5;
- This ball field is now surplus to HRM Parks and Recreation operating requirements coincident with the completion of Eddie LeBlanc Field improvements;
- This parcel is associated with and will be sold with Cobequid Road, Sackville (PID 41154790) as described on the previous page.

Discussion

- Technical Review: retention of sufficient land to accommodate future sidewalk and active transportation trail requested;

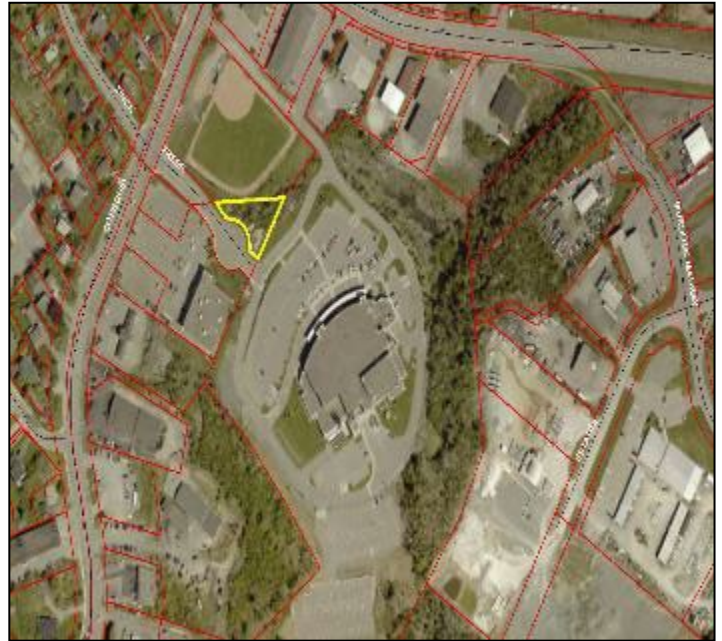
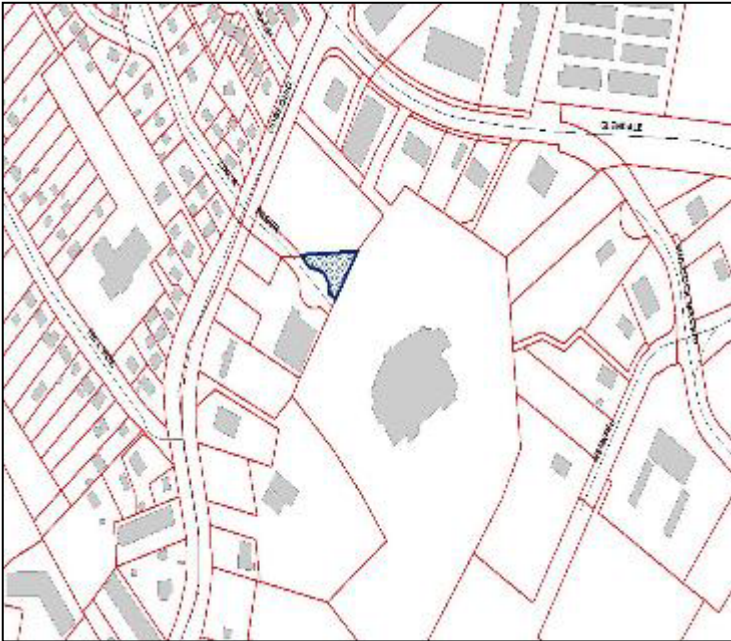
Attachment H – Properties to be Recategorized Intergovernmental Transfer

COUNCIL REPORT – Administrative Order 50 – Package 09.23

- Steering Committee: The sport field does not offer sufficient parking and is surrounded by commercial properties; therefore its best use is to surplus this parcel in favour of future commercial purposes, subject to rezoning, and for this reason, the Eddie LeBlanc Fields were upgraded.

Cobequid Road, Sackville

PID 41154790



Proposed Category	Ordinary	Land Area	+/- 12601 sq. ft. (.29 Acres)
Disposal Method	As per Admin. Order 50	Building Area	n/a
District	15	Asset Use	Ball Field
Councillor	Russell	Operating Costs	n/a
Land Use Bylaw	Sackville	PVSC Assessment	\$52,100 2023 Commercial Exempt
Zone	BP	Deed On File	January 9, 2007

Background

- This property is identified as Parcel 482B (Park) as per Nova Scotia Property Online, Plan 87163250, HRM Subdivision 11504;
- This parcel was deeded to Halifax from Nova Scotia Business Incorporated (NSBI), January 9, 2007, as part of an acceptance of Freer Lane and NSBI property to south;
- The parcel accommodates drainage infrastructure;
- This parcel is associated with and will be sold with 191 Cobequid Road, Sackville (PID 40871337) as described on the next page.

Discussion

- Technical Review: retention of enough land to accommodate cul de sac according to Standard Detail, and review retention associated with on-site culvert.