

# HALIFAX

## Public Hearing

ADMINISTRATIVE ORDER 50 – Disposal of Surplus  
Real Property - COMMUNITY INTEREST Category  
9 Spring Street, Bedford – PID 40107138

June 6 - 2023

# Legislative Authority

*HRM Charter (2008):*

## **Section 63**

**(1)** The Municipality may sell or lease property at a price less than market value to a non-profit organization that 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.

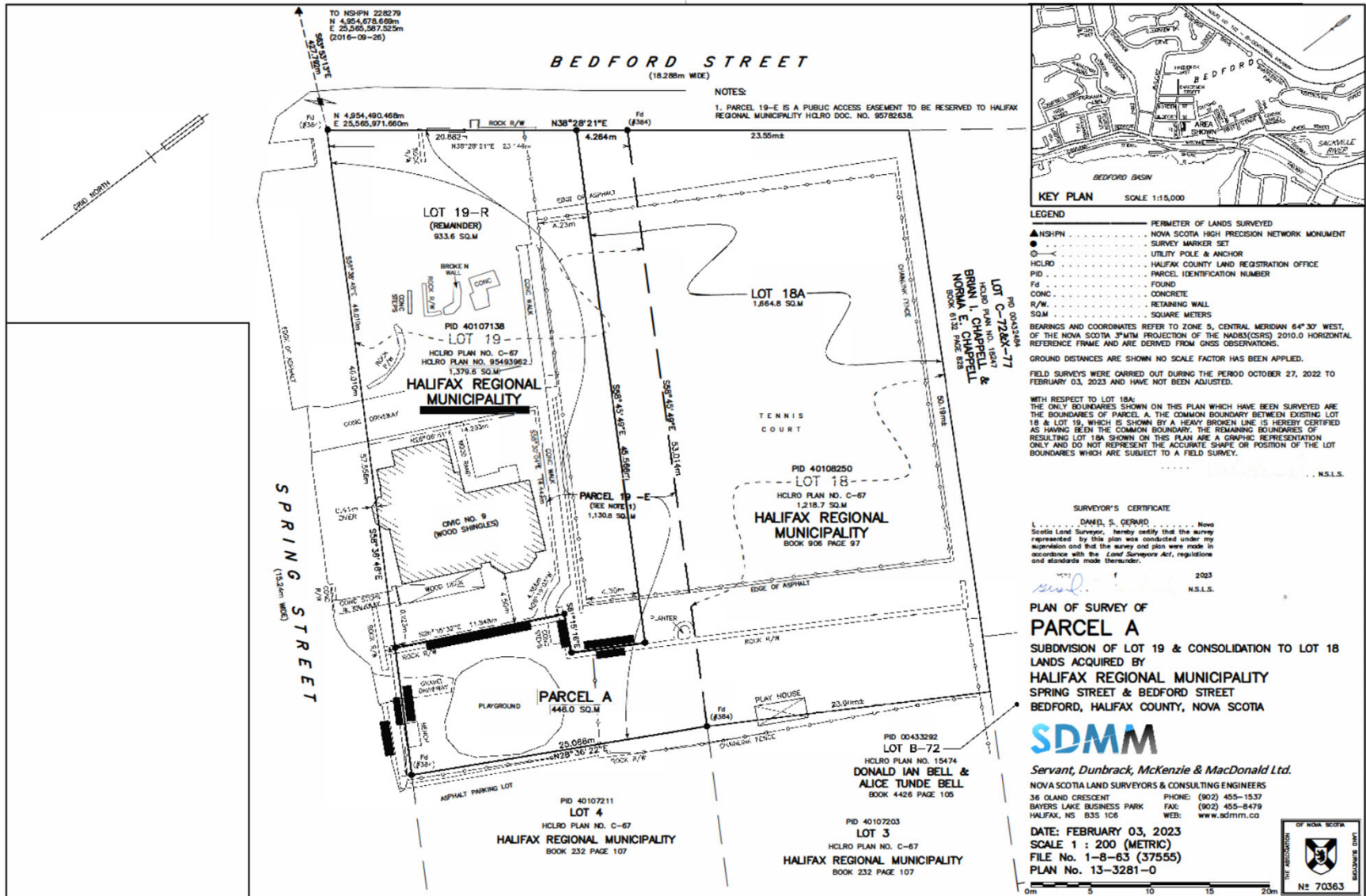
**(3)** Where the Council proposes to sell property referred to in subsection (1) valued at more than ten thousand dollars at less than market value, the Council shall first hold a public hearing respecting the sale.

# Origin

1. Declare Lot 19-R, 9 Spring Street, Bedford, currently represented by PID 40107138 (the "Property") surplus and no longer required for the purposes of the Municipality pursuant to Administrative Order 50.
2. Categorize the Property as "Community Interest" property pursuant to Administrative Order 50.
3. Allow the Property to be disposed of by Call For Submissions pursuant to s. 10 of Schedule 1 of Administrative Order 50.
4. Set a date for a public hearing to consider the sale of the Property to the Nova Scotia Salmon Association, as per the terms and conditions set out in Table 1 of this report; and
5. Subject to the outcome of the public hearing, approve the sale of the Property to the Nova Scotia Salmon Association and direct the Chief Administrative Officer to authorize the Mayor and Municipal Clerk to execute an Agreement of Purchase and Sale, a Buy-Back Agreement, and a Quit Claim Deed, and direct staff to complete the sale, all in accordance with the terms and conditions set out in Table 1 of the staff report dated April 25, 2023

**Table 1.KEY TERMS AND CONDITIONS (PROPOSED)**

<b>Civic Address</b>	9 Spring Street, Bedford
<b>Area</b>	Building: 1,168 sf first floor/1,095 sf second floor Land: , 10,049.19sf +/-
<b>Zoning</b>	SI – Institutional
<b>Assessed Value</b>	\$510,100 - 2023
<b>Appraised Value</b>	\$80,000 - 2021
<b>Tax Status</b>	Residential Exempt by virtue of municipal government ownership of a vacant holding
<b>Proposed Purchase Price</b>	\$1.00
<b>Terms of Offer</b>	The Association shall be responsible for all operating and capital costs including annual real property tax.
<b>Proposed Use</b>	Office and meeting space to support delivery of environmental, recreational, and public education programming.
<b>Conditions of Sale</b>	<p>The Property will be sold subject to the Public Access Easement reserved to Halifax Regional Municipality which is registered on title, and which provides access across the property to the lands and public amenities located on the abutting lot owned by HRM (PID 40108250) and partly located on the site (tennis court, playground, pathways and play area).</p> <p>Any substantive alterations to the building configuration or exterior shall be subject to approval in accordance with the Heritage Property Program' s <u>Alteration Building Conservation Standards for Heritage Properties</u>, including signage and landscaping.</p> <p>The gardens shall be retained and maintained by the Purchaser as integral to the heritage property and streetscape, excluding the public tennis court which is to be maintained by HRM Parks &amp; Recreation. The playground area under the license agreement will become part of HRM's Lot 18 upon subdivision approval.</p> <p>The Property would be sold in an “as is” condition.</p>
<b>Buy-Back Agreement</b>	<p>A Buy-Back Agreement shall provide HRM with (a) the right of first refusal should the society cease operations, change mandate or programming, or elect to sell the property or (b) the right to invoke acquisition by the Municipality in the event of a municipal operational requirement in association with property abutting the site (PID 40107211).</p> <p>The owner shall relinquish the right to de-register the heritage designation or to demolish the building.</p> <p>The purpose of the property donation shall be for the purpose of establishing an office and outreach capacity to support the Association's conservation work and promotion of recreational angling.</p>
<b>Closing Date</b>	The closing will be subject to subdivision approval and the public hearing, and a closing date is to be determined following the requisite approvals.
<b>Cost of Sale Recoveries</b>	The Purchaser shall pay up to \$5,000e in closing costs for property migration, deed fees, and appraisal plus HST





**HALIFAX**