

HALIFAX

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

Item No. 14.1.7
Halifax Regional Council
June 13, 2017

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed by 

SUBMITTED BY: _____
Jane Fraser, Acting Chief Administrative Officer

DATE: May 30, 2017

SUBJECT: Property Acquisition – 6822 Bayers Road, Halifax.

ORIGIN

This report originates from an unsolicited offer from the owner of 6822 Bayers Road, Halifax, to sell the subject property.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, Chapter 39, Section 61 (5)(a); The Municipality may acquire property, including property outside the Municipality, that the Municipality requires for its purposes or for the use of the public.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale for the acquisition of 6822 Bayers Road, PID No. 00032532 as per the key terms and conditions outlined in Table 1 of the Private and Confidential Information Report dated May 30, 2017;

BACKGROUND

The HRM Regional Municipal Plan, approved in 2006, identified widening Bayers Road to five or six lanes between the CN Rail overpass and Connaught Avenue as a "planned" project. A planned project is one that modelling has shown will be required based on the settlement plan and transit ridership increase targets established in the plan.

All roadway projects included in the last two Municipal Plans are currently under review through the Integrated Mobility Plan (IMP). Although the plan is not yet completed or approved, it is clear that additional roadway corridor width in this section of Bayers Road will be necessary to implement the dedicated transit corridor initiatives that will be a key part of the IMP.

HRM is not actively pursuing the purchase of privately owned properties on Bayers Road, but has acquired several properties between Romans Avenue and Coleman Court (6838, 6850 & 6830), when they came on the market, to accommodate the future road widening project. In the case for 6822, the property measures 4,500 square feet in land area and a partial land acquisition of approximately 1,500 square feet, subject to a plan of survey, is necessary to accommodate the widening project.

In 2013, HRM staff contacted the land owner seeking their interest in selling the subject property. Due to the location of the dwelling, and the limited property area, the owner was not interested in selling only the amount of land needed for the future Bayers Road Widening project but would consider a sale of the entire property at a future date.

DISCUSSION

The owners of 6822 Bayers Road have recently approached staff seeking to resume the Municipality's interest in acquiring the entire property. Upon receipt of a preliminary Letter of Offer, subject to the approval of Regional Council, staff commissioned a third party appraisal and based upon the appraiser's determination of market value, staff have negotiated purchase price with the owner for the entire property.

It is recommended the entire property be acquired and reserve the land area necessary for the future widening. Staff is recommending a Closing on the entire property within thirty (30) days of Regional Council's approval. Between Regional Council's approval and Closing, staff will be coordinating the plan of survey to determine the amount of land required for the Bayers Road Widening and the residual lands to be listed which may include the dwelling. The property, which may include the dwelling, not required for right of way will be listed for sale following Closing date.

The purchase of the subject dwelling does not constitute approval of the infrastructure project by Regional Council. It simply advances the land assembly should Regional Council approve the infrastructure project at a later date. The dwelling and portion of property not needed would be placed for sale regardless of the timing of Council's direction with respect to the infrastructure project.

FINANCIAL IMPLICATIONS

Budget implications associated with this transaction are detailed within the Private and Confidential Information Report dated May 30, 2017.

RISK CONSIDERATION

This transaction is rated low risk. HRM will be conducting a residential home inspection as part of its due diligence. Any items identified as of significant concern may serve as grounds to withdraw HRM's offer to purchase or to seek a reduction in the negotiated purchase price.

COMMUNITY ENGAGEMENT

Creation of a transit corridor with expansion of the street right-of-way through this section of Bayers Road was included in round two of public engagement as part of the Integrated Mobility Plan and received strong public support.

ENVIRONMENTAL IMPLICATIONS

This transaction is rated low risk. An environmental assessment has not been conducted but may be subject to further investigation during the due diligence period if the property review identifies any concerns for environmental issues.

ALTERNATIVES

Regional Council may choose not to purchase this property at this time and to consider its purchase only once the Integrated Mobility Plan or a capital project has been approved. This is not recommended, as another buyer may make extensive improvements to the property increasing its value.

ATTACHMENTS

Attachment 'A' – Site Plan & Photo

If the report is released to the public, a copy can be obtained by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Chad Renouf, Real Estate Officer, Real Estate, Finance & Asset Management
902.490.6798
David McCusker, Regional Transportation Manager, Planning & Development
902.490.6696

Original Signed

Report Approved by: _____
Peter Stickings, Manager, Real Estate, Finance & Asset Management 902.476.8237

Financial Approval by: Original Signed by Director

Amanda Whitewood, Director of Finance and Asset Management/CFO, 902.490.6308

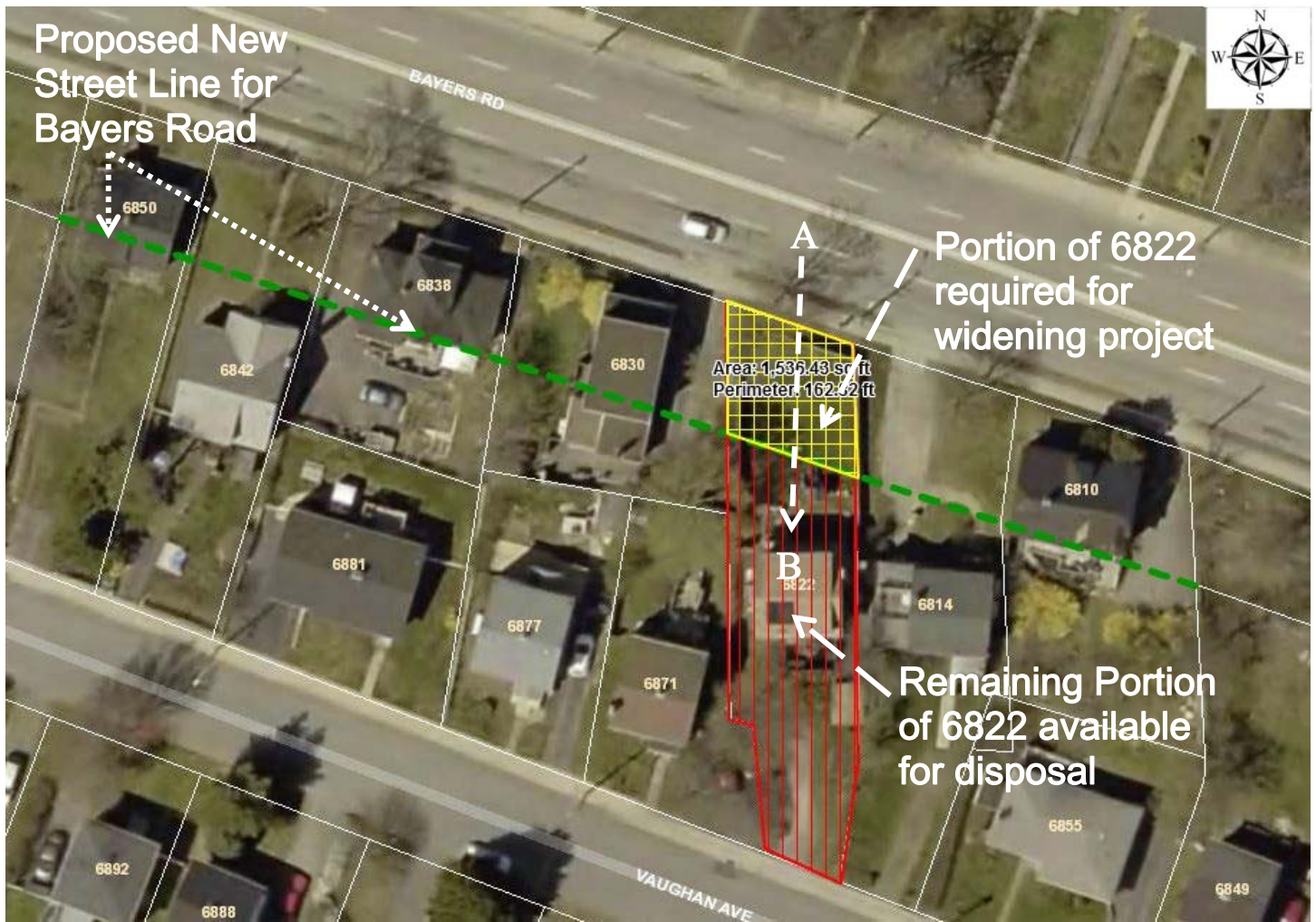
Original Signed by Director

Report Approved by: _____
Bruce Zvaniga, Director of Transportation & Public Works 902.490.4855

Original Signed by Director

Report Approved by: _____
Bob Bjerke, Director of Planning and Development/Chief Planner 902.490.1627

ATTACHMENT 'A' – SITE PLAN & PHOTO



View of Property from Points A to B (See above)

