



Subject: *Parcel AS-1B, Allan Shaw Boulevard, Deed to NSPW*
To: Corporate and Residential Services Committee
Date Prepared: June 6, 2023
Prepared by: Amy Pyne, Manager, Real Estate and Corporate Projects
Kelly Ash, Manager, Development Services
Approved by: Kim Ramsay, CAO

Summary

A portion of Allan Shaw Boulevard was conveyed to East Hants, but should have remained in Provincial ownership. This report is a housekeeping report to receive Council's authority for the CAO to execute a deed correcting ownership of Parcel AS-1B.

Financial Impact Statement

There is nominal financial impact, with the primary impact being staff time to rectify ownership.

Recommendation

Staff recommend Council authorizes the CAO to execute a deed to convey Parcel AS-1 to Nova Scotia Public Works.

Recommended Motion

Move that the Corporate and Residential Services Committee recommend that Council deem Parcel AS-1B surplus and authorize the CAO to execute a deed conveying Parcel AS-1B, Allan Shaw Boulevard to the Province.

Background

Tentative Plan of Subdivision S2021-019 (attached) was received in March 2021. This plan included approval to construct a municipal road, Parcel AS-1, Allan Shaw Boulevard. Final Plan of Subdivision, EH Plan 6411, was approved and Parcel AS-1 was constructed and transferred to East Hants.

Recently, it was noted by Nova Scotia Department of Public Works ("NSPW") that a portion of Allan Shaw Boulevard abutting the new Lantz Interchange should have remained in Provincial ownership due to proximity to the Lantz Connector and interchange. Clayton Developments Limited has prepared the deed transferring Parcel AS-1B from the Municipality to the Province, as per Plan 13-3275 (attached). NSPW is supportive of this deed. Municipal authorization is now required.

Discussion

Policy Compliance

This process is not required to go through our municipal subdivision process, and will be completed using Section 268(2) of the *Municipal Government Act*.

Council's *Chief Administrative Officer (CAO) Authority Policy* indicates that the CAO has authority to execute deeds "once Council approves the acquisition or disposal of real property". As Parcel AS-1B was never intended to be in Municipal ownership, there is no pre-existing approval to dispose of the parcel.

Alternatives

There are no alternatives presented with this report.

Attachments

Appendix A - Tentative Plan of Subdivision

Appendix B - Parcel AS-1