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Item No. 05
Halifax Regional Council
April 25, 2017

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed by Director

SUBMITTED BY: _____
Brad Anguish, Director, Parks, Recreation & Communities

DATE: April 5, 2017

SUBJECT: **Purcell's Cove Backlands - Shaw Group/Nature Conservancy of Canada Proposal Update**

INFORMATION REPORT

ORIGIN

September 20, 2016 Regional Council motions:

THAT Halifax Regional Council direct staff to:

1. Proceed with negotiations to acquire the lands (PID 00052407) and return to Regional Council for consideration of the key terms and conditions for the 379 acres that address the following:
 - a. Suitable acquisition terms respecting the purchase, lease and payment plan for the lands that represents fair market value or better as supported by appraisal commissioned by HRM;
 - b. Acceptable governance model that considers a community stewardship model for the management of the parkland;
 - c. Suitable concept site and management plan including installation of the proposed infrastructure by The Shaw Group that enables turnkey operation of the property within 2 years;
 - d. Clarification of the obligations of the lessor (NCC) and lessee (HRM) respecting the lands including any restrictions/covenants meet municipal requirements and mitigate future risk to HRM;
 - e. Resolution of the concerns related to the state of the dam on the lands;
 - f. Input from public consultation and discussions with the Province and relevant stakeholders regarding the proposal; and

MOTION PUT AND PASSED

2. Consider updates to the Regional Plan and related planning documents during the next review cycle to reflect the acquisition(s) and the implications on surrounding lands.

MOTION PUT AND PASSED

3. THAT Funds for the proposed Baker Drive Park not be delayed or affected by this motion.

MOTION PUT AND PASSED

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (“HRM Charter”), sub-clause 2(c)(iii) The purpose of this Act is to...(c) recognize that the functions of the Municipality are t... (iii) develop and maintain safe and viable communities.

HRM Charter, clause 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.

HRM Charter, clauses 79(1)(k)(x)(ah)(aj), “ The Council may expend money required by the Municipality for

- (k) recreational programs;
- (x) lands and buildings required for a municipal purpose;
- (ah) playgrounds, trails, including trails developed, operated or maintained pursuant to an agreement made under clause 73(c), bicycle paths, swimming pools, ice arenas and other recreational facilities;
- (ai) public grounds, squares, halls, museums, parks, tourist information centres and community centres;

BACKGROUND

On April 26 2016, The Shaw Group and Nature Conservancy of Canada (Shaw/NCC) presented a proposal to Regional Council for HRM to acquire lands (subject lands) located in Purcell’s Cove for an Urban Wilderness Park (Map 1). A high level summary of the proposal is as follows:

- HRM would acquire an interest in 379 acres. 170 acres would be conveyed to HRM by deed and 209 acres would be via a 99-year lease with the NCC.
- The Shaw Group is proposing a final sale with 30% down payment on April 25, 2017, with the balance of the purchase price payable in two 35% installments in April 2018 and April 2019.
- The full 379 acres would be managed as Category 2 protected standards as prescribed by the International Union for the Conservation of Nature, in perpetuity.
- HRM would be responsible for maintenance and park improvements for the entire 379 acres.
- A long-term management plan would be developed jointly between NCC, HRM and a community stewardship committee to provide overarching programming and park management direction.
- The Shaw Group has proposed an endowment fund for NCC programming and infrastructure improvements for the site.

Staff reviewed the proposal and subsequently recommended in a September 15, 2016 staff report, that Regional Council pursue the acquisition of the lands based on the following rationale:

- Acquisition would be aligned with findings of Halifax Green Network Plan
- Fair market value (or better) for the lands appears to be achievable
- It appears there is widespread public support
- A comparable opportunity may not be available in the future
- Increased interest in passive recreation to improve mental and physical health of residents
- Easily accessible, urban wilderness located close to city core for which public access could be potentially achieved within 2 years
- Unique partnership opportunity between HRM, NCC and community associations
- Opportunity to protect unique ecological landscape
- Lands would provide a “gateway” to other wilderness lands in the area
- Protection of lands for wildlife corridors

The September 15, 2016 staff report outlined several steps and conditions that Regional Council adopted as motions that are stated in the Origin section of this report. This information report provides an update on staff’s actions to date in pursuing Regional Council’s direction.

DISCUSSION

The Shaw/NCC proposal involves a sale and acquisition that includes three parties, including HRM. Regional Council's motion for, "suitable acquisition terms respecting the purchase, lease and payment plan for the lands that represents fair market value or better as supported by appraisal commissioned by HRM", is a key matter that has been the focus of on-going discussion with both The Shaw Group and Nature Conservancy of Canada. Once the acquisition terms are fully determined, the remainder of the steps outlined in Regional Council's motions, including public consultation and the development of governance model proposals, will be undertaken.

As the discussions about the sale and acquisition terms have been occurring, HRM staff have also been preparing base mapping and analysis, along with proposed park concept plans, that outline features such as potential trailheads, trails, viewpoints, and recreation/conservation areas. That information will form the basis for public consultation and a future report to Regional Council.

Staff expects that the steps outlined in Regional Council's motions will be completed over the next several months and will provide additional interim updates as necessary.

FINANCIAL IMPLICATIONS

Staff continues to discuss the sale and acquisition terms with Shaw and NCC. There are no financial implications that are associated with this update report.

COMMUNITY ENGAGEMENT

Community engagement will occur as the project advances.

ATTACHMENTS

Map 1 Reference Map

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

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Map 1 - Subject Property Location

Regional Council Report - Purcell's Cove, Shaw Group / NCC Proposal

Produced by Parks and Recreation
Policy and Planning

 Shaw Lands

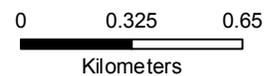
 Parcels

 Streams

 Street



HALIFAX



The accuracy of any representation on
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