

# HALIFAX

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

**Item No. 14.1.3**  
**Halifax Regional Council**  
**March 6, 2018**

**TO:** Mayor Savage and Members of Halifax Regional Council

**SUBMITTED BY:** Original Signed by   
\_\_\_\_\_  
Jacques Dubé, Chief Administrative Officer

**DATE:** December 22, 2017

**SUBJECT:** Sussex Drive Extension

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## **ORIGIN**

At the March 5, 2013 meeting of Regional Council, a request was made for staff to explore the feasibility of extending Sussex Drive in Stillwater Lake to connect to Eider Drive in Tantallon. Staff returned with a report on April 1, 2014 and Regional Council passed a motion to “direct staff to negotiate with Piercey Investors Limited on a plan to extend Sussex Drive as a subdivision street to connect with Eider Drive at no net cost to the Municipality.”

## **LEGISLATIVE AUTHORITY**

The Halifax Regional Municipality Charter section 322 states that the Council may design, lay out, open, expand, construct, maintain, improve, alter, repair, light, water, clean, and clear streets in the Municipality. Furthermore, section 61(5)(a) states that 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 direct the Chief Administrative Officer to write a letter to the Deputy Minister of Natural Resources of the Province of Nova Scotia requesting approval in principle of the land exchange proposal included in this report as a starting point for further detailed negotiations.

## **BACKGROUND**

A number of steps previously taken by staff to examine opportunities to connect Sussex Drive with Eider Drive were described in the April, 2014 staff report. The report also provided an explanation of the value of this connection in reducing traffic volumes at the busy Exit 5 on Highway 103 and in improving the accessibility to, and evacuation capability of, the Stillwater Lake community. The report went on to describe the results of a public open house session held on December 4, 2013 which clearly documented the community's overwhelming desire to have the roadway connection created. Attachment One is a map provided in that report showing the layout of the proposed roadway and a simplistic plan to acquire a portion of Crown Lands corridor to allow the roadway to be built.

## **DISCUSSION**

Piercey Investments Limited (the "Developer") owns several parcels of land with existing stage one development approvals. They are working actively on a plan to develop these lands which will result in new subdivision streets being built. While the Developer agrees that there is value in making a roadway connection between Sussex Drive and Eider Drive, they are prevented from building this connection because a strip of Crown Land splits the Developer's land holdings. Attachment One shows a proposed roadway connection and how it would have to cross Crown Lands.

In 2013, preliminary contact with the Department of Natural Resources (DNR) resulted in a response that a request to purchase a portion of these Crown Lands by the Municipality for roadway purposes would be turned down, primarily because it would sever the continuity of the Crown holdings.

Subsequent to this request, the Municipality's Green Network Plan was launched and examined the potential of creating wildlife corridors and key open space connections. The area near Exit 4 on Highway 103 was of particular interest because of the need to develop and protect a connection between the Blue Mountain area and the Chebucto Peninsula. Maps excerpted from the draft *State of the Landscape Report* (part of the *Green Network Plan*) and edited to highlight the Exit 4 area are provided as Attachments Two and Three. Further consideration of a solution will include examination of design techniques or an overpass structure to reduce vehicle-wildlife conflicts where the Sussex Drive extension would cross the open space corridor.

The 2014 Regional Plan identified several future roadway corridors including the connection between Sussex Drive and Eider Drive. Attachment Four shows the Future Transportation and Transit Map from the Plan, edited to highlight the Exit 4 area. The Integrated Mobility Plan, approved by Regional Council in 2017, references this and similar community connector roads identified in the Regional Plan by stating that they "have been retained for local consideration as communities build out over time."

HRM Staff created the plan shown in Attachments Five and Six to show how a land exchange could reshape both development areas and open space areas to improve the functionality of both. The plan, as shown, is still a starting point for negotiation with both DNR and the Developer. Although the Municipality does not directly give or receive any land in this transaction, it is important that we continue to play a role in the transaction. While the Municipality contends that the land exchange proposed is in the best interest of the public, these interests are expressed through policies in the two municipal plans noted above: namely, the Regional Plan (for improving the roadway network) and the Green Network Plan (for protecting and enhancing wildlife corridors).

The land exchange shown in the attachments involves lands owned by the Developer and by the Province (DNR and Transportation & Infrastructure Renewal) and no Municipal land. Nevertheless, HRM staff believes that the Municipality will need to take a lead in approaching the Province, as Crown Land is not normally sold or exchanged to facilitate only residential development, but can be sold or exchanged to facilitate the municipal benefit described in this report.

### **FINANCIAL IMPLICATIONS**

There are no financial implications to presenting a proposal to DNR and continuing negotiation with DNR and the Developer. It is possible that a negotiated land exchange proposal may require the Municipality to purchase lands, then resell them to the Developer. If, or when an agreement of purchase and sale or the transfer of lands is negotiated and presented to Regional Council, any financial implications will be identified at that time.

### **RISK CONSIDERATION**

No risks have been identified in presenting a proposal to DNR and continuing negotiation with DNR and the Developer. Risks are likely to arise when entering into an agreement of sale or transfer of lands. Those risks will be identified if, or when an agreement is presented to Regional Council for consideration.

There is a risk to delaying a resolution to the issue of creating a roadway connection. The Developer has approval to subdivide land and construct a network of subdivision streets that could prevent a roadway connection from being constructed in the future or make it significantly more expensive. To this point, the Developer has worked co-operatively with HRM to develop a connection solution through a modification to their approved plan, but is unwilling to put its development on hold indefinitely while a solution is developed.

### **COMMUNITY ENGAGEMENT**

A community engagement session was held in December, 2013, a summary of which is appended to the April 1, 2014 staff report.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

### **ALTERNATIVES**

Regional Council may choose to abandon the idea of extending Sussex Drive

### **ATTACHMENTS**

Attachment One: Preliminary Layout of Sussex Drive Extension (from 2014 staff report)  
Attachment Two: Generalized Landscape Connectivity  
Attachment Three: Landscape Pinch Points to Wildlife Movement  
Attachment Four: Future Transit and Transportation  
Attachment Five: Property Exchange Proposal  
Attachment Six: Before-and-After Division of Residential and Open Space Lands  
Attachment Seven: Sussex Drive Extension Staff Report dated April 1, 2014

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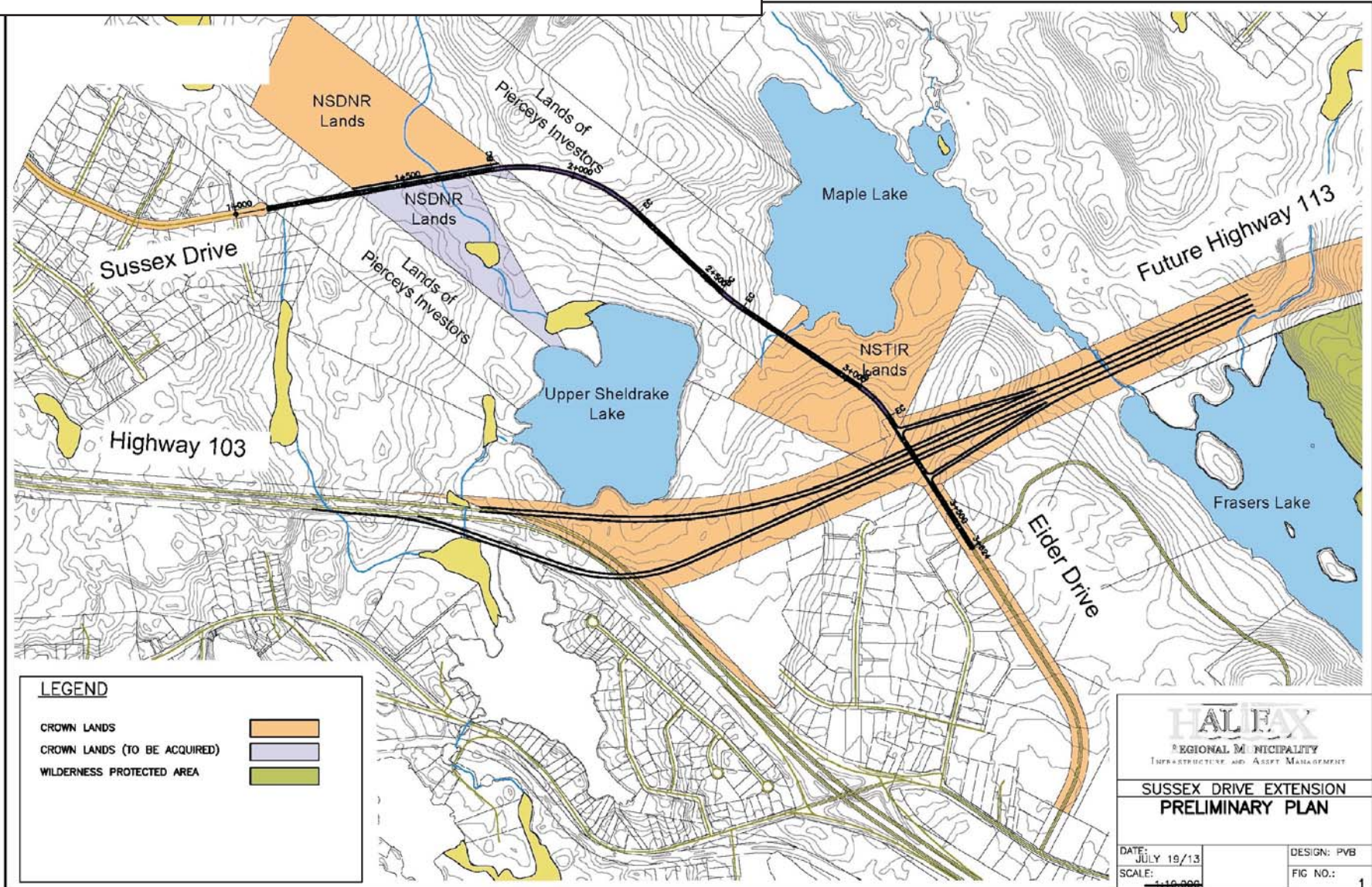
A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: David McCusker, P.Eng., Parking Co-ordinator, Transportation & Public Works 902.490.6696

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ATTACHMENT ONE

Preliminary Layout of Sussex Drive Extension



# ATTACHMENT TWO

Adapted from Map 23 of the HRM Green Place State of the Landscape Report  
**Generalized Landscape Connectivity**

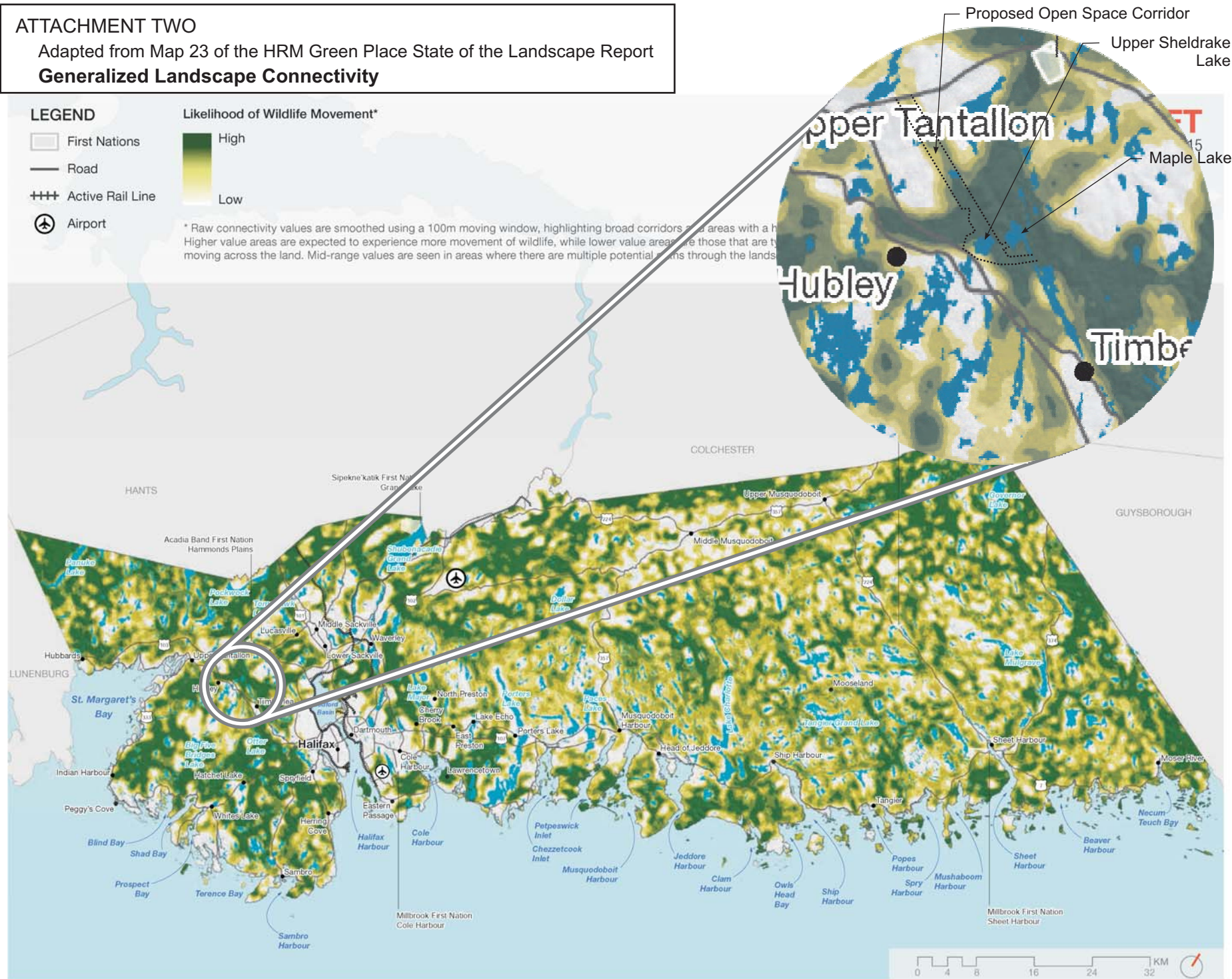
## LEGEND

- First Nations
- Road
- Active Rail Line
- ✈ Airport

## Likelihood of Wildlife Movement\*



\* Raw connectivity values are smoothed using a 100m moving window, highlighting broad corridors and areas with a high likelihood of wildlife movement. Higher value areas are expected to experience more movement of wildlife, while lower value areas are those that are less likely to be moving across the land. Mid-range values are seen in areas where there are multiple potential paths through the landscape.



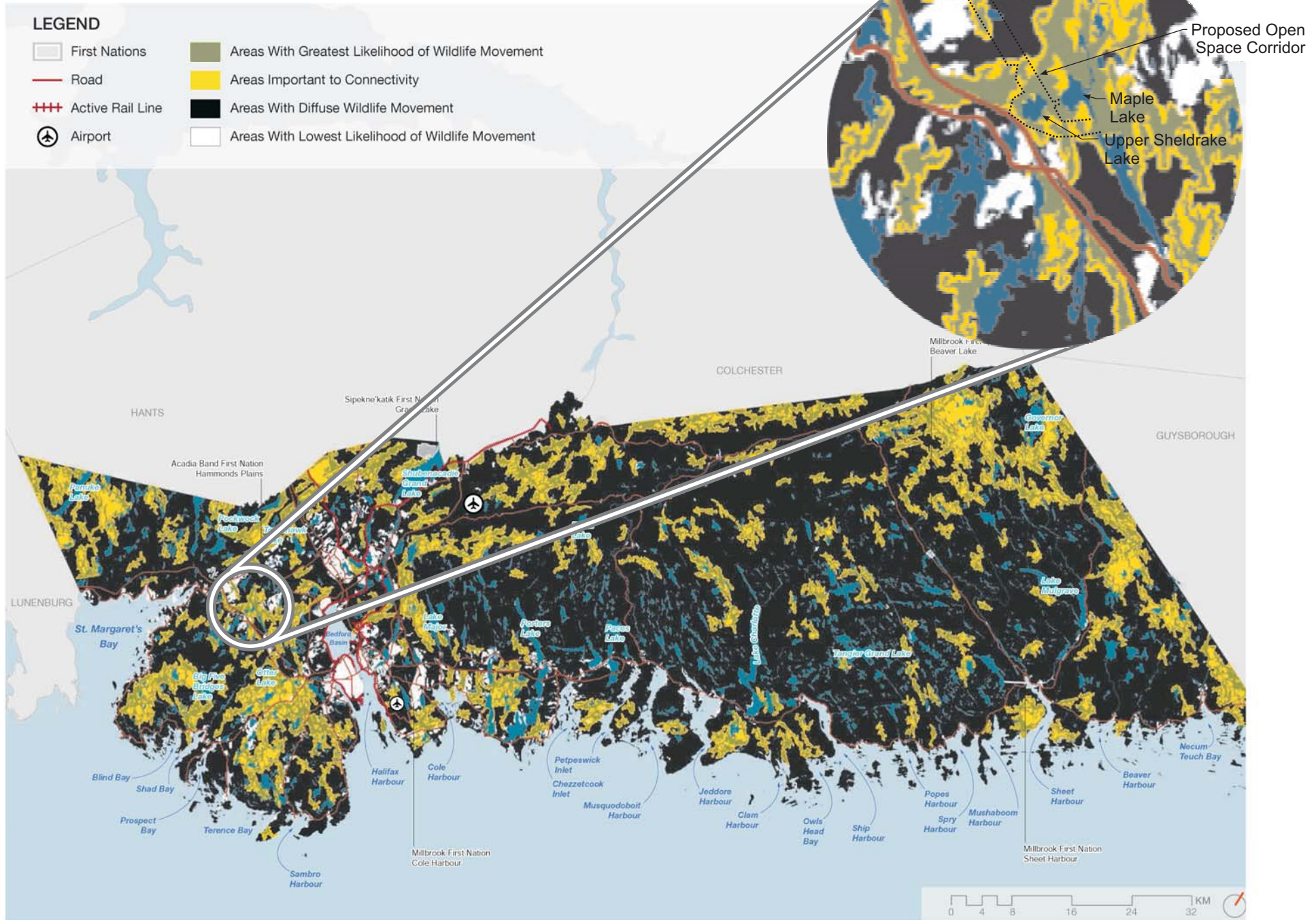
# ATTACHMENT THREE

Adapted from Map 24 of the HRM Green Place State of the Landscape Report

## Landscape Pinch Points to Wildlife Movement

### LEGEND

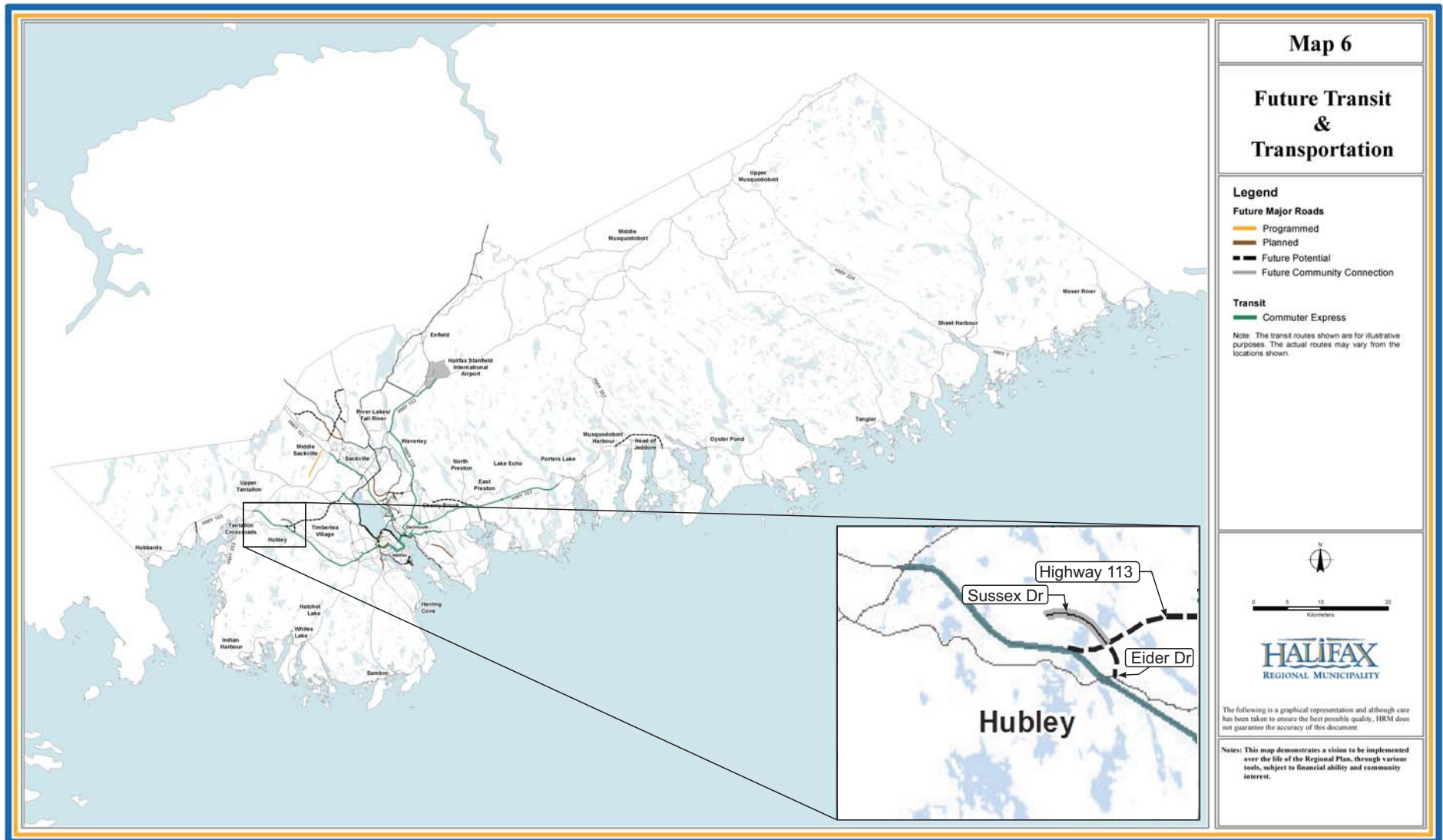
-  First Nations
-  Road
-  Active Rail Line
-  Airport
-  Areas With Greatest Likelihood of Wildlife Movement
-  Areas Important to Connectivity
-  Areas With Diffuse Wildlife Movement
-  Areas With Lowest Likelihood of Wildlife Movement



ATTACHMENT FOUR

Adapted from Map 6 of the HRM Regional Plan (2014)

**Future Transit & Transportation**



**Map 6**

**Future Transit & Transportation**

**Legend**

**Future Major Roads**

- Programmed
- Planned
- Future Potential
- Future Community Connection

**Transit**

- Commuter Express

Note: The transit routes shown are for illustrative purposes. The actual routes may vary from the locations shown.





The following is a graphical representation and although care has been taken to ensure the best possible quality, HRM does not guarantee the accuracy of this document.



Notes: This map demonstrates a vision to be implemented over the life of the Regional Plan, through various tools, subject to financial ability and community interest.

# KEY TO PROPERTIES



## NS Natural Resources

-  Retained
-  Given to Piercey

## NS Transportation & IR

-  Retained
-  Given to Piercey

## Piercey Investors

-  Retained
-  Given to Province

## Unknown



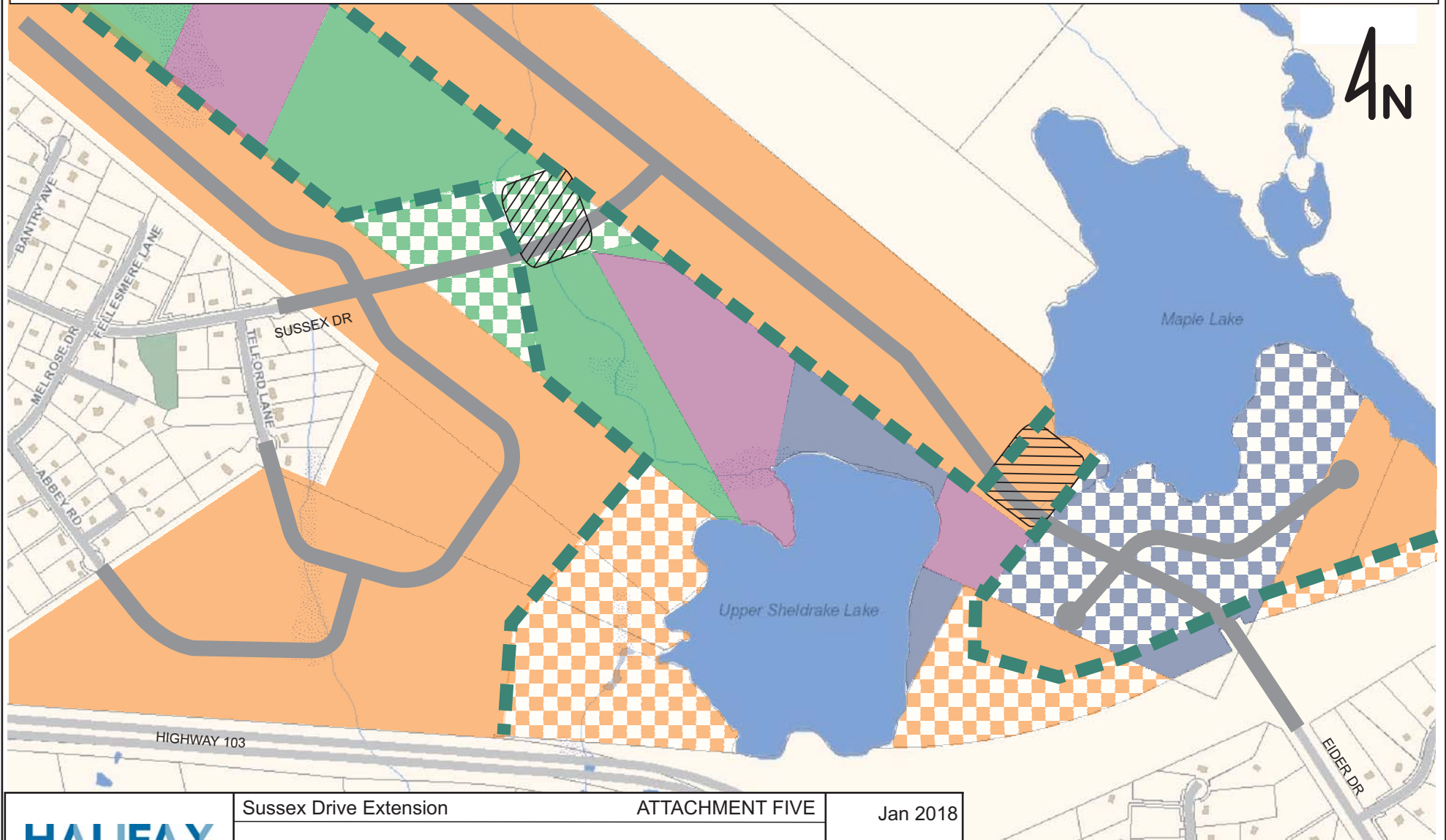
Green Corridor



Future Subdivision Street



Parkland Dedication





**CURRENT CONFIGURATION**



**KEY**

- Provincial and "Unknown" Lands
- Residential Development Lands
- Future Highway 113 Corridor
- Wildlife Corridors
- Future Subdivision Streets



**PROPOSED CONFIGURATION**





P.O. Box 1749  
Halifax, Nova Scotia  
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**Item No. 11.1.2**  
**Halifax Regional Council**  
**April 1, 2014**

**TO:** Mayor Savage and Members of Halifax Regional Council

**SUBMITTED BY:** Original signed by   
Richard Butts, Chief Administrative Officer

Original Signed by   
Mike Labrecque, Deputy Chief Administrative Officer

**DATE:** January 24, 2014

**SUBJECT:** Feasibility of Road Extension: Sussex Drive

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**ORIGIN**

At its meeting of March 5, 2013 (item 13.1), a request was made by Halifax Regional Council for staff to explore the feasibility of extending Sussex Drive in Stillwater Lake to connect to Eider Drive in Tantallon.

**LEGISLATIVE AUTHORITY**

The Halifax Charter states (Section 322) that Council may design, lay out, open, expand, construct, maintain, improve, alter, repair, light, water, clean, and clear streets in the Municipality. The Charter also states (Section 61) that the Municipality may acquire and own property granted or conveyed to the Municipality either absolutely or in trust for a public or charitable purpose.

**RECOMMENDATION**

It is recommended that Halifax Regional Council direct staff to negotiate with Piercey Investors Ltd. on a plan to extend Sussex Drive as a subdivision street to connect with Eider Drive, at no net cost to the Municipality.

## **BACKGROUND**

The Haliburton subdivision extends southward from the Hammonds Plains Road for several kilometers. It contains approximately 740 households with only two exits to Hammonds Plains Road, in close proximity to each other. Sussex Drive is a minor collector street within the Haliburton subdivision that currently dead-ends at the south end of the community. Despite the proximity of Exit 4 on Highway 103 to the end of Sussex Drive, there is no connection and all traffic from the subdivision must exit to Hammonds Plains Road and the very busy Exit 5 interchange.

## **DISCUSSION**

The idea of extending Sussex Drive to Eider Drive has been promoted by residents in the Haliburton subdivision to their Councillor. The project does not correct any deficient condition within the local roadway network. It does, however, distribute traffic more effectively between the two highway exits and provides greater convenience and connectivity for residents. This would result in an important benefit to HRM by curbing the growth in traffic around Exit 5 on Hammonds Plains Road.

Normally, as subdivisions expand the internal roadway network, which is built at the cost of the developer, grows until the needed connectivity to the regional roadway network is achieved. The Haliburton subdivision, however, is in a unique situation as its ability to connect to a nearby interchange and adjacent communities is blocked by a narrow strip of provincial crown lands. Crown Lands are not normally released for the purpose of residential development, and it would be necessary for HRM to intervene and demonstrate that the public interest is served by creating a roadway corridor through these lands.

Most of what is proposed as the Sussex Drive extension, along with other connecting roads, will be built regardless as subdivision streets within an approved development concept and anticipated as growth in RP+5. Extending the road across NSDNR lands would add a short section of new roadway (300 metres) and a few additional lots (10-14) beyond what is approved. Staff believes the impact of minimal additional growth will be more than offset by the benefit of improved connectivity.

***Following the direction given by Regional Council, HRM staff has undertaken the following tasks to gauge project feasibility:***

***Developed Functional Plan*** - Staff has prepared a functional alignment plan for a 2.2 km roadway connection between Sussex Drive and Eider Drive (Attachment One). This attachment shows the subject crown lands controlled by NSDNR that must be crossed to make the desired connection.

***Included in RP+5 Draft 4*** - The Sussex Drive Extension was added to Draft 4 of the Regional Plan (RP+5) as a future subdivision connection. The purpose of this is to allow the road to be built for a public purpose and exempt from controls on building new roads. It is not a commitment that HRM will build it.

Met with N.S. Transportation & Infrastructure Renewal (NSTIR) - NSTIR owns Eider Drive and also owns lands across which the Sussex Drive extension would be located. They have confirmed that the roadway can cross their lands and connect to Eider Drive. It is proposed that there will be no cost to NSTIR for construction of the roadway and no cost to HRM for use of the land.

Consulted with N.S. Dept. of Natural Resources (NSDNR) - NSDNR controls a strip of crown land across which the roadway must travel. There is a formal process to be followed for these lands to be acquired by HRM, but preliminary discussion with NSDNR staff indicate that the municipal need for a roadway connection is likely to be sufficient grounds for them to sell or accept a land transfer. They have also recommended that the HRM request for acquisition should include lands that would be severed by the roadway corridor (shown by shading in Attachment One).

Met with Piercey Investors Ltd. - This company owns several land parcels in the area, some of which would be crossed by the roadway extension. They have received approval of concept plans for some of these parcels. These concept plans, however, were designed without considering a full extension of Sussex Drive, since that would have presumed to cross Crown Lands. Should a portion of those Crown Lands be made available to HRM, they might be consolidated with lands owned by Piercey Investors Ltd. so that a more robust subdivision plan can be created which accommodates the proposed Sussex Drive extension alignment. The extension of Sussex Drive would be a subdivision street and, as such, would be constructed at the cost of the developer. Staff has had ongoing contact with representatives of this company and recent conversation confirms their continued interest in creating this connection as part of their development planning.

Held a Community Open House Session - A public open house meeting was held on December 4, 2013, at the Tantallon Library. Display maps showing the proposed project were available for viewing and HRM staff was present to answer questions. Approximately 100 residents attended and 44 comment sheets were filled out and submitted (see Attachment Two). Residents were nearly unanimous in their support for the project, citing these advantages:

- Second access to the subdivision completely separate from Hammonds Plains Road in case of fire evacuation or other emergency;
- Substantially shortens travel distance for some within the subdivision heading inbound on Highway 103. One resident reported that he calculated a travel distance saving of over 2200 km per year if the road extension were completed. [That calculation has been verified by Staff as accurate]; and
- Reduction of traffic on the Hammonds Plains Road intersections and at Exit 5.

**At the direction of Regional Council, the next steps would be:**

Negotiate with Piercey Investors Ltd. a plan to extend Sussex Drive to Eider Drive – An agreement of this nature would assume that Piercey would build the connecting roadway to HRM collector road standard at the cost of the developer. Once completed, the roadway would become a public street and maintained by HRM. A large portion of the Sussex Drive extension would be built by Piercey regardless of any agreement as a normal course of the development of their lands. The segment of road Piercey would build across NSDNR lands would require a corridor to be purchased by HRM and resold to Piercey for construction of the roadway, along with residential development. The road segment across NSTIR would have limited development potential along it. The agreement would recognize that the loss in potential revenue to Piercey would be offset by improved marketability of the remaining lands due to improved connectivity. If an agreement that results in no net capital cost to HRM cannot be negotiated with Piercey, staff will report the results of those discussions to Regional Council.

Apply to NSDNR for acquisition of a road corridor – If a tentative agreement to extend Sussex Drive is reached, staff will return to Regional Council with a recommendation to make application to NSDNR for acquisition of crown lands needed for the road corridor.

**FINANCIAL IMPLICATIONS**

Internal staff resources are available through existing approved budget for negotiation of a tentative agreement.

**COMMUNITY ENGAGEMENT**

Community engagement has been undertaken and is described in the Discussion section of this report. In addition, an information report on the project was provided to Northwest Community Council at its meeting of February 17, 2014. A presentation was made to the Committee by the Haliburton Homeowners Association at the meeting.

**ENVIRONMENTAL IMPLICATIONS**

Construction of any road has environmental implications and these are minimized through good engineering design. Better management of traffic and a reduction in overall travel would result from creation of this new connection, with a resulting decrease in greenhouse gas emissions from vehicles.

**ALTERNATIVES**

Regional Council may choose not to pursue a connection of Sussex Drive to Eider Drive.

**ATTACHMENTS**

Attachment One: Alignment of Proposed Sussex Drive Extension

Attachment Two: Summary of Public Open House Session Comment Sheets

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A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: David McCusker, P.Eng., Manager, Strategic Transportation Planning, 490-6696

Report Approved by: \_\_\_\_\_  
Austin French, Manager, Planning, 490-6717

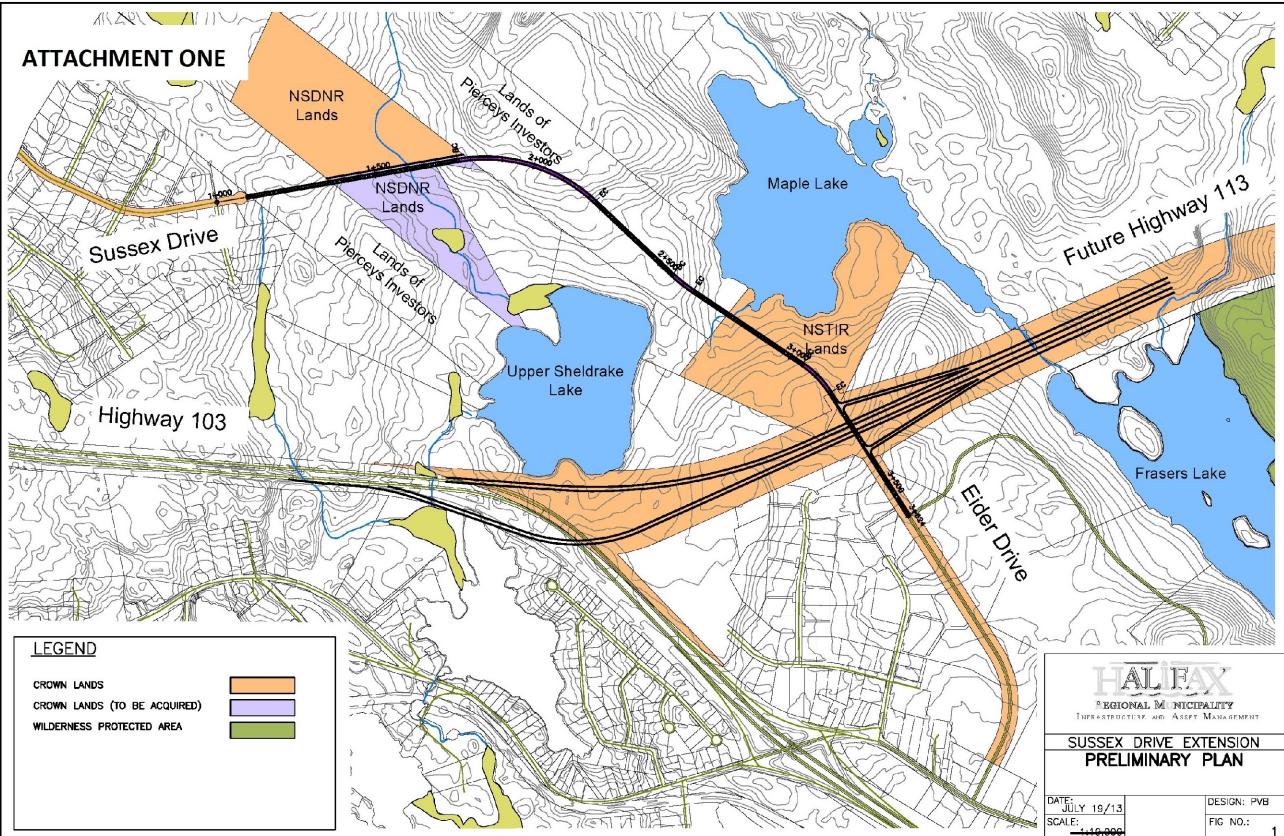
Report Approved by: \_\_\_\_\_  
Peter Stickings, Manager, Real Estate and Land Management, 490-7129

Financial Approval by: \_\_\_\_\_  
Greg Keefe, Director of Finance & ICT/CFO, 490-6308




Report Approved by: \_\_\_\_\_  
Jane Fraser, Director, Planning & Infrastructure, 490-7166

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# ATTACHMENT ONE



## LEGEND

- CROWN LANDS (TO BE ACQUIRED) 
- CROWN LANDS 
- WILDERNESS PROTECTED AREA 

**HALIFAX**  
REGIONAL MUNICIPALITY  
INFRASTRUCTURE AND ASSET MANAGEMENT

### SUSSEX DRIVE EXTENSION PRELIMINARY PLAN

DATE: JULY 19/13  
SCALE: 1:10,000

DESIGN: PVB  
FIG NO.: 1

**IN FAVOUR**

Extension is long overdue!! For safety reasons, another exit to the Halliburton sub/div is a must and I agree with the proposed extension

Great idea, let's get started. I am all about growth.

I agree with having another exit off Sussex to gain another exit. But I would want a road from Highland Park to hook on through Haliburton Hills to give Highland another emergency way out if something ever blocked the Hammonds Plains Rd.

I consider this a safety issue. I live way at the back of Haliburton off Sussex and I worry that I am trapped off the back with no exit in case of fire or another emergency.

This would be a great selling feature for residents of Haliburton. Hope it happens quickly.

Thanks for the information. I live on Sussex Drive and support this project. Increases fire evacuation routes and increases efficiency to get home.

The proposal is a good one and long overdue. The # of cars thru the subdivision & the speed with which they travel is dangerous. Not to mention the need for another exit for safety reasons (fire, ambulance, etc.)

Can't happen soon enough!! Would help with forest fire safety re: extra exit.

I think the proposed extension has many positives that far outweigh a few small negatives. I hope it goes forward!

I hope this project goes through! We live on Fellesmere Lane and feel for safety reasons a quicker access to hospital, etc. it would be great to see a back access route.

The sooner the extension is done the better!

In favour of Sussex Drive Extension. Alternate fire exit out of subdivision. Shorter commuting time to Halifax and future 113 Highway.

This would improve the transportation logistics of the upper end of Haliburton. It would debottleneck flat lake drive at traffic time (improved safety). Obviously is the second emergency access for EMS/Police/Fire into the subdivision and second exit for resident. It would not pose a significant load on traffic through exit 4 if the present development scope is maintained.

Definitely in favor of the extension. Especially as a fire/emergency exit out of the subdivision, as right now there is only one way out of Haliburton.

The idea of extending Sussex to tie into the new proposed new 113 is a very good idea provided access from the extension allows traffic from Sussex to enter and exit in both directions.

This cannot happen soon enough – need exit for emergencies!!

Start now.

My family and I support this project due to limited access out in case of emergency and shorter commute time.

This project needs to be completed in short order. The safety benefits of such a road are enormous for the majority of the residents that would be trapped by fire or disaster in the front of the subdivision.

A rear fire exist to the Haliburton subdivision is a safety necessity, and if this is the quickest method to achieve this, I'm in favor.

Access is desirable for transportation + fire safety issues.

Good idea to have a second way in/out of Haliburton in case of emergencies. Main concern is increased traffic levels on Sussex Drive. Interested in hearing any projections in this regard.



In favour. Required for safety.

Positive improvement to Haliburton Hills for both convenience and market values. Looking forward to seeing the project move forward.

Safer - better access/escape in the event of a forest fire. Convenience – shorter drive to Halifax. Great idea – please go ahead.

Alleviates traffic jams at Sobey’s intersection at Hammonds Plains Rd. Gives us two separate exits from subdivision (fire hazard – emergency entrance)

Definitely agree. I live on Fellesmere in the back of Haliburton. Sooner the better.

The sooner the better. This connector is long overdue!

We are delighted and very happy to see this project go ahead. You have our full support.

Get it done sooner rather than later.

The sooner the better.

Proposed extension has merit by providing a second exit from Haliburton Hills. Requesting that DNR lands are retained especially on south side of Maple Lane.

I would like to see this project proceed ASAP. Would like to build in the development.

This project is necessary to make easy access for emergency vehicles, forest fire evacuation, and to alleviate traffic at Exit 5.

I am a resident of Haliburton Heights (way back in) and am very in favour of this proposed road.

I support the Sussex Drive extension to Eider Drive. Primarily due to safety considerations and existing risk of being trapped. A secondary benefit is to remove traffic volumes at the existing entrance/exit to the subdivision.

Great idea in all aspects. #1 would be a second (emergency) exit from the subdivision.

#### **NEUTRAL/QUESTIONS**

The only benefit seems to be a back exit from Haliburton Heights. Details explained tonight suggest a flip of natural resource land for the developer to build the road and add to residential development. Will not reduce congestion at Exit 5/103.

Would like to see an official traffic study carried out, showing the effect of traffic on Buckingham Drive closer to the exit 5 end.

Will this effect which school the kids go to?

Would be for construction.

What about increased crime? It is well known that subdivisions with more than one exit have increased crime.

My one concern would be to limit the road use to private passenger vehicles in Haliburton. I would not want continuous dump trucks driving over our roads.

Need to have further information identifying the impact on traffic patterns in existing subdivision (increase/decrease predictions). What is the likelihood of increased rates of crime with another entrance/exit to subdivision. If abutting lands are developed, will the developer be responsible for repairs to existing streets due to damage from equipment/trucks driving through subdivision.

#### **OPPOSED**

[none]