



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

Item No.
Halifax and West Community Council
December 14, 2016

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: **Original Signed**

Peter Stickings, Acting Director, Operations Support

DATE: September 6, 2016

SUBJECT: Surplus Lands Along Chain of Lakes Trail

INFORMATION REPORT

ORIGIN

- August 11, 2009, Regional Council approval to enter into an Agreement of Purchase and Sale between HRM and CN Rail for a portion of PID 00339705, also known as the Chester Spur Line, from Joseph Howe Drive to Lakeside Industrial park;
- August 8, 2011, Chebucto Community Council request that HRM Real Estate staff conduct a survey to determine what, if any, lands are surplus to the needs of the Chain of lakes Trail and report back to Chebucto Community Council on the potential to sell parcels to the abutting property owners.

LEGISLATIVE AUTHORITY

Section 61(5) (b) of the Halifax Regional Municipality Charter; the Municipality may sell property at market value when the property is no longer required for the purposes of the Municipality.

BACKGROUND

The August 11, 2009, Regional Council report that approved the acquisition of the CN lands from Joseph Howe Drive to Lakeside Industrial Park, known as the Chester Spur Line, divided the 7.2 km long section of former rail line into 12 parcels. (See Attachments A & B). There were 5 parcels identified in the report that had potential to be surplus, or portions thereof, that were not required for the actual trail alignment, which were as follows;

- Parcel E – South side of Springvale Avenue: street frontage for one or two lots or surplus may be offered to current adjacent residents;
- Parcel: G – North and South sides of Brook Street: opportunity to create new lots with street frontage. Also an opportunity to annex surplus to current development application;
- Parcel K – Hwy. 103 to Lakeside Park including K1 to K5: opportunity to create new lots or expand existing;
- Parcel X- Surplus parcel north of Chain Lake – Old Team Track: surplus to trail, may be resold; and
- Parcel Y – Surplus parcel between Chain Lake and Hwy. 103; surplus to trail, may be resold

The above noted parcels, particularly Parcels X and Y were expected to return all, or nearly all, of the cost of their acquisition by HRM, without compromising the ability to construct the trail; Parcel G would require a rezoning. In the end, only Parcels X and Y were sold, as it was not possible to sell the other parcels without compromising the trail requirements. Parcel X was consolidated with abutting Bayers Lake Business Park lands that were encumbered with a power line easement, to create Lot 66B-1. Parcel Y was consolidated with similar Bayers Lake lands to create Lot 66A-2 Chain Lake Drive. In both cases, the parcels added value to the Bayers Lake lands, that may not have been sold on their own due to their encumbrances, and the consolidated lands were sold for over twice the acquisition costs.

The Chain of Lakes Trail was officially opened in July 2011.

In July 2013, Regional Council endorsed the use of the Chain of Lakes Trail as the preferred corridor for a wastewater conveyance system from Lakeside Park Drive to the trails termination on Joseph Howe Drive, and approved the sale of an easement to Halifax Regional Water Commission for a trunk sewer pipe. This Lakeside Diversion Project put a hold on any surplus land opportunities along the trail, as the alignment and placement of the pipe took priority. The pipe installation and trail reinstatement was completed in December 2014.

In August 2014, Parcel Y, (identified as Lot 66A) was consolidated with abutting HRM Parcel 2, to form Lot 66A-2., and was eventually sold as part of a Bayer's Lake Industrial Park sale, and commercially redeveloped.

In March 2016, Parcel X, (identified as Lot 66B) was consolidated with abutting HRM Parcel 1, to form Lot 66B-1, which is presently in negotiations with a third party as part of a Bayer's Lake Industrial Park sale. The industrial park sales were to recover monies that were withdrawn from the industrial park fund to help with the initial rail line purchase.

With respect to the development potential of the remaining parcels mentioned above, due to the alignment of the trail there was little opportunity to create a separate lot involving Parcel E. Parcel G became a part of the trail pocket park located at the intersection of Crown Drive and Brook Street. To date no portions of Parcel K have been disposed of; however, in October 2012 a small triangular parcel that was part of a siding line that abutted Parcel K was conveyed to the abutting property.

DISCUSSION

An Active Transportation (AT) Priorities Plan has been adopted by HRM and includes both existing and proposed AT routes and linkages; including the Chain of Lakes Trail, which functions as a 'spine' within

the AT network. The Chain of Lakes Greenway Trail has also been the subject of two studies; the 2010 SNC-Lavalin "Chester Spur Line Functional Alignment Report", and the 2011 Ekistics Planning & Design "Chain of Lakes Greenway Corridor Development Plan".

According to the 2011 Ekistics Development Plan, the Chain of Lakes Trail is considered a "greenway corridor", and during its development emphasis was placed on both people and nature. The corridor varies in width, but it is generally 30 metres (100 ft.) wide, and is 7.25 km long. HRM emphasizes the importance of the Chain of Lakes Trail status as a greenway corridor that provides a continuous strength of publically accessible open space within Mainland Halifax. Although the focus of the Ekistics plan was on the 30 metre wide former railway line, it was imperative to take a holistic look at the interdependent relationship between the trail and its surrounding environment, for it was this contextual sensitive approach that marks the difference between a conventional trail and a greenway corridor.

HRM owns approximately six (6) properties directly adjacent to the Chain of Lakes Trail, including the 30 metre wide corridor itself. While the corridor offers some flexibility for future improvements to the greenway, the adjacent HRM lands to the corridor provide opportunities to integrate the greenway into future development plans and designated open space areas. As the Ekistics Plan pointed out, the most significant HRM owned land opportunities exist;

- where the trail intersects the Northwest Arm Drive at the Chain Lake Recreation Field;
- where the trail intersects Chain Lake Drive, around Bayers Lake;
- where the Bayers Lake planned expansion is proposed.

The Ekistics Plan also divided the trail into four (4) zones;

1. Joseph Howe Commercial District: high vehicle traffic area with multiple vehicle-pedestrian conflict areas, overabundance of driveways, with feeling of pedestrian exposure due to lack of natural vegetation.
2. Fairmount Residential Area: runs through Fairmount residential neighbourhood, much quieter, removed from traffic, more frequently used due to close proximity to adjacent neighbourhoods, pedestrian oriented experience.
3. Halifax Water Commission Protected Watershed Area: this section of trail runs through the protected Chain Lake watershed which provides emergency backup water supply to Halifax. Water Commission restricts public access to these lakes. Greenway in this section is quiet, unobstructed by road intersections, and offers views of lakes.
4. Bayers Lake Business Park and Lakeside Industrial Park: mostly industrial uses adjacent to trail. Section by Bayers Lake provides views of lake with more vegetation buffer. Vegetation becomes more pronounced within corridor between Horseshoe Drive and Lakeside Park Drive.

As outlined above, although there may appear to be lands that are surplus to the actual trail, they have specific functions and provide future opportunities for recreational amenities. Therefore, it is not HRM's intention to actively sell further portions of these lands.

Since the acquisition of the Chain Lake Trail lands staff has received requests for HRM lands along the trail corridor, and for portions of the 30 metre wide corridor itself. Since 2013, these requests have been put through the Administrative Order 50, Disposal of Surplus Real Property process. If any of the areas requested were considered surplus by staff and recommended and categorized by the Real Property Review Steering Committee, they would be recommended to Regional Council as surplus to the needs of the Municipality and categorized as to the method of disposal. To date, only one HRM property adjacent to the trail has been declared surplus by Regional Council, that being PID 41194846, Walcot Run, which was approved as surplus in August, 2013.

It should be noted that there are approximately 115 properties that are adjacent to the Chain of Lakes Trail. In the future, any requests for portions of the trail will be put through the Administrative Order 50 process. At this point, staff would not recommend doing survey work to identify surplus opportunities due

to the large number of properties that are adjacent to the trail, and the fact that the 30 metre wide corridor is considered a 'greenway corridor' that provides a buffer between the trail and adjacent properties.

FINANCIAL IMPLICATIONS

When the former rail line was acquired in 2009 from CN, HRM was responsible for the \$96,000 cost to survey the entire 7.25 km length. This survey work did not include topographic information (i.e. top and toe of slopes). To comply with the Community Council request to conduct a survey to determine surplus land opportunities, further survey work would be required to determine top and toe of slope which would be in excess of \$50,000.

COMMUNITY ENGAGEMENT

The Chain of Lakes Trails Association (COLTA) is a community group that was formed in 2009 to provide community support and assistance with the development of the Chain of Lakes Trail, while representing public interest and working cooperatively with HRM. The Ekistics Development Plan was commissioned to assist COLTA and HRM in the development of a community driven master plan for the conversion of the newly constructed trail into a fully functional greenway corridor, with respect to surrounding context. Public consultation was an integral part of that process.

ATTACHMENTS

Attachment A – Plan of Parcels
Attachment B – Plan of Parcels

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.

Report Prepared by: Tom Crouse, Acquisition & Disposal Manager, Corporate Real Estate, Operations Support
902.490.5931
Richard Harvey, Manager, Policies and Planning, Parks & Recreation 902.476.5822
David MacIsaac, Supervisor Active Transportation, Transportation and Public Works
902.490.1665

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ATTACHMENT 'A' Surplus lands along Chain of Lakes Trail



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ATTACHMENT 'B' Surplus Lands along Chain of Lakes Trail

