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Item No. 12.1.1
Transportation Standing Committee
December 13, 2018

TO: Chair and Members of Transportation Standing Committee

Original Signed

SUBMITTED BY:

Brad Anguish, Director, Transportation and Public Works

Original Signed

Jacques Dubé, Chief Administrative Officer

DATE: August 10, 2018

SUBJECT: Future Roles and Responsibilities of Community Trails Associations with Respect to Active Transportation Facilities

ORIGIN

Transportation Standing Committee, July 27, 2017, Item 13.2. MOVED by Councillor Cleary, seconded by Councillor Mason "THAT the Transportation Standing Committee request a staff report regarding the future roles and responsibilities of community associations with respect to the construction, maintenance and operation of active transportation facilities in Halifax and with respect to the relationship of such community associations with the municipality." MOTION PUT AND PASSED; and,

Integrated Mobility Plan, Action 80: *Review and update the community development model for planning, constructing and maintaining Active Transportation Greenways*

LEGISLATIVE AUTHORITY

The Halifax Regional Municipality Charter Subsection 79(1) states (in part) that:

- (1) The Council may expend money required by the Municipality for:
 - (aa) streets, culverts, retaining walls, sidewalks, curbs and gutters;
 - (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;
 - (av) a grant or contribution to ...

(v) any charitable, nursing, medical, athletic, educational, environmental, cultural, community, fraternal, recreational, religious, sporting or social organization within the Province.

RECOMMENDATION

It is recommended that Transportation Standing Committee request Regional Council to direct staff to:

1. continue Municipal funding support for volunteer community associations who plan, build, maintain and promote active transportation facilities in the municipality;
2. develop an Administrative Order for Regional Council's consideration that updates roles and responsibilities and establishes a Municipal grant/contribution program to support the work of such associations; and,
3. consult with community associations, the provincial government, the Halifax Regional Trails Association, HRM officials and other stakeholders in the development of this proposed Administrative Order on key issues as outlined in the discussion section of this report.

BACKGROUND

One of the three active transportation facility types identified in the 2014 Active Transportation Priorities Plan (AT Plan) and in the 2017 Integrated Mobility Plan (IMP) are "multi-use pathways" (also called Active Transportation (AT) Trails and AT Greenways). The other two facilities are sidewalks and on-road bike facilities (i.e. bike lanes or local street bikeways).

The AT Plan proposes a 320km regional network of multi-use pathways (in 2014, 146km existed and today there are 182km). The IMP identifies priority multi-use pathway projects for planning and construction. *Attachment 1–AT Priorities Plan and IMP Maps* indicate the priority routes for the AT multi-use pathways in HRM as identified in the 2017 Integrated Mobility Plan and the 2014-19 AT Priorities Plan.

Such multi-use pathways are typically at least three metres wide, can be surfaced with asphalt or crusher dust, and are designed for walking, bicycling, wheelchairs, in-line skating (on asphalt) and strollers. In HRM, they are separated from motor vehicles and are built on land owned by HRM, Province and others. On provincially-owned segments, permitted users include off-highway vehicles (OHVs) and horses.

Community associations fall, broadly, into two categories:

- 1) Operators. Of the current inventory of 182km of multi-use pathways in HRM, about 119km or 65% have a community trails association involved with full responsibility to build, maintain and operate the facility. Such groups have agreements with the landowner (the Province or Municipality) that specify their roles and responsibilities.
- 2) Supporters. Another 23km or 13% of multi-use pathways have community groups involved in an advocacy or planning role. Responsibility for planning, design, construction, operation and maintenance resides with HRM. There is a need for clarity on the roles and responsibilities of such groups.

Some community associations play both roles, depending on the multi-use pathway.

The remaining 40km of multi-use pathways are typically within the HRM right-of-way or parkland and are built by HRM or as part of a development agreement with no community association involvement. This report is related only to those multi-use pathways where there is a volunteer community trails association

involved. *Attachment 2-AT Multi-Use Pathways Inventory* provides an overall synopsis of land ownership, trail length, community collaboration model and who is currently managing the AT facility.

HRM total investment in multi-use pathway planning and construction since 1999 until end of fiscal year 2017 was approximately \$11.6 million. Of this, \$8.6 million was for projects delivered by or with community trails associations. The investment in projects initiated and implemented by HRM was \$3 million. *Attachment 3 - HRM's Investment in Multi-Use Pathways and Recreational Trails* provides a summary report of investment in each of the periods described below. In addition to the funds committed by HRM, community groups reported \$12 million in partner funding from other orders of government, foundations and other funders over the same 1999 – 2017 period.

Evolution of the “Community Development Model” for Trail Development and Operation in HRM, 1996-2018

Since 1996, community associations in Halifax have played a significant role in building and maintaining both recreational trails (e.g. hiking trails, loop trails) and active transportation facilities on both HRM and Province/ private lands.

Working with and supporting the efforts of volunteer community groups in this way has been termed the “community development model”. Under this model the roles and responsibilities of these associations and their relationship with HRM have evolved over time and can be divided, generally, into three periods, as described below.

1996-2003: Trails for rural economic development

In 1996, Halifax Regional Development Agency (HRDA), the community-based organization with a mandate to promote and support community economic development in the Halifax Region began coordinating stakeholders to develop an integrated County-wide trail system and eco- tour products¹. HRDA partnered with the provincial Department of Natural Resources, Halifax Regional Municipality and community organizations with an interest in trail development and maintenance and formed the Halifax Regional Trails Task Team (HRTTT) which was active between 1996 and 2000.

In this period, 40km of recreational trails and 62km of active transportation trails were developed. The role of HRM during this period was mainly to provide funding to community-based projects. Funding provided by HRM directly to this program was \$649,014 through the Community Grants Program. Sources of funding were the Provincial Government, Federal Government, and others.

2003-2006: Transition to new mandate and relationship with HRM

In 2003, HRDA started to transition Regional Trails project responsibilities to HRM. The HRTTT partnership was dissolved and community groups interested in continuing the trail development, conducted strategic planning to re-organize their structure.

In this period, HRM Parks and Recreation created a Regional Trails Development Project designated in the Capital budget for trails construction and maintenance and the Community Grants Program discontinued designating funding for trails.

In this period, 23km of recreational trails and 15km of active transportation trails were developed. Funding provided by HRM totalled \$615,398. The Federal Government and the Provincial Governments also provided funding.

¹ HRDA, Regional Trails Project 1997, Report prepared by Gordon Radcliffe Landscape Architects and Griffiths Muecke Associates and Waugh Associates Limited- June 30, 1997

2006 – 2017: Focus on Active Transportation

2006 was a pivotal year for the relationship between HRM and community trails associations. The community groups founded an independent organization named Halifax Regional Trails Association (HRTA) and incorporated it under the Societies Act. Around the same time, Regional Council approved The Active Transportation (AT) Priorities Plan which led to a decision by HRM to focus only on supporting community association projects to expand the AT network in the municipality. After 2006, HRM funding for recreational trails was limited only to funding maintenance of the existing recreational trails built by HRTA member associations.

Also in 2006, HRM established a four-person Regional Trails staff team to oversee the Municipality's collaboration with HRTA and its member groups. This group's role was to administer an annual funding program for maintenance and capital, to assist community associations with planning and co-ordination, and to engage with HRM groups and other external groups (e.g. the Province of Nova Scotia) on planning, project development and other issues.

In 2008, the Halifax Regional Trails Association was recognized by the Regional Council as principal partner to simplify coordination with diverse property owners, government regulations and funding opportunities, as well as the growing number of non-profit participants interested in trails development². Shortly thereafter, HRTA was designated with membership in HRM's Active Transportation Advisory Committee.

In 2014, *Making Connections 2014-19 AT Priorities Plan*³ (AT Plan) provided continued direction to work with community associations on the development and maintenance of AT facilities designated as priorities.

In 2014, Regional Council formalized the funding agreement process by providing the Halifax Regional Municipality CAO (or delegate) "The Authority to execute expenditures related to the development and maintenance of regional trails by way of a contribution to the Halifax Regional Trails Association member groups"⁴ by executing Regional Trails Capital Funding Agreements and Regional Trails Maintenance Funding Agreements.

In 2015, the mandate to develop AT facilities in conjunction with HRTA-member community associations was transferred to Transportation & Public Works to reflect the Municipality's priority focus on active transportation. Around this time, HRM assumed primary responsibility for the design and construction of AT facilities being built on HRM land. Previously, community associations had the option to enter into an agreement with HRM to do this themselves. HRM's Parks and Recreation Department continued to be involved in co-administering a maintenance funding program for community trails associations.

In 2017, the Integrated Mobility Plan was approved by the Regional Council with recommendations and actions related to the regional network of multi-use pathways, including:

- *Action 79: Deliver the Priority Active Transportation Greenway Network connections by 2022*
- *Action 80: Review and update the community development model for planning, construction and maintaining Active Transportation Greenways.*⁵

² Halifax Regional Council Minutes, April 22, 2008, 12.1 Regional Trails Program

³ Making Connections: 2014-19 Active Transportation Priorities Plan, Section 7.2.1.2. The Community Development Model for Greenway Development, Page 50

⁴ Halifax Regional Council Minutes, May 20, 2014, 11.1.7 Regional Trails Program – Funding and Related Agreements

⁵ Integrated Mobility Plan, Section Active Transportation, Page 96

In the period following the approval of the AT Functional plan between 2006 and 2017, another 105km of multi-use pathways were constructed. Funding provided by HRM over this period until the end of 2017 fiscal year, not including land acquisition, totalled \$10,312,773.

Regional Council Direction to Consider Community Association Recreational Trail Construction

In 2017, HRTA initiated a process to request that HRM make recreational trails eligible again for funding. This led to a resolution at the March 28, 2018 meeting of the Regional Council Budget Committee stating, "THAT the Budget Committee refer the Recreational Trail Pilot Program funding of \$250,000 to be considered in the 2019/20 budget cycle." The minutes state that "Staff were directed to begin research and planning, engaging with the HRTA and prepare a report for Regional Council's consideration." It is largely the same community associations that collaborate with HRM on AT facilities that are involved in this request for renewed funding for recreational trails.

DISCUSSION

This section will describe the current situation with respect to the community development model and summarize the roles and responsibilities of the various organizations involved in the community development model. The section will highlight the benefits of the model and will identify the key issues that HRM needs to address in updating how the municipality collaborates with community groups. Addressing these issues will serve as the basis for preparing the proposed Administrative Order for Council's consideration.

Current Situation

The current situation with respect to the various organizations involved in the community development model for AT facilities in HRM is described below.

Community Trails Association Roles and Responsibilities

There are two models for the planning, development, maintenance and operation of multi-use pathways in HRM which involve community associations. Some community associations work under both models, depending on the multi-use pathway.

- 1) **Community Association as the multi-use pathway "Operator"**. This model is most prevalent on provincially-owned rails-to-trails corridors in the municipality but is also the model for the Glen Slaunewhite Trail on First Lake in Lower Sackville which is primarily on municipal park land.

There are currently nine groups and 119kms of multi-use pathways under this model. The roles and responsibilities of community associations under this model are typically established in legal agreements with either the Province (which calls the agreements "letters of authority") or the Municipality (which would enter into formal agreements with community associations). Under these agreements, community associations are typically responsible for planning (routing options selection, community engagement, resource development), construction, maintenance, and recapitalization. These groups are also required to raise the funds to fulfill their responsibilities. They are also responsible for the overall operation of the facility, including liability.

- 2) **Community Association as the multi-use pathway "Supporter"**. These are typically **multi-use pathways** that are owned, built and maintained by the Municipality, typically on HRM park land. There are 8 groups and 23kms of multi-use pathways under this model.

The roles and responsibilities of community associations vary under this model. These associations play more of a planning and advocacy role for AT facilities in their community, but have also

supported operations through activities such as trail warden patrols, signage and smaller maintenance tasks. Some may have license agreements for small sections of the multi-use pathway or for adjacent parking lots or parks. Typically, such groups are in urban or suburban parts of the municipality. The roles and responsibilities of such groups have evolved in recent years and the lack of clear roles and responsibilities has been a source of frustration for these groups.

Halifax Regional Municipality Roles and Responsibilities

HRM's roles and responsibilities include:

- 1) **Provision of Funding.** Transportation and Public Works (TPW), with Regional Council's approval of the Capital Budget, administer an annual capital funding program to support community association work. The amount invested varies from year-to-year based on project priorities and has ranged from about \$753,000 in 2018-19 to as high as \$1,050,000 in 2013-2014. These are funds that are both transferred to Community Associations or spent directly by HRM.

Maintenance funding is also provided to community associations. In 2018, 15 community trail groups also received grants/contributions to maintain these trails ranging from about \$2,000 to almost \$30,000. The total budget was approximately \$150,000 from an operations account administered by Parks and Recreation.

See *Attachment 4- Capital/ Re-capitalization Funding Eligibility and Evaluation* for the process and eligibility for HRM funding of HRTA member group AT projects.

- 2) **Establish Regional Active Transportation Plans.** The AT Priorities Plan and the IMP serve as the foundational documents that inform project eligibility. All community trail association projects need to support the objectives of these Council approved plans.
- 3) **Planning support and co-ordination for community association led projects.** One AT Planner in TPW dedicates part of their time to working with HRTA groups on activities such as co-planning, advising on project development, standards and best practices. The HRM Parks and Recreation Department staff also works with TPW to administer the maintenance funding program for HRTA members.
- 4) **Full project management for planning and construction projects on HRM-led projects where the community association plays an advocate/planner/promoter role.** This includes leading planning, conducting preliminary and detailed design and overseeing construction. This process involves HRM AT Planners, Design Engineering and Construction Services.
- 5) **Maintenance and operation of AT facilities.** Parks and Recreation operations provides maintenance funding support to Community Associations or takes full responsibility of multi-use pathways built on HRM land where community associations don't have maintenance responsibility.

Halifax Regional Trails Association (HRTA) Roles and Responsibilities:

HRTA's roles and responsibilities include:

- 1) **Represent communities' interests.** HRTA provides a unified framework for Trails Associations in Halifax Region to meet their responsibilities as a non-profit society and those related to municipality funding in support of trails development, maintenance and recapitalization.

- 2) **Funding screening.** HRTA sub-committees conduct peer review and evaluation of funding proposals and make recommendations to HRM. As a result, staff's time is focused on evaluating already completed and screened proposals.
- 3) **Advocacy and Communications.** HRTA facilitates communications and advocates Community Associations' interests in forums such as the Active Transportation Advisory Committee, and the Provincial Government's Inter-Governmental Committee on Trails through its membership in the Nova Scotia Trails Federation.
- 4) **Collaboration.** HRTA is a forum for its members to report achievements, challenges, identify potential opportunities and share best practices.

Nova Scotia Provincial Government Roles and Responsibilities

About 115km of 182KM (or 63%) of the multi-use pathway network in Halifax is owned by the Province either on former rail corridors designated as provincial crown land (e.g. St. Margaret's Bay Rails to Trails) or within Provincial Parks (e.g. Atlantic View Trail or Sackville Lakes Provincial Park).

The roles and responsibilities of the Province include:

- 1) **Letter of Authority Process Administration.** The Department of Lands and Forestry (formerly the Department of Natural Resources) grant community associations, upon their request and ability to meet conditions, permission to develop the trails on provincial land by assigning them a Letter of Authority. This typically transfers responsibility for planning, construction, maintenance and operations to volunteer community associations. If a community group were to disband or relinquish its Letter of Authority, the Province would be responsible to determine future uses and administration of the facility.
- 2) **Guarantor of insurance deductible for community-operated facilities.** The Province committed to provide the \$1,000,000 deductible requested for coverage by the insurance provider for all community associations who are members of the Nova Scotia Trails Federation (NSTF). As members of the NSTF, the trail groups can secure a \$2,000,000 Commercial General Liability Insurance which provides coverage should a claim of injury or property damage be made against NS Trails Federation or one of its participating members. Halifax Municipality is an additional insured if a Licence Agreement is in place with the community association.
- 3) **Funding support for AT facilities.** The Department of Communities, Culture and Heritage provides maintenance funding of \$1,000 to any community association maintaining trails and additional \$100 per kilometre to those who have an LOA from the Province. The provincial Recreational Trail Expansion Program provides one third of funding up to \$150,000 to support the construction of new segments of AT facilities, and a Trails Engineering Assistance Grant Program to support hiring of professional engineers for structural projects (i.e. bridges). The Department of Energy's Connect2 funding program has supported the development of multi-use pathways operated by community associations. Finally, the provincial government administers an "Off-Highway Vehicle" infrastructure fund to assist with upkeep of facilities that permit OHVs.
- 4) **Enforcement.** Provincial wardens and conservation officers have responsibility for enforcing certain laws and regulations on provincial crown land and park land.

Other organizations' roles and responsibilities

Other groups are involved in the development and operation of multi-use pathways in the region. These include:

- 1) Develop Nova Scotia (formerly Waterfront Development Corporation). This provincial agency has collaborated with HRM on the development of the Dartmouth Harbourfront Greenway, The Halifax Waterfront Boardwalk and DeWolf Park Waterfront Greenway in Bedford. They are responsible for maintenance on most of these facilities.
- 2) Trans Canada Trails. Some segments of HRM's AT network with community association involvement are part of the Trans Canada Trail and are thus eligible for funding and signage.
- 3) Other landowners (CN, NS Power, Halifax Water, other private landowners). For multi-use pathways still in development, property permissions are required to create public AT corridors.

Benefits of Collaborating with Community Associations

The community development collaboration models have yielded various benefits during the planning, construction, maintenance and operation of multi-use pathways in HRM. These include the following:

- 1) **Development of 162km of AT facilities for use by residents and visitors.** These provide opportunities for transportation and link the many communities within HRM, as well as unscheduled and free recreational activities. These facilities have ranked highly in HRM's citizen surveys (e.g. the 2014 survey reports 62% of respondents enjoy using one of Halifax's trails, walkways, or pathways). Usage counts on some of the facilities indicate up to tens of thousands of trips per year⁶⁷
- 2) **Ability to develop, construct and maintain the designated AT network facilities on Provincial land.** The community development model enables HRM to contribute funding and staff support to community trails associations for construction and maintenance of those facilities that are not on Municipal property.
- 3) **Leveraging funding from other sources.** HRM has covered about 42% of the costs of developing the multi-use pathway network in HRM. As per Attachment 3, "HRM's Investment in Multi-Use Pathways", HRM has allocated about \$8.6 million to develop facilities in conjunction with community associations. These funds have been matched by larger-scale infrastructure investments and by smaller scale community funds (\$11.4 million). For example, St. Margaret's Bay Rails to Trails has just completed a major, three-year recapitalization of their facility (provincially-owned rails-to-trails facility). HRM provided \$175,000 to this \$606,044 project. Maintenance funding is also leveraged, but at a much lower rate. Funds are received from the Province (approximately \$25,000 per year for maintenance) and other sources, such as corporate/ private donations, HRM councillors, and TransCanada Trails.
- 4) **Significant volunteer in-kind resources.** Community members commit significant time and expertise to the development and operation of these AT facilities. As an example, the St. Margaret's Bay Recapitalization project provided over \$51,000 in-kind labour and engineering expertise. Currently, the full program engages over 300 volunteers yearly and generates grassroots community support in 24 communities within the municipality.

⁶ Chain of Lakes Trail Use Monitoring Study- Parks Canada, 2012

⁷ Results reported by the Musquodoboit Trailways Associations from Infra-red counters installed between Aug 2014 and Aug 2015

- 5) **Knowledge transfer and capacity building.** HRTA meetings are a forum for knowledge transfer and community capacity building. Community members learn from each other's best practices for construction, maintenance and operation of their facilities.

Key Issues to Address in Updating HRM's Involvement in Supporting Community Associations

As noted above, the collaboration between HRM and community associations has resulted in significant benefits to the community and in support of HRM policy objectives. However, there is a need to update this collaboration. Key issues that will be addressed in developing a new Administrative Order and that would be highlighted in stakeholder engagement are as follows.

- 1) **Need to update the administrative model and authority for HRM funding for community association projects.** The AT Priorities Plan and the Integrated Mobility Plan recommend continuing the Community Development Model to build and maintain AT facilities. The authority and guidelines on how this model operates are based on Council direction and conditions from 2008 and 2014 and need to be brought into line with current HRM practice. As such, staff is recommending the creation of an Administrative Order to modernize the relationship with HRTA and community associations.

The Administrative Order (AO) would provide an opportunity for the Regional Council and municipal staff to formalize this legacy program and align with current plans and priorities. The AO would direct staff on the required administrative steps to rate this type of AT Facilities and evaluate community groups, proposals, make funding decisions and payment disbursements to plan, build, maintain, operate, recapitalize and promote multi-use pathways in Halifax Municipality through a grant funding program model.

Four streams of funding would be considered:

- Capital stream which will support Regional Council AT priorities (i.e. Making Connections-2014-19 AT Priorities Plan, Integrated Mobility Plan);
- Re-capitalization stream to ensure AT facilities are brought back to state-of-good-repair at end of life cycle);
- Maintenance and Operations stream to ensure safety and pleasant experiences for trail users and operational budget (excluding salaries) to perform maintenance;
- Promotion and Education stream to support HRM goals related to safety and modal share growth.

The development of the A.O. would be an opportunity to consider whether non-HRTA member groups could be eligible to receive the Grants. For example, there are other community associations that may be interested in offering education and promotion programs. Also, there is a segment of the AT network in the municipality which is administered by a group that is not a member of HRTA.

- 2) **Provide clarity on the roles and responsibilities of community associations who do not have agreements to build, maintain and operate facilities.** As the context for AT facility development in HRM became more complex (e.g. required property acquisition or was in the municipal right-of-way), some community associations began playing more of an advocacy or "friends of" type of role where HRM staff led planning, design, construction, maintenance and operations. However, the exact roles and responsibilities of such groups has never been formalized and this has been frustrating for these groups.

Feedback, received in a letter to municipal staff dated in 2015 from Trails Associations in the urban areas, included recommendations to recognize the affected community trail groups and its volunteers as "community partners assisting HRM Active Transportation in the implementation of the HRM Active Transportation Plan" and their role in "(1) promoting the trail project prior to its initiation through

public awareness campaigns; (2) participating in the initiation and completion of a project through the development of RFP and review of outcomes, and whether all expectations have been met; and (3) promotion of the completed trail through adding trail amenities and further public awareness initiatives.”

- 3) **The sustainability of community associations is a risk.** As with any initiative that is based on volunteer commitment by community members, there is a risk that volunteer resources/commitment will disappear. As noted above, 65% of the multi-use pathway network in HRM relies on volunteer community associations. Given the significant responsibilities and pressures, community associations in HRM that build, operate, and maintain facilities have been extremely resilient and the community development model has persisted for over twenty years.

While some HRTA member associations have been successful to attract, retain and actively engage volunteers on their own, some foresee difficulties meeting their requirements to maintain their status under the Societies Act. Several groups have disbanded over the past number of years. During engagement with HRTA in scheduled board meetings and emails to staff, some groups have expressed their concerns around group sustainability as they perceive the processes as being onerous, especially when it comes to fund raising, reporting, tendering and liability insurance.

The development of this AO will be an opportunity to engage with the Province and community associations to discuss sustainability concerns. It will also be an opportunity to discuss this risk with the Province and consider what would happen if some associations were to relinquish their LOA.

On the positive side, the implementation of a new AO will be a sign for community associations that HRM remains committed to supporting community efforts and to providing sustained funding.

- 4) **Confirming the inter-jurisdictional roles and responsibilities between HRM and the Province.** There are challenges and risks associated with the fact that close to 63% of the multi-use pathway network in HRM is owned by the Province. HRM provides capital funding, maintenance funding and planning advice and support to community associations operating such facilities. Funds from HRM cover capitalization, planning, bridge inspections, recapitalization and even insurance costs. HRM staff provide information, advice and other supports for these associations. However, HRM has no decision-making authority or direct responsibility for such facilities.

The above-mentioned risk associated with the Province conferring responsibility for facility operation with community associations is something that requires ongoing co-ordination. If a volunteer community association were to dissolve and surrender its Letter of Authority, then the facility would revert to the Province, which may or may not be able to continue its operation. This would have implications for HRM’s AT network and would negate the value of HRM funds that have been committed.

Consideration of the provincial government’s current policies will help determine whether other models for HRM involvement or more formal co-ordination approaches are required for funding, operation, planning and enforcement in those provincial owned AT facilities within the HRM boundaries.

- 5) **Clarifying Maintenance and Operations costs and responsibilities for HRM.** The construction of new multi-use pathways by, or in conjunction with community associations on HRM land has resulted in unplanned additional maintenance costs for HRM. A typical example is that a community group spearheads construction on HRM land, but then does not have the capacity to maintain it. This places stresses on HRM’s capacity and can mean that maintenance sometimes only happens on a responsive basis.

This review will provide direction to HRM staff to evolve its ways to manage resources to meet its responsibilities. For example, it could recommend changes to maintenance approaches and formalize “ad hoc” arrangements. Also, it would clarify the roles that HRM staff plays in supporting the work of each category of community association.

- 6) **Lack of clear direction on HRM funding for facilities permitting Off-Highway Vehicles (OHVs).** HRM has strong policy objectives to build a complete and connected walking and bicycling network. The municipality has no roles or responsibilities related to off-highway vehicles (i.e. ATVs) and does not permit them in municipal owned parks or on municipal owned streets. The Province permits the use of OHVs on designated rails-to-trails facilities in HRM, including the Shearwater Flyer in Dartmouth, the Beechville, Lakeside, Timberlea Trail and the St. Margaret’s Bay Area Rails to Trails. The funding provided from HRM to community associations who administer these provincial assets is often to repair damage caused by OHVs.

There are various opinions on the safety of pedestrians and bicyclists and the sustainability of permitting OHVs on such facilities. A concern in recent years has been the growth in size of OHVs to the new “quad” vehicle-type. The damage to trail surface and increased maintenance costs by having heavier vehicles with tires designed for rougher terrain is a consideration.

OHV users and groups typically have advocated for greater access to multi-use pathways in support of route connectivity for motorized uses and for equal access of all modes.

Policy direction from Regional Council could formalize HRM’s position. The options could include not providing funding to such facilities, only providing funding up to a certain percentage, or other conditions that would ensure the fair distribution of HRM’s walking and bicycling budget and the sustainability and safety of the AT network.

- 7) **Request for an HRM funding program to support the construction and ongoing maintenance of recreational trails.** As noted in the background section, community trails associations have requested that HRM restart funding to community groups to develop facilities that are not part of the proposed HRM active transportation network. These are typically hiking trails, walking pathways and mountain bike trails. HRM has not had dedicated funding for these since 2006.

The development of this AO will explore potential synergies between updating the collaboration framework for active transportation facilities and a proposed future direction for HRM to support recreational trails built and maintained by community associations.

- 8) **Other issues as determined during stakeholder engagement.** The discussions with the stakeholders preceding the development of the A.O. may identify other key issues that would be considered.

FINANCIAL IMPLICATIONS

There are no direct financial implications to this report.

RISK CONSIDERATION

There are no significant risks associated with this recommendation. The risks considered rate low.

COMMUNITY ENGAGEMENT

The Municipal staff engages with the HRTA bi-monthly in scheduled board meetings and some executive meetings. Feedback regarding the need for an updated process was received during the HRTA board meetings and by email from individual community groups, members of HRTA. Feedback regarding recommendations for associations playing more of a planning/advocacy/promotion role were received in a letter from a group of Trails Associations comprised of: Halifax Urban Greenway Association, Halifax Northwest Trails Association and Chain of Lakes.

To develop the Administrative Order, Municipal staff is planning to engage:

- **Community Associations, members of HRTA:** survey followed up by meetings to further identify processes and criteria that need to be adjusted before developing an Administrative Order. Continue to attend board meetings to identify issues as they are raised by members
- **External stakeholders**, such as the Province of Nova Scotia- Interdepartmental Committee on Trails (ICT) members, Nova Scotia Trails Federation, ATVANS.
- **Internal Stakeholders:** legal and financial staff to ensure that appropriate policies are followed when developing the AO - making criteria for funding and disbursement of funds for both Capital and Maintenance Funding; Parks and Recreation to determine mechanisms for collaboration for Maintenance of Trails and potential for synergies should Regional Council recommend a Recreational Trails funding program.
- **Other jurisdictions:** engagement with other municipalities will be explored to gain insight on their legislative approaches to collaborate and fund community associations to develop, build, operate and promote AT facilities.
- **Other Active Transportation Stakeholders:** These would include the Halifax Cycling Coalition, Walk'n Roll, Ecology Action Centre and others.

ENVIRONMENTAL IMPLICATIONS

No implications expected.

ALTERNATIVES

Regional Council could direct staff to maintain the current administrative authorities to collaborate with community trails associations. This is not recommended due to rationale above related to the need to bring administration of the program in line with current HRM practices and due to the need to clarify roles and responsibilities.

Regional Council could direct staff to discontinue the community development model and work with the Province to pursue another model for the administration of provincially owned AT facilities in HRM. This is not recommended because the Province has not signaled an interest in changing their approach.

ATTACHMENTS

Attachment 1: AT Plan and Integrated Mobility Plan Maps

Attachment 2: AT Multi-Use Pathways Inventory 2018

Attachment 3: HRM's Investment in Multi -Use Pathways and Recreational Trails

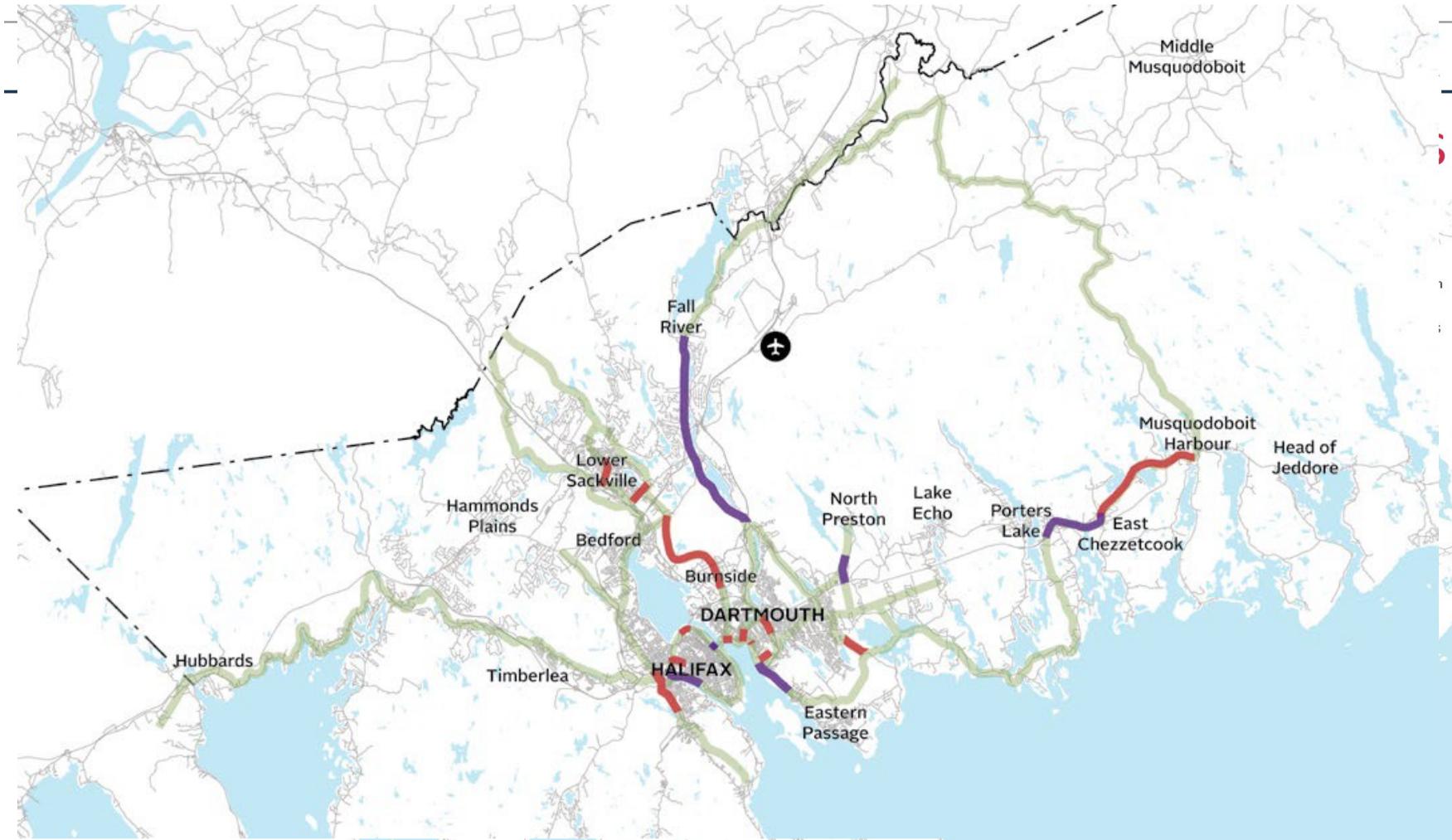
Attachment 4: Capital/ Re-capitalization Funding Eligibility and Evaluation

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: David MacIsaac, Active Transportation Supervisor, Transportation and Public Works 902.4901665
Emma Martin, Active Transportation Community Programs Coordinator, Transportation and Public Works, 902.490.4920

Attachment 1- IMP and AT Priorities Plan Maps

Integrated Mobility- Active Transportation Greenway Connections ¹



¹ Figure 18: Priority Connections for Multi-Use Pathways- pg. 92- Integrated Mobility Plan, https://www.halifax.ca/sites/default/files/documents/about-the-city/regional-community-planning/IMP_report_171220-WEB.pdf

Attachment 2- AT Multi- Use Pathways Inventory 2018

Table 1- Active Transportation (AT) facilities

Total: 182KM

Multi Use Pathways	Type of trail	Leng th (Km)	Year	Ownership	Trans Canada Trail	Who built the trail?	Who is managing
Community group of WDCL initiated and maintains the trail: 118.87KM							
Atlantic View Rail Trail	A.T	10.00	2000	Province	Y	Atlantic View Trails Association(AVTA)	AVTA
Beechville Lakeside Timberlea Rail Trail (BLT)	A.T/ OHV	13.00	2001	Province	Y	Beechville Lakeside Timberlea Rails to Trail Association (BLT-RTA)	BLT- RTA
Blue Hill Road - Canterbury Greenway	A.T	0.45	2016	HRM & Province	N	Shubie Watershed Environmental Protection Society (SWEPS)	SWEPS
Blueberry Run Rail Trail	A.T/ OHV	11.00	2003	Province	Y	West Chezzetook Community Group	Marine Riders ATV Club
Mastadon Trail	A.T	3.60	2013-2015	HRM	Y	Carrolls Corner Community Centre Assoc.(CCCCA)	CCCCA
Cole Harbour Heritage Park AT Greenway	A.T	2.50	2000	Province	Y	CHPTA	CHPTA
Cole Harbour Salt Marsh Rail Trail	A.T	6.50	2000	Province	Y	CHPTA	CHPTA
First Lake (and Glen Slauenwhite) Trail)	A.T	4.00	2012 - 2013	HRM, Province	N	Friends of First Lake Society (FFLS)	FFLS
Halifax Waterfront Boardwalk	AT	1.90	pre 2006			WDCL	WDCL
Musquodoboit Rail Trail	A.T	15.00	1999	Province	Y	Musquodoboit Trailways Association (MTA)	MTA
Second Lake Greenway	A.T	6.27	2012-2013	Province	N	Sackville Lakes Parks & Trails Association (SLPTA)	SLPTA
Shearwater Flyer Rail Trail	A.T	12.05	2007	Province	Y	CHPTA	CHPTA

St. Margaret's Bay Rails to Trails	A.T, OHV	32.00	2008	Province	Y	St. Margaret's Bay Rails to Trails Association (SMBRTA)	SMBRTA
St. Margaret's Bay Rails to Trails to Horseshoe	AT, OHV	0.60	2016	Province	y	St. Margaret's Bay Rails to Trails Association (SMBRTA)	SMBRTA
Multi Use Pathways	Type of trail	Length (Km)	Year	Ownership	Trans Canada Trail	Who built the trail?	Who is managing
Community and HRM initiated and maintain it in collaboration: 22.59KM							
Bissett Trail	A.T	1.60	2014-2016	HRM	Y	Cole Harbour Parks & Trails Assoc.(CHPTA)	HRM &CHPTA
Chain of Lakes Rail Trail	A.T	7.30	2010; 2015	HRM	Y	HRM planning with Chain of Lakes Trail Association (COLTA)	HRM and stewardship by COLTA
Forest Hills Greenway	A.T	1.83	2014	HRM	Y	HRM and CHPTA	HRM, CHPTA
Halifax Urban Greenway	A.T	0.90	2010	HRM	N	HRM, Halifax Urban Greenway Association (HUGA)	HUGA, HRM
Halifax Mainland North Linear Parkway	A.T	4.25	2012 - 2013	HRM	N	HRM, Halifax North West Trails Association (HNWTA)	HNWTA, HRM
McIntosh Run	A.T	4.51	2011	HRM	N	McIntosh Run Watershed Association (MRWA)	MRWA, HRM
North Preston Trail	A.T	2.20	2011	HRM, Hfx. Water	N	HRM, Preston Area Trails Association (PATA)	PATA, HRM
Multi Use Pathways	Type of trail	Length (Km)	Year	Ownership	Trans Canada Trail	Who built the trail?	Who is managing
HRM initiated and currently maintains the AT facility (some with WDCL involvement): 40.7KM							
Baker Drive & Mount Hope Greenway	A.T	2.40	2009	HRM	N	HRM, Developer	HRM
Barrington Street Greenway	A.T	0.80	2012	HRM	N	HRM and Heritage Gas	HRM
Bedford - Sackville Connector Greenway	A.T	6.00	2004	HRM	N	Sackville River Association (SRA).	SRA and HRM

Burnside AT Greenway	A.T	0.70	2012		N	HRM	HRM
Burnside AT Greenway (Highfield Section)	A.T	0.50	2015		N	HRM	HRM
Cobequid Rd	A.T	0.65	2017	HRM	N	HRM	HRM
Cutler Ave Multi-use Pathway	A.T	0.85	2017	HRM	N	Developer	HRM
Dartmouth Commons Multi Use Pathway	A.T	3.00	2015-2016	HRM	N	HRM	HRM
Dartmouth Harboufront AT Greenway	A.T	3.00	2009	HRM, WDCL	Y	HRM, Waterfront Development Corporation Ltd. (WDCL)	HRM, NSCC, WDCL
DeWolf Park Waterfront Greenway	A.T	2.00	2003	WDCL, HRM	N	WDCL	WDCL, HRM
Gary Martin Dr. Broad St.	A.T	1.80	2015	HRM	N	HRM	HRM
Halifax Commons Greenway	A.T	1.50	2016	HRM	N	HRM	HRM
Lake Banook Trail Sullivans Pond to Mic Mac	A.T	2.00	2010	HRM	Y	HRM	HRM
Larry Uteck Greenway	A.T	1.70	2015	HRM	N	HRM	HRM
Old Lawrencetown Road Trail	A.T	2.50	2014	HRM & Province	N	Lawrencetown-Cole Harbour Trail Assoc.	HRM
Portland Lakes Greenway	A.T	2.20	2010	HRM	N	HRM, Portland Lakes Residents Assoc. in planning & advocacy	HRM
Shubie Canal Greenway (MicMac to Portobello)	A.T	9.00	2006	HRM, Province	Y	HRM, Canoe to Sea Society	HRM
St. Pat's Greenway	AT	0.10	2014	HRM	N	HRM	HRM
Total AT Facilities: 182KM							

Attachment 3 – HRM’s Investment in Multi -Use Pathways

Project lead	Sept 30, 1999 - March 31, 2004	Apr 1, 2004- March 31, 2006	Apr. 1, 2006- March 31, 2014	Apr. 1, 2014- March 31, 2017	Total Investment
Community trails association	\$304,280	\$500,066	\$2,782,670	\$1,085,966	\$4,672,982
HRM with community associations' involvement	\$149,716	\$73,696	\$2,503,644	\$1,192,953	\$3,920,009
Total HRM investment in projects with Community Associations	\$453,996	\$573,762	\$5,286,314	\$2,278,919	\$8,592,991
HRM (no community association)	\$195,018	\$41,636	\$1,818,590	\$928,951	\$2,984,194
Total Investment	\$649,014	\$615,398	\$7,104,903	\$3,207,870	\$11,577,186

Attachment 4- Capital/ Re-capitalization Funding Eligibility and Evaluation

The purpose of this application is to assess eligibility of the group applying and of the project(s) proposed and to determine an appropriate Grant to be approved.

Table 1- Application Process for HRM Capital/ Re- Capitalization Funding:

Process	Process Description	Responsible
Determine priorities for the following year	In July, TPW reviews priorities and AT multi-use pathway projects that can be started in the following year	HRM
Call for collaboration	TPW initiates in August a call for collaboration with any active community groups located in the area	
Request Funding Proposals	In August, the Chair of HRTA issues a 'Call for Proposals' for fiscal year ahead	HRTA Capital Funding Committee (CFC)
Respond to call for collaboration OR	Community group responds to HRM call for collaboration. No application is needed and HRM follows the multi-use pathway procedures for direct delivery	
Submit Proposal for Project	HRTA Participant submits the Proposals to HRTA's " Call for Proposal"	HRTA Participant
Receive and Review Proposals	The HRTA CFC reviews the Proposals according to HRTA Criteria	HRTA Capital Funding Committee
Submit Recommendation Package	The CFC submits Recommendation Package (Cover Letter and Proposals) to HRM	HRTA Capital Funding Committee
Evaluate proposals	The proposals submitted are evaluated for fit with the using the Decision-Making Criteria Matrix to determine project eligibility, funding requirements and collaboration model.	HRM
Seek Approval through Annual Budget Review Process	Out of Scope Process: This represents the established Annual budget review and approval process. It includes writing a report to the Capital Steering Committee and the Council Report Process. Approval is sought for the amount of Capital for Regional Trails	HRM
Resubmit Proposal in Subsequent Year	If the proposal gets rejected this year, the HRTA Participant may decide to resubmit it in a subsequent year.	HRTA Participant
Report allocations for capital funding for trails at regular meeting	The HRTA Capital Funding Committee reports allocations for capital funding for trails at the regular meeting	HRTA Capital Funding Committee
Prepare Annual Capital and Maintenance Funding Agreements	Annual Capital and Maintenance Funding Agreements are prepared for signatures	HRM, HRTA and HRTA Participant
Sign Off Annual Capital and Maintenance Funding Agreements	The Capital and Maintenance Funding Agreements are signed annually Each HRTA Participant that agrees with the terms of the agreement, signs its own agreement.	HRM, HRTA and HRTA Participant

Groups' Eligibility

To be eligible, the groups must meet all conditions outlined below:

- Registered non-profit in good standing with the Nova Scotia Registry of Joint Stock Companies;
- Member of the Halifax Regional Trails Association in good standing with HRTA's By- Laws;
- Member of the Nova Scotia Trails Federation, eligible for group insurance coverage through that Federation or able to obtain similar insurance coverage through other means;
- Maintain a current and active membership as the Participant's board of directors has a role in representing the community and therefore the general membership is important as a representation of the community;
- Demonstrate recent (within the past year) local community engagement and consultations through such events as community open houses, and public engagement opportunities where members of the community have provided input regarding the development of the AT Greenway Facility project;
- Provide evidence of applications for funding from other organizations, such as Trans Canada Trail, Provincial or Federal grant programs. If available, provide proof of funding or documentation showing a funding request denial; and
- To obtain, as appropriate, an easement for any private land from the landowner, or a Letter of Agreement for use of provincial land from Province of Nova Scotia or a Lease for use of municipal land from HRM to use the property for AT Greenway Facility purposes.

Projects eligible for HRM /HRTA Capital Funding:

HRM/HRTA Capital Funding is provided to the approved applicants to assist with AT greenway facility ("AT Greenway Facility") planning, design and construction of new infrastructure and amenities and such project (s) is (are) aligned with HRM's 'Making Connections: 2014-19 Halifax AT Priorities Plan' and Integrated Mobility Plan and the construction standards set out in HRM's AT Plan of 2006, 'Technical Appendix: Facility Planning and Design Guidelines'. All projects and budgets allocated are approved yearly by Regional Council.

Only projects received by HRTA Capital Funding Committee before the deadline will be considered for evaluations.

Projects eligible for HRM /HRTA Re-Capitalization Funding:

HRM/HRTA Re-Capitalization Funding is provided to the approved applicants to assist with AT greenway facility ("AT Greenway Facility") refurbishing of existing infrastructure and amenities to its original condition when maintenance funds no longer sustain the scope of work required to maintain the trail to standard. Such project (s) is (are) aligned with HRM's 'Making Connections: 2014-19 Halifax AT Priorities Plan' and Integrated Mobility Plan and the construction standards set out in HRM's AT Plan of 2006, 'Technical Appendix: Facility Planning and Design Guidelines'. All projects and budgets allocated are approved yearly by Regional Council.

Only projects received by HRTA Capital Funding Committee before the deadline will be considered for evaluations.

Capital Proposal Evaluation

HRTA Evaluation considerations: This checklist along with the information provided in the application will form the basis of the HRTA evaluation and recommendation for funding.

Checklist	YES/ NO/ N/A
Proposal submitted is complete and includes only Capital eligible expenditures	
Funding has been solicited/ approved from other sources besides HRM	
Funds are available for this project from sources supporting motorized vehicles access on the trail, if motorized use is accepted as part of a land owner permission	
The HRTA member has a valid landowner permission	
The HRTA member has environmental permits and other approvals needed included with the application	
A maintenance/ operation plan is in place to maintain the trail after trail construction is completed	
Funds are available from other sources to maintain the facility after trail construction is completed	
Primary Criteria	Points
<p>Criteria 1: Consistency with Halifax AT Priorities Plan Does the proposed AT greenway connect a gap in Making Connections: 2014-19 Halifax AT Priorities Plan's, AT Greenway Map? Is it part of the primary connection or a secondary connection?</p>	
<p>Criteria 2: Capacity Is the community group an official member of HRTA, meeting all the criteria? Are volunteers committed to the plan and project and long - term sustainability of the greenway? Does the Society have a membership that represents the community?</p>	
<p>Criteria 3: Quality of AT Greenway Experience Does the proposed AT greenway provide a safer alternative than existing roads and sidewalks? Will the AT greenway provide natural, scenic, or heritage appeal?</p>	
<p>Criteria 4: Linking Communities Does the proposed AT greenway connect communities, neighbourhoods, and other multi use pathways and destinations? Does it connect regionally? Does the greenway add a vital link in the AT Greenway Network System? Is there an existing link within 300 metres?</p>	
<p>Criteria 5: Proximity to Users How convenient is the AT greenway to dense populated areas? Provide numbers of populations in that vicinity if possible. Will the AT greenway connect populated areas to major destinations such as school, library, sporting facilities? Will the greenway connect near future residential developments?</p>	
<p>Criteria 6: Project Delivery Will the proposed project be delivered during the next construction season? This includes consideration of: Land authorizations, construction and environmental permits, insurance; Planning and detail designs completed and community consultations; What are the constraints to be addressed?</p>	
<p>Criteria 7: Community Support Explain the community support for the project e.g. have there been formal community engagement workshops, meetings, membership numbers, surveys, website, media outreach, newsletters, events, brochures etc. What has been the result of community consultations? Are there concerns that need to be addressed?</p>	
<p>Criteria 8: Budget and Funding</p>	

Provide a proposed capital budget, on a separate page. Provide items and specifications (dimensions, types of materials, quantity, special structures etc.) and proposed cost and list anticipated sources of funding.	
Criteria 9: Status of Greenway Work What phase of an overall plan is the project for the upcoming year? Is it the “final piece” of the AT greenway? Is it a complete greenway project on its own (i.e. without subsequent phases)? What is the timing of the project?	
Secondary Criteria	Points
Criteria 10: Impact on Natural Environment Will the AT greenway be designed to minimize negative impacts on the environment, away from environmentally sensitive areas? Are environment approvals required? How has the greenway plan and design address or minimize negative impacts on vegetation, slopes, wetlands, water systems, drainage, rivers, shorelines and wildlife habitats?	
Criteria 11: Potential Economic Impacts Will the AT greenway, once completed, generate new economic impacts for the community in terms of employment, spending in the local area, new business opportunities, attracting new visitors to the local area etc.	
Criteria 12: Tourism Potential Will the greenway have appeal to visitor markets from outside the province as well as from other regions of Nova Scotia? Is the greenway of local, regional or provincial significance?	

HRM Criteria to prioritize candidate projects from the AT Priorities Plan

Items	Points to award	Points awarded
Extension to scope of an existing project or a “phase II” of existing project	Part of the same project- 4pts Next phase of a project/corridor- 2pts	
Existing direction from Regional Council for implementation or further action	Existing approval to implement facility- 4pts Existing secondary commitment in a Council Report – 2pts	
Connected to existing AT facility or to another higher priority candidate AT facility	Each connection to existing facility- 4 pts Each connection to higher priority candidate facility- 2pts	
Supports multiple AT initiatives (Blue Route; Great Trail; local AT plans; Trails Group Plans; Smart Trip communities, other) or other community objectives.	Each initiative – 2 pts	
Provides connections to schools, employment, shopping, transit, services, residential areas	Connects 3 or more destination types- 4pts Connects with two destinations- 2 pts	
Collision/Safety Issues	Filed safety issues/ collision history- 4 pts; Perception of safety issue/ no bicycle friendly alternative – 2 pts	
Project Integration opportunity	Opportunity within the next two years- 4pts Opportunity within the next 4 years- 2 pts	
Funding Partners Available	2 pts for each potential funding partner*	

Rules:

- The Grant will be disbursed up to the maximum amount approved by following a Payment Procedure included in the Agreement.
- **Matching funds** for the capital project and any subsequent HRM maintenance and recapitalization funding request is expected for trails located on land not owned by HRM.