

HALIFAX

Roles and Responsibilities for HRM on Provincially Owned Corridors of the Active Transportation Network

ATAC – Item 5.1.

December 10, 2020

Agenda and Today's Objective

Agenda

- Project Origin
- Background
- Project Objectives
- Project Scope
- Stakeholders' Engagement Scope
- Options and analysis required
- Next Steps

Today's Objective:

- Present our project plan and receive feedback to help staff identify opportunities to support the recommendations for the Regional Council

Origin

Three community trail associations have requested that HRM assume responsibility for operating and maintaining three segments of AT facility (shared use with ATVs) (totalling ~50km).

This resulted in the following January 14, 2020 RC motion:

*“THAT Regional Council direct the Chief Administrative Officer to prepare a staff report that responds to the requests by the **St. Margaret’s Bay Area Rails to Trails Association (SMBARTA)**, the **BLT Rails to Trails Association (BLTR2TA)**, and the **Cole Harbour Parks & Trails Association (CHPTA)** that Halifax Regional Municipality takes responsibility for the operation and maintenance for the segments of active transportation multi-use pathway currently under their responsibility. The report should consider options such as HRM assuming ownership of the facilities or a Letter of Authority from the Province and consider factors such as the Provincial government position, cost, enforcement, permitted uses and other considerations to help understand the implications for the sustainability of these facilities and for Municipal responsibilities.”*

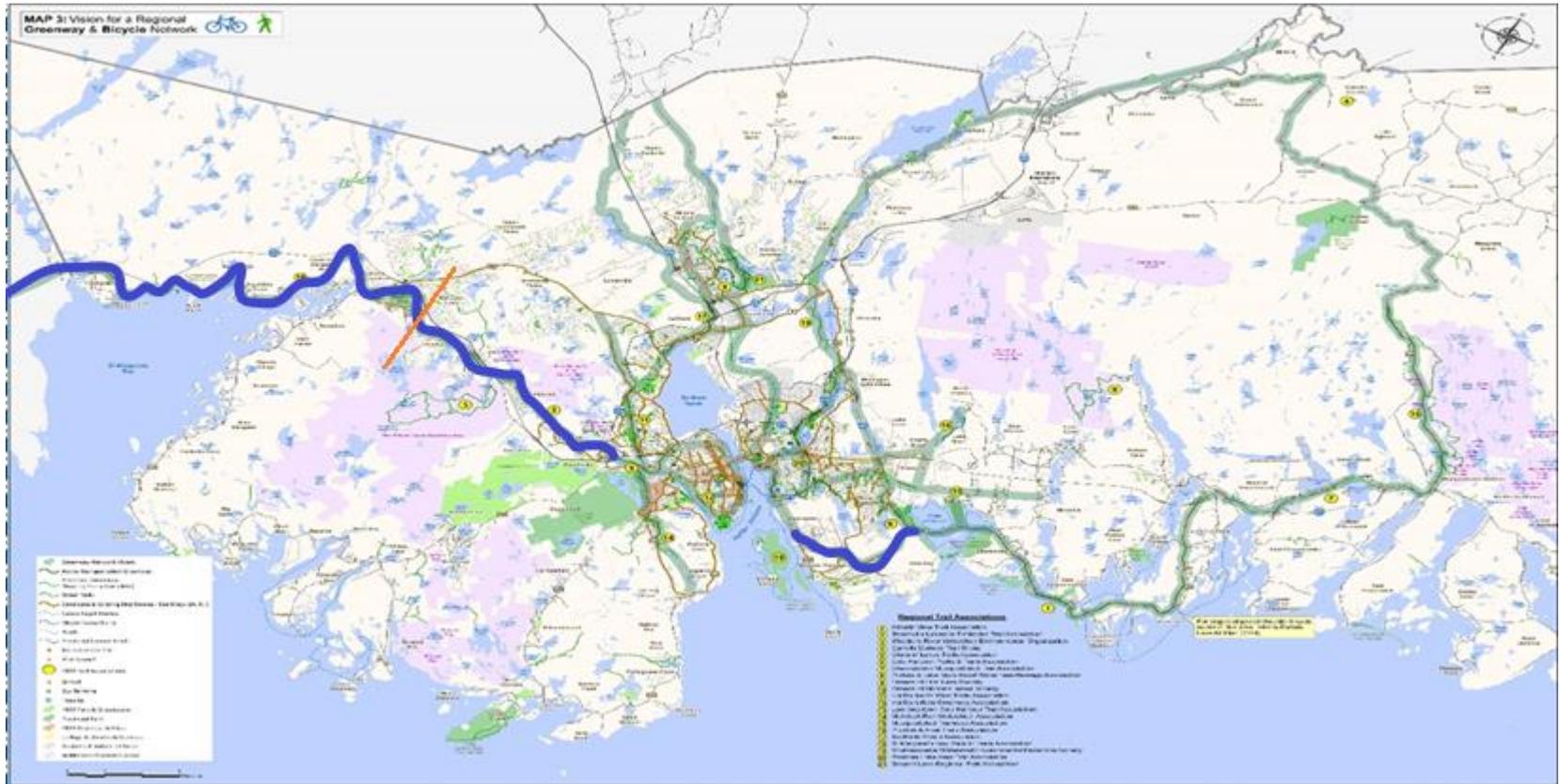
Background (2): Province-owned corridors in the AT Network

The AT Network in HRM on Provincial land is currently managed under a Letter of Authority (LOA) by Trail Organizations. Total is ~120KM. HRM provides shared funding for capital/ recapitalization and maintenance of these corridors:

<ul style="list-style-type: none">• Cole Harbour Heritage Park – AT Trail• Shearwater Flyer*• Salt Marsh Trail• Atlantic View Trail• Blueberry Run*• Gaetz Brook Greenway• Musquodoboit Trail	<ul style="list-style-type: none">• Corridor in Bedford Sackville Connector• Corridor in the Second Lake Provincial Park• BLT Rails 2 Trail *• St. Margaret’s Bay Area Rail to Trail*
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* The Province – Lands and Forestry Minister’s Restrictions Letter does not restrict OVHs on the facility

Background (1): 2014 AT Priorities Plan & 2017 Integrated Mobility Plan



Map 3- Vision for a Regional Greenway and Bicycle Network
63% of AT Network in HRM is located on Provincially – owned corridors

Background (3): Community Associations Current Views

- **Halifax Regional Trails Association's (HRTA)** previous survey results indicated that HRM should enter formal agreements with the Province or take ownership of these corridors to ensure the HRM's AT Network long-term sustainability;
- **CHPTA** formally requested Province – Lands and Forestry to change the permitted uses on Shearwater Flyer– public engagement is underway; They requested that HRM take responsibilities if the facilities' OHV permissions remain unchanged;
- **SMBARTA** – Volunteer group cannot meet operational requirements. They presented an official proposal to the Province and HRM to start discussions regarding the LOA and ownership transfer;
- **BLT-R2TA** – Volunteer group concerned about their capacity to meet operational requirements. Supportive of the project, but need to understand implications for the OHV permissions.

Background (4): Provincial Government context

- **Province – Department of Lands and Forestry** is mandated to govern the crown land:
 - currently supportive of the project and of the option for HRM to take over LOAs but not in favour of land ownership transfer;
- **Province – Department of Environment** is mandated to enforce the OHV Act for all OHV permitted corridors, regardless of land ownership
 - Properly-resourced enforcement needs to be considered in future operations. Some partnering with RCMP.
- **Province – Department of Communities, Culture and Heritage** is mandated to provide financial support and manage the insurance program at NS Trails
 - Maintenance funding available yearly (up to 75% of project costs)
 - Re-capitalization funding available (33% of project cost, up to \$150,000)
 - Insurance deductible covered up to \$1MIL on a \$5MIL policy

Council Report Development Objective and Scope

Objective: Recommend future role for HRM in governance, maintenance and operation of these facilities.

Analysis factors (criteria): financial costs, internal resources/processes, risks, enforcement, stakeholder views, benefits, other.

Report development scope:

- Engage with internal and external stakeholders to collect data related to current state/ cost/ benefits/ risks/ requirements to be summarized in a Stakeholders' Engagement Report;
- Develop Jurisdictional Scan to determine other municipality's practices related to formal legislation on Trails Governance/ Management and collaboration models with their Provincial Government
- Identify other key issues related to the project's objectives that can inform Regional Council's decisions;
- Perform risk assessment for the proposed directions to be included in the Recommendation Report.

Options being considered

Proposed by Trail Organizations:

1. Ownership transfer from the Province to HRM
2. Formal agreement with the Province through a Letter of Authority

Proposed by Provincial Working Group (CCH, L&F) in addition to 1 and 2 above:

3. Consider offering the opportunity to another group to take LOA responsibilities;
4. Provide support to the current groups to increase their volunteer capacity to sustain the LOA;
5. Enter in a three-way LOA: trail groups, HRM and Province and have another group engaged through an MOU to maintain the trail;
6. Leave the facilities as unmanaged and take responsibility within the Province as needed;

Current constraints and dependencies

Constraints:

- Some HRM policies (e.g. By-Law P-600) do not align with Provincial policies and with the Lands and Forestry's Letter of Authority permissions of OHVs;
- Current resources are not in place to support service delivery in HRM AT Network located on Provincial land, beyond maintenance and/ or capital grants funding;

Dependencies:

- Provincial Government policy related to crown land, rails to trails and parkland and OHV Act;
- HRM Strategic Transportation policy (2014 AT Priorities Plan and 2018 IMP) identified these corridors as strategic for a sustainable AT Regional Network within HRM rural and urban;
- Provincial Government's official response;
- A request to relinquish the LOA delivered by Trail Organizations to Province-Lands and Forestry or by Province to the Trail Organization after the Regional Council makes a decision

Engagement Groups/ Roles/ Scope

Internal Stakeholders	Engagement Scope
<ul style="list-style-type: none">• TPW, Parks and Recreation• P&D - STP• Customer Contact Centre• Legal/ Risk Management• Finance and Asset Management	<ul style="list-style-type: none">• Support data collection data to identify potential HRM resources / requirements as related to project scope;• Connection to HRM Policies/Plans;• Represents their respective area(s) on the project and determines implications of various options available;• Provide subject matter expertise to inform the proposed directions;• Participate in deliverable review/approval process through the Report Centre.

Engagement Groups/ Roles/ Scope

External Stakeholders	Engagement Scope
<ul style="list-style-type: none">• HRP/ RCMP/ EMO/By-Law Services/ PNS- Department of Environment• Trail Organizations in possession of LOAs• Province - Lands and Forestry• Province - Community Culture and Heritage• Municipality of Chester• ATVANS, SMATVA, OHV -IF Committee• AT Advisory Committee• Provincial Government Project Working Group	<ul style="list-style-type: none">• Support data collection data to identify implications/ requirements as related to project scope;• Determine what the Provincial government position is related to options available for governance;• Determine other municipality's practices related to formal legislation on Trails Governance/ Management and collaboration models;

Possible implications

- HRM does not take responsibility (LOA or Ownership)

- Facility is closed by the Province--L&F and not serviced:
 - Users safety and experience is affected in the absence of services;
 - Risk deterioration of important community asset
 - Risk to negate HRM financial investment in Capital/Recapitalization and Maintenance
- Another group comes forward to assume responsibility for LOA.

Analysis - costs/benefits/ risks/ opportunities

- Alignment with HRM strategic plans (e.g. 2014 AT Priorities Plan, 2017 IMP; 2018 Green Network Plan) and Regional Council's priorities – “Plan on a Page;”
- Determine implications for HRM as related to facilities permitting Off-Highway Vehicles (OHVs) within the HRM AT Network;
- Long - term maintenance, operations, costs and responsibilities for HRM in the absence of a trail organization “operator;”
- Confirm specific requirements needed to meet service delivery expectations and “reasonable safety” standards within each option;

Next Steps

- Nov 2020 – Jan 2021
 - Finalize Stakeholder engagement sessions
 - Jurisdictional scan
 - Develop Stakeholder’s Engagement Report
 - Analyze data collected
 - Develop Recommendation Report
- Spring 2021: Present Recommendation Report to TSC
- Spring 2021: Recommendation Report to the Regional Council

Discussion

- Clarifications?
- Views on proposed options?
- Other options that should be considered?
- Other implications/ key issues related to the project's objectives that can inform Regional Council's decisions.

Thank you



Please be in contact to provide feedback:

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