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**Item No. 15.1.8**  
**Halifax Regional Council**  
**September 3, 2024**

**TO:** Mayor Savage and Members of Halifax Regional Council  
**FROM:** Brad Anguish, Acting Chief Administrative Officer  
**DATE:** Aug 14, 2024  
**SUBJECT:** Proposed Partnership with Province of NS - Active Transportation Infrastructure on Highway 107 Extension

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**ORIGIN**

August 13, 2019 Halifax Regional Council motion (Item No. 15.1.5):

MOVED by Deputy Mayor Mancini, seconded by Councillor Mason

THAT Halifax Regional Council direct the Chief Administrative Officer to:

1. Advise the Province of Nova Scotia that the Municipality will not provide funding for Active Transportation infrastructure as part of the Highway 107 extension project;
2. Investigate the potential to implement a multi-modal corridor on Trunk 7 (Magazine Hill), including transit priority and active transportation infrastructure; and
3. Request that the Province of Nova Scotia retain an integrated shared utility / active transportation corridor as part of the detailed design for the Highway 107 project in a location suitable for potential future construction.

MOTION PUT AND PASSED

**EXECUTIVE SUMMARY**

This report provides an update on the potential for multimodal upgrades to Trunk 7 ('Magazine Hill') between Dartmouth (Akerley Boulevard) and Bedford (Dartmouth Road) and seeks approval from Halifax Regional Council to proceed with additional planning, site investigation, preliminary design, and stakeholder engagement to advance the project. These recommendations stem from Regional Council's August 2019 decision not to fund an active transportation facility along the provincial government's Highway 107 Extension ('Burnside Expressway') in favor of a more direct connection via Magazine Hill. Costs to fund this work are currently uncertain but will be developed and presented to Regional Council as part of the 2025-26 capital budget process.

**RECOMMENDATION**

It is recommended that Halifax Regional Council direct the Chief Administrative Officer to proceed with planning, site investigation, preliminary design, and stakeholder engagement for multimodal upgrades to Trunk 7 (Magazine Hill), subject to approval of the resource and budget requirements as part of the 2025-26 capital budget process.

## **BACKGROUND**

The provincial government is currently constructing an extension of Highway 107 between Highway 118 (near the Burnside Industrial Park) and Highway 102 in the Bedford/Sackville area, a long-planned project commonly referred to as the 'Burnside Expressway'. The approximately 8km controlled access highway will significantly increase traffic capacity and decrease travel time between the Bedford/Sackville area and Dartmouth and will improve access to Burnside Industrial Park from the provincial highway network. Construction is expected to be complete in 2024.

Though the Burnside Expressway project is not a municipal project, HRM does have a major stake in its outcome due to its impact on the regional transportation network. During the planning and design process for the highway, the province and HRM explored the potential to include a multi-use pathway that would run adjacent to the highway. This active transportation (AT) facility would enable walking and cycling between Lower Sackville and the Burnside area of Dartmouth – a key missing link in the regional AT network. In 2011<sup>1</sup>, Halifax Regional Council approved a recommendation to partner with the province to contribute \$1 million (in a future year) to support construction costs associated with the multi-use pathway (though the intent to partner with the province was established, a formal agreement was not completed). The proposed multi-use pathway was also added to HRM's *Active Transportation Priorities Plan (2014)* and *Integrated Mobility Plan (2017)*.

The Highway 107 Extension did not proceed as described in the overview of the project in the 2011 Council Report. In 2018, the province presented a revised timeline, highway alignment, and cost sharing framework for the project, indicating that the highway connection would be constructed by 2024 and advising the municipality's cost contribution would be required to increase from the previous \$1 million estimate to an amount in the range of \$5.5 – \$6.9 million (2018 estimate). The province advised HRM that a decision on whether the municipality would participate in the project would be required by August 2019.

Given the significant investment required by HRM to construct a multi-use pathway adjacent to the Burnside Expressway, staff completed additional investigation to better understand the implications of the project. The investigation considered several key factors associated with the proposed Burnside Expressway multi-use pathway including the anticipated operating costs to maintain the facility, the capital costs to build infrastructure to connect it to the AT network, and the anticipated user demand based on population reach, trip distance, and topography. The investigation also included a review of potential alternative options to make an AT connection between Lower Sackville and Dartmouth, specifically focusing on the Trunk 7 (Magazine Hill) corridor as an alternative to the Burnside Expressway.

In August 2019, staff recommended that Regional Council not contribute municipal funds to the proposed Burnside Expressway multi-use pathway, citing it as a significant and uncertain investment in infrastructure that is not a near-term municipal priority, is not expected to generate commensurate user demand, and that appears to have a viable alternative (AT facility on Magazine Hill) that is preferable in terms of both cost and functionality. Staff also recommended that the Magazine Hill Corridor be further investigated as a potential future AT/transit priority corridor, and that a request be made to the province to retain a shared utility/AT corridor in the Highway 107 design that would preserve the opportunity for future construction.

## **DISCUSSION**

Following Regional Council's endorsement of staff recommendations on August 13, 2019, the CAO sent a

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<sup>1</sup> Regional Council Report: Provincial Agreement – Burnside Drive Extension (September 13, 2011): <https://legacycontent.halifax.ca/council/agendasc/documents/110913ca1152.pdf>

letter (dated August 15, 2019) to the province that communicated HRM's decision not to contribute to construction of the multi-use pathway, and requested that the highway design facilitate the ability to add an active transportation facility in the future by: (i) preserving a 4m corridor offset from the roadway edge, and (ii) providing additional width on highway structures themselves (at no cost to HRM) or by reserving space adjacent to the structures within which dedicated AT structures could be added in the future.

The province responded in a letter (dated October 8, 2019), indicating that:

- The Highway 107 design and tendering would proceed without the active transportation facility, and that the province would not commit to preserving space within the highway ROW for a future AT facility.
- The design of the highway structures would not incorporate additional width to accommodate future AT crossings.
- The province remains open to the possibility of allowing HRM to construct separate AT structures within the highway ROW in the future.

### **Potential Multimodal Upgrades to Trunk 7 (Magazine Hill)**

#### Conceptual Planning & Design

As detailed in the [August 13<sup>th</sup>, 2018 report to Regional Council](#), staff completed a transportation study and conceptual design exercise in 2018 that investigated options for how the Trunk 7 (Magazine Hill) corridor could potentially be reconfigured to serve municipal needs including the provision of transit priority and active transportation infrastructure. This is consistent with Action 124 of the *Integrated Mobility Plan (2017)*, which states: "*Where total corridor road capacity is increased through the construction or expansion of a parallel road, explore opportunities to give higher priority to active transportation or transit within that corridor*". Key findings of the study included:

- **Active Transportation:** A multi-use pathway is considered to be the most appropriate AT facility type for the Trunk 7 corridor. Several multi-use pathway options were investigated that considered the side of the roadway (north or south side) as well the configuration (separated roadside pathway or shoulder pathway). Based on a review of factors including physical constraints (connectivity and route length, topography, property impacts, and cost), it was determined that the preferred option is a multi-use pathway on the north side of Trunk 7 between Akerley Boulevard and Dartmouth Road.
- **Transit Priority:** The greatest need for transit priority on Trunk 7 is in the inbound (eastbound direction). Transit priority could be added on Trunk 7 by either (i) widening the roadway in selected locations to extend existing queue jump lanes, (ii) widening the existing roadway shoulders and enabling 'bus-on-shoulder' operation (permanent, time of day, or incident-only use), or (iii) converting existing travel lanes to transit lanes or transit/high-occupancy vehicle (HOV) lanes. Each option has varying cost implications, traffic impacts, and regulatory requirements that would be important considerations.
- There are important factors that could compromise the feasibility of the use of Magazine Hill for transit and/or AT improvements. The roadway runs adjacent to the Canadian Forces Ammunition Depot (CFAD) Bedford facility, and it is expected that unexploded ordnance investigations, security / access provisions, and property acquisition will be required. Also, the potential need to widen the roadway and/or modify existing bridges and culverts could represent a significant cost.

#### Corridor Ownership and Potential Implementation Approaches

Trunk 7 is a provincial roadway; therefore, the Nova Scotia Department of Public Works (NSDPW) owns and operates the facility. In order for HRM to reconfigure the corridor to add AT or transit infrastructure, the municipality would need to either take over ownership of the roadway from the province or obtain provincial endorsement for such changes:

- **Municipal Ownership (transfer from province):** A potential transfer of ownership has been discussed at a high level at various stages during the planning, design, and construction of the Burnside Expressway, and the province has indicated that there *may* be interest in such a transfer after construction of the new Burnside Expressway is complete. Based on recent engagement with representatives from NSDPW, the province intends to monitor traffic operations on Trunk 7 following the opening of the Burnside Expressway before any decisions on a potential future transfer of ownership are made.
- **Provincial Ownership:** NSDPW has indicated that there is potential for HRM to make multimodal upgrades to the corridor while it remains under provincial ownership. Any proposed changes would need to be endorsed by the province and a maintenance agreement would be required under which HRM would assume maintenance responsibilities for the added infrastructure.

#### Proposed Next Steps:

With Council's endorsement of the recommendation to advance the planning and design process for multimodal upgrades on Trunk 7, the following are proposed next steps:

- **Site Investigation / Unexploded Ordnance Surveying:** The province has indicated that additional unexploded ordnance surveying is expected to be required to make any changes along Trunk 7, as the area that was originally surveyed as part of the Highway 107 extension work did not cover the areas adjacent to the Trunk 7 corridor. Unexploded ordnance surveying requires specialist expertise and can be a costly process. Standard topographic survey and geotechnical investigations for the corridor would also be required. Costs and timing required for the survey work will be dependent on the scope and limits of the project.
- **Preliminary Design:** An engineering consultant would be retained to carry out preliminary (60%) design for the proposed active transportation and transit priority upgrades. The design process would require engagement with DND and the province as stakeholders and potentially impacted landowners. The design would also require consideration of future plans for Windmill Road, which will be identified as part of the ongoing Windmill Road Functional Plan (anticipated to be presented to Regional Council for approval in spring 2025).
- **Update to Regional Council:** Following the completion of the preliminary design work, staff would report back to Regional Council with additional information on the proposed design including the proposed configuration, constructability, property requirements, potential unexploded ordnance considerations, maintenance requirements, and cost estimates. At that stage, if Regional Council directs staff to pursue the connection, a project delivery plan would be developed and the project would be resourced through the capital budget process.

Although this project is not currently a near-term priority, advancing the planning work will be helpful in ensuring project readiness when it becomes a priority. Staff would consider the timing, resourcing, and budget implications associated with this work as part of the 2025-26 capital budgeting process.

#### **FINANCIAL IMPLICATIONS**

The costs to advance the planning and design work are currently uncertain and will be further considered and presented to Regional Council as part of the 2025-26 capital budget process.

Construction costs for upgrades to the Trunk 7 corridor are identified in the 2024-25 10-year Capital Plan with \$3M in 2029-30. It is expected that this cost estimate will be refined through advanced planning and design work and be presented to Regional Council for consideration as part of the capital budget process in a future year.

The Trunk 7 corridor has been identified for up to 73% external funding from the Investing in Canada Infrastructure Program (ICIP), which will be applicable to the design and construction costs for active transportation improvements.

### **RISK CONSIDERATION**

The design process may determine that construction of an active transportation connection along Trunk 7 is not practical or financially feasible due to constructability challenges, the presence of unexploded ordnances, or the inability of HRM to come to agreements with DND or the province on issues including land acquisition and maintenance.

### **COMMUNITY ENGAGEMENT**

No community engagement was required.

### **ENVIRONMENTAL IMPLICATIONS**

Any potential environmental impacts of construction of an active transportation facility along Trunk 7 will be identified during the design phase and will be presented for Council's consideration prior to construction.

### **LEGISLATIVE AUTHORITY**

*Halifax Regional Municipal Charter*, S.N.S. 2008, c. 39

**73(c)** The Municipality may enter into and carry out agreements with the Government of the Province with respect to the development, operation or maintenance of trails on land of Her Majesty in right of the Province.

**318 (2)** In so far as is consistent with their use by the public, the Council has full control over the streets in the Municipality.

**322 (1)** The Council may design, lay out, open, expand, construct, maintain, improve, alter, repair, light, water, clean, and clear streets in the Municipality.

### **ALTERNATIVES**

Regional Council could choose to recommend that the staff recommendation not be approved. Potential alternatives are identified below:

1. Regional Council may direct the CAO to delay or terminate efforts to pursue multimodal upgrades along Trunk 7. This alternative is not recommended, as it would result in missed opportunity to add a significant transit / active transportation network between Bedford/Sackville and Dartmouth. It

would also risk losing the opportunity to fund the design and construction under the Investing in Canada Infrastructure Program (ICIP).

2. Regional Council may direct the CAO to focus further efforts on pursuing only the potential transit priority OR active transportation components of the proposed multimodal corridor along Trunk 7. This alternative is not recommended, as improvements to both modes are considered regionally important and the design process will enable further understanding of their potential.

## **ATTACHMENTS**

N/A

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