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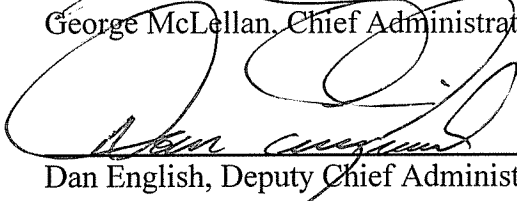


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Halifax Regional Council
January 18, 2005

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: 
George McLellan, Chief Administrative Officer


Dan English, Deputy Chief Administrative Officer

DATE: January 14, 2005

SUBJECT: **Community Consultation - Provincial Interchange Country View Estates at Highway 118**

ORIGIN

This report originates with Council's November 16, 2004, approval in principle of approximately \$2.1 million representing HRM's proportionate cost-sharing relative to the construction costs (estimated at approximately \$8.1 million (+/-) of the proposed Provincial Interchange at Country View Estates and Highway 118 subject to:

- ▶ Provincial Consultation with the community and Shubie Park stakeholders regarding the interchange design and highway impacts on the park.
- ▶ Council's subsequent approval of a standard cost-sharing agreement as prepared by the Province which will outline the specifics of the project including final design, budget and also terms and conditions for any municipal land acquisition by the Province if required.
- ▶ Approval through the 2005/06 Capital Business Planning process.

The intent of this report is to bring to Council the results of the community and Shubie Park Stakeholder consultation and a design option which is felt to be in the best interest of HRM.

RECOMMENDATION

It is recommended that Regional Council;

Approve design Option C (attached) as the preferred concept for the 118 interchange.

BACKGROUND

The Province of Nova Scotia is currently planning an interchange to service the Country View Lands on the west side of Highway 118. The project originally stems from a 1975 commitment by the Nova Scotia Department of Transportation and Public Works and the Country View Lands owners for access into their property as part of a 1971 Provincial land expropriation for the construction of Highway 118. Subsequently a number of studies by the former City of Dartmouth and HRM have also identified the interchange as a necessary aspect of the transportation network for Dartmouth North.

For HRM, the proposed 118 interchange into the Country View lands is a double edged sword. On one hand it represents an opportunity to help solve traffic and transportation issues in Burnside through the future extension of Wright Avenue. On the other hand the interchange, no matter which option is chosen or whether HRM even participates in its construction, will have negative impacts upon Shubie Park on the east side of the 118.

While Council has already demonstrated an understanding that the Province has an obligation to build the interchange, owing to the 1975 TPW commitment, it is important to understand the path that has led to the present situation and why it is prudent for HRM to be involved in its construction. To assist with this understanding a chronology is attached outlining the history of Shubie Park and the Country view properties and municipal involvement in the issue to date. (Attachment B).

From that understanding three elements emerge;

- 1) It was well known that an interchange would be required on the 118 eventually and this access was an objective of the Province, the Municipality and the Country View Lands owners.
- 2) The creation of Shubie Park as a regional open space and preservation of its heritage value was an objective of the Province and the Municipality.
- 3) The two preceding objectives have essentially been converging since 1971.

The Country View Lands are approximately 500 acres of lands located between Highway 111, Highway 118, and Burnside. In 1971 a strip of land through the property was expropriated by the Province to construct Highway 118. The construction of the highway divided the property leaving approximately 43 acres on the east side of the 118 and the balance on the west side. In exchange for the expropriated lands the Country View owners were assured in a letter dated December of 1975, that a future access would be provided by the Province, off of the 118 to service the Country View Lands when the owner wished to develop.

The Shubie Canal is a 156 km waterway stretching across the province from Halifax Harbour to Maitland. Shubie Park is approximately 270 acres of lands located along Mic Mac Lake and Lake Charles and surrounding the "Deep Cut" and Locks 2 and 3 of the canal. The park and waterway are

recognized under the Special Places Act as having heritage significance. Within the park the canal banks and locks as well as the Fairbanks Centre are owned by the Province of Nova Scotia and the remainder is owned by HRM. The Trans Canada Trail runs from the Dartmouth Waterfront along the lakes and through Shubie Park to the end of Lake Charles. This represents HRM's longest portion of active transportation trail built to date. In 1994 the 43 acres of Country View Lands on the east side of the 118 were expropriated by the former City of Dartmouth for inclusion into Shubie Park. The expropriation was settled in 1999 with HRM as the City of Dartmouth's successor.

Several studies by the City of Dartmouth HRM and the Province have identified the need for and recognized the obligation for an interchange located at the Country View Lands. These studies recommended the use of the proposed interchange to solve transportation issues in the area.

A ruling by the Utilities and Review Board, hearing the issue of compensation for the 43 acres of Country View Lands expropriated by the former City of Dartmouth, recognized that the obligation existed to service the Country View Lands (both sides of the 118) and that access would be in the form of an diamond interchange.

Most recently HRM and the Province had been engaged in a study to detail the siting of the interchange and extension of Wright Avenue (2003 CBCL Study) as part of the planning for the future expansion of Burnside and the eventual need to service the Country View Lands. At the time it was not anticipated that these details would be implemented until perhaps 2008/09 but were required to advance strategies for future planning of Burnside. Prior to completion of the CBCL study, North American Ltd. purchased the Country View Lands and requested that the Province service the lands in accordance with the 1975 commitment. This triggered the detailed examination of the impact of the interchange upon Shubie Park and the surrounding neighbourhood.

HRM staff determined that, even though the interchange into the Country View Lands was a provincial responsibility, HRM should be engaged in the detailed design and construction of the interchange to ensure that any solution would meet municipal objectives for any future Wright Avenue connection, and minimize any impact upon the park.

DISCUSSION

Interchange Location and Options

The interchange is to be located on the 118 near the present entrance into the Wheby pit. This is approximately half way between Highway 118 exit 13 into Akerley Boulevard and Highway 111 exit 4. It is also opposite the narrowest section of Shubie Park and is in close proximity to the canal. Other locations were examined in an attempt to move the interchange to an area opposite Shubie Park which would be less impacted; however, they did not meet safe distance requirements between the other two exits in the area. Other options examined in an effort to avoid conflict with Shubie Park include moving the existing 118 to the west, creation of a parallel collector road to the Country View Lands and an at grade entrance into the Country View Lands. Unfortunately, these were deemed to

be cost prohibitive, did not necessarily meet the servicing requirements, and or did not meet safety requirements. It was recognized by TPW that a standard interchange would not provide the necessary protection for Shubie Park.

A team consisting of TPW, HRM, and the Developer's consultant - EDM, prepared alignment options for the interchange to examine how to lessen the impact of the interchange upon Shubie Park. In developing options for the interchange two different approaches were employed to generate two different options. The first approach was that there should be no encroachment upon the park. The second was to integrate the interchange as best as possible with the park. These became Options A and B respectively. As well, the illegal parking within the highway right of way near the north end of Lake Mic Mac will be eliminated in order to accommodate necessary ramp construction.

Option A

Option A seeks to keep all construction and area of disturbance within the current TPW right of way and does not require HRM lands within Shubie Park. This option requires 6 to 7 metre retaining walls on both the highway side and the park side of the east access ramps. Three considerations are important to recognize in this option.

- 1) While Option A maintains the principle of no encroachment into the park, the high retaining walls required adjacent to the park are visually intrusive and would be difficult to hide from park users.
- 2) A substantial portion of the current buffer between the 118 and the nearest Shubie Park pathway is within the TPW right of way and would be occupied by the ramps and wall. Thus the treed buffer currently enjoyed between pathway users and the 118 highway would be reduced from 55 metres to 35 metres in Option A.
- 3) A multi-use trail connection across Highway 118 cannot be accommodated while maintaining the principle of no encroachment.

Option B

This option seeks to maintain a vegetated buffer between the access ramps and the nearest park pathway by creating natural treed slopes along the extent of the eastern ramp. The ability to bring the ramp into the parklands permits a bridge span and vehicle turning geometry which would allow an additional lane for a separated multi-use trail connection from the west side of the 118 to the park. The pedestrian and bicycle crossing will be lit and signalized to ensure user safety. The slopes then enable pedestrians to descend to the park through a series of accessible pathways. This option requires 4.45 acres of parkland. Two considerations are important to recognize in this option.

- 1) The intent of Option B is to integrate the interchange into the park through the use of a naturally vegetated slope and stone retaining walls of the historical type used in parts of the park and by creating a multi-use trail connection which links to proposed trails in the North American development and presents opportunities for active transportation trail connections to Burnside.

- 2) Option B does require a long triangular piece of land to accommodate the ramps and the slope into the park. This means that the area of disturbance reaches to the edge of the most westerly park pathway directly opposite the interchange's bridge structure.

Other Considerations

Both staff and the public expressed concerns throughout the process in regards to heritage, noise impact and run-off.

Heritage

The Shubenacadie Canal is a designated "Special Place" under the Provincial Special Places Act. An archeologist was employed to survey the potential areas of disturbance. Generally this is a highly disturbed area owing to the construction of the 118. The only find of significance was evidence of the dressing of local boulders found within a few hundred metres of the canal for use as building stone. As most of the stone from the canal was brought in from other quarries, evidently the masons used dressed local boulders found on the surface to include in the canal wall when a filler stone was required for construction. There exists a good number of partially processed stones and the pits of extracted boulders adjacent to the canal, into the area of disturbance for the interchange and onto the Country View Lands. The Canal Commission and the Nova Scotia Museum worked with the archeologist to develop a plan for the relocation of those stones within the disturbance zone and the preservation of those stones which are outside the zone. This plan will be filed with the Nova Scotia Museum to be part of the construction plan for the interchange and the management of the park.

Noise

A noise study was also conducted to determine the impact of the interchange on the park and the area residents. Basically, the findings demonstrated that the interchange would force sound, currently moving horizontally in the park from the highway, upwards; therefore, reducing highway noise. The proximity of the ramp would bring traffic nearer the park, therefore, causing an increase in sound from vehicles using the ramp. The overall effect, according to the Study, will be a net decrease in highway noise affecting the park and the residents behind the park.

Water Quality

Any construction and expansion of the highway has the potential to affect water quality of the adjacent lakes and park. Plans are to have run-off from the ramp flow back to the highway ditches before it flows to its present outfall at the lakes. Construction of the interchange will follow Nova Scotia Department of Environment and Labour guidelines for construction and storm water run-off.

Public Feedback

Options A and B were taken to the public to solicit feedback. Public consultation consisted of a meeting with the Shubie Canal Commission and the operator of the Shubie Campground. Meetings with the Save the Lakes Coalition, departmental staff from HRM and TPW. Finally, two public meetings were held at the Ramada Inn Thursday, December 9, 2004, and a public walk-about was held in Shubie Park on Saturday, December 11, 2004, to demonstrate the impact of the eastern ramp

on site. A website was maintained by TPW to provide information to the general public and calls were fielded jointly by TPW, HRM, and EDM staff. Feedback was received directly at all three meetings in both an open house and in a plenary format. As well, feedback sheets were handed out for comments and ideas.

Generally the feedback during the consultation was in favour of Option B over Option A. There were a few persons who felt that any encroachment into the park was against their principles and therefore option A was preferable. However, by-in large the concept of using slopes which, although they required park lands, could be naturally vegetated with native trees and provide pedestrian and bicycle access into the park was seen as the preferred direction if there had to be an interchange. Overwhelmingly the stakeholders groups and the general public did request that a third option be looked at which combined the benefits of Option B with the minimal footprint of Option A in an effort to minimize the impact on the park. This hybrid has become Option C.

Option C

The team worked with a representative from the Shubie Canal Commission and the Save the Lakes Coalition to detail Option C. By placing a half wall on the highway side of the east access ramp the paved surface of the ramp is completely pulled back into the TPW right of way. This leaves the gravel shoulder and screening berm within the park boundary but serves to pull the toe of slope back by 13 metres at its widest location. A full retaining wall was considered for the highway side however the costs and necessary changes on the roadway geometry were not seen as being worth the additional reduction in the toe of the slope. The naturally vegetated slopes and park access, multi-use trail across the 118 and trail parking area which are part of Option B are all included in Option C.

At this point Option C has been reviewed by the Shubenacadie Canal Commission and the Save the Lake Coalition. A public information open house was hosted by councillors Younger and Smith at Fairbanks Centre in Shubie Park on Wednesday January 12, 2005. The aim of the meeting was to present option C and give information to those persons who had not attended the previous public meetings. Over 200 persons attended the session over a three hour period.

At that session the public generally was afforded an opportunity to understand why the interchange was obliged to happen, why it would be located at this particular location, other solutions which had been explored, and details around Options A, B and C. The feedback which was received that night and in the few days after was that Option C was the preferred option if an interchange had to happen.

A group of concerned citizens has formed the "Save our Shubie" group and, through a petition, collected a substantial number of signatures of people who oppose any form of an interchange as all options impact the park to a degree.

BUDGET IMPLICATIONS

Cost estimates reveal that of the Option A is the most expensive with B being the least by \$1.5 million dollars overall. Option C as a hybrid falls in the middle of the two costing \$800,000 more than Option B.

A standard cost-sharing agreement will be prepared by the Province for Council approval that will outline the specifics of the project including final design and budget. The terms and conditions for any municipal land acquisition by the Province would be factored in. The standard cost sharing formula means that HRM will be responsible for a portion of the total cost of the interchange no matter which option is chosen. Any such cost-sharing agreement would be further contingent upon Council approval of funding from the 2005/06 Capital Budget.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES


- ▶ Council could choose Option A . This is not the recommended option for reasons stated above.
- ▶ Council could choose to not participate in the interchange. This would trigger Option A as the Province has indicated informally that they are not likely to expropriate any lands necessary to construct Options B or C. Studies indicate that eventually HRM will have to extend Wright Avenue in order to alleviate traffic issues in Burnside and to make other Burnside lands accessible for development. This will require modifications to the infrastructure which will result in additional costs over what is expected if HRM participates in the project now.
- ▶ Council could choose Option B with the understanding that option C is likely to be a more costly approach.

ATTACHMENTS

Attachment A - Area Map
Attachment B - Chronology of Events
Attachment C - Options A, B, and C

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by:


Peter Bigelow, Manager, Real Property Planning

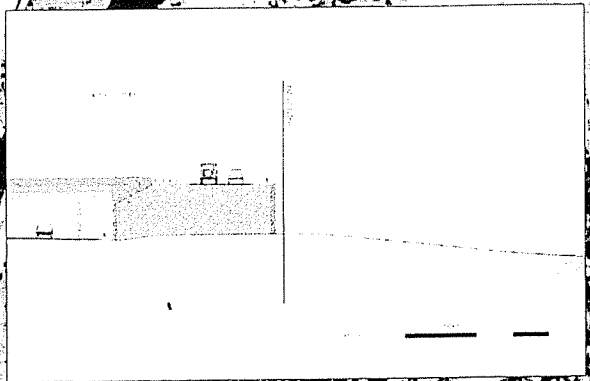
Report Approved by:

Mike Labrecque, Director, Real Property Asset Management/Acting Director



Option A
Retaining Walls

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Metres

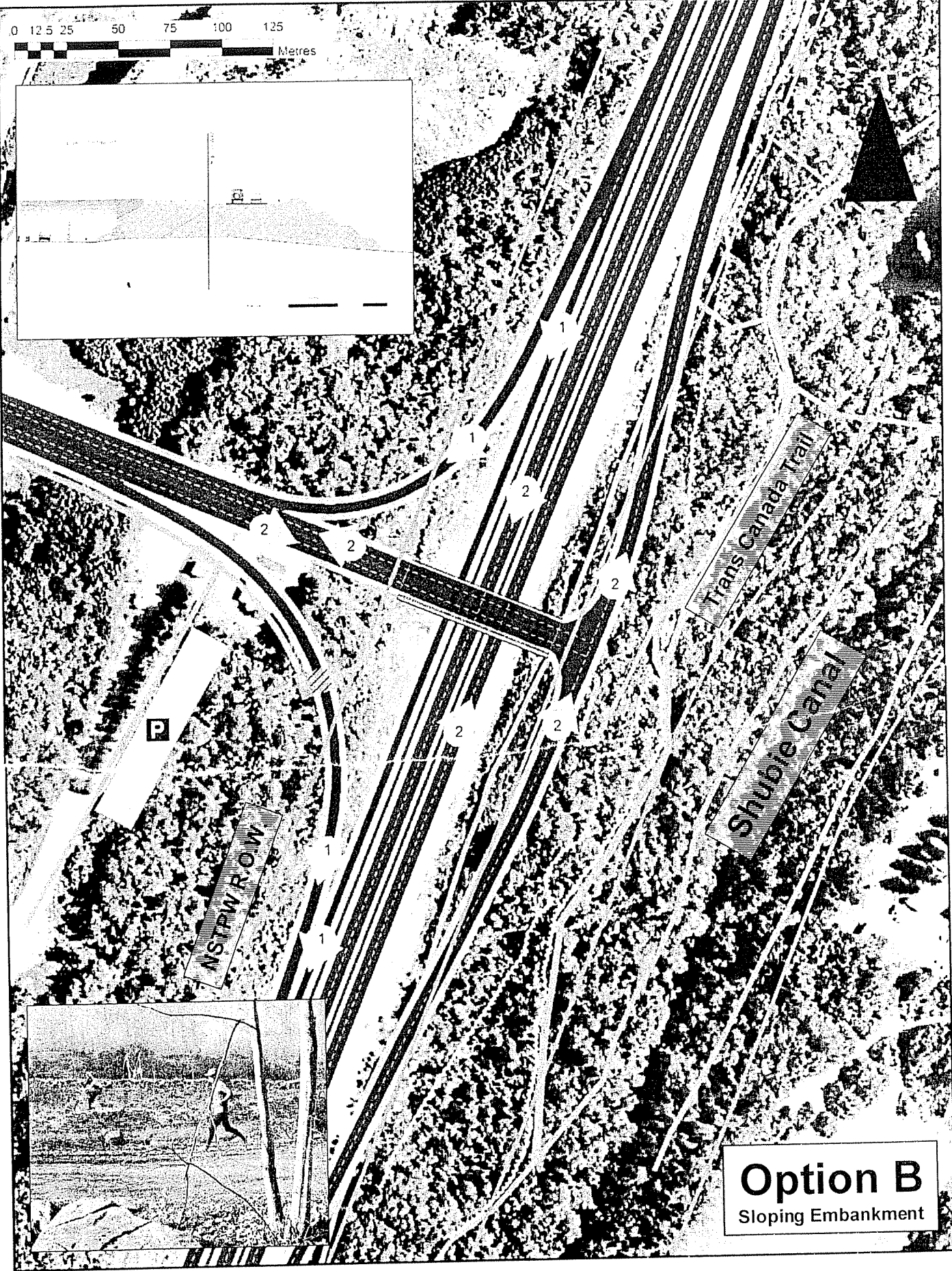
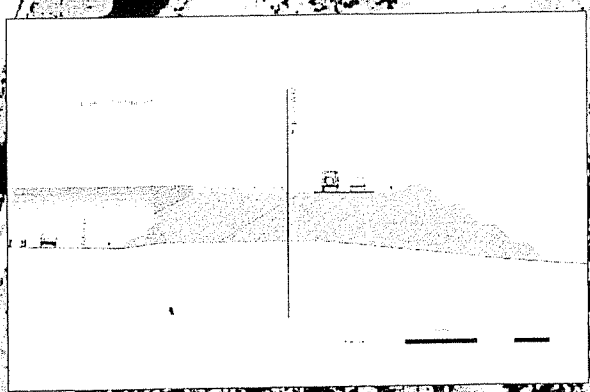
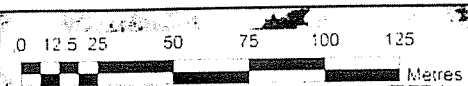


NSIPW ROW

Trans Canada Trail

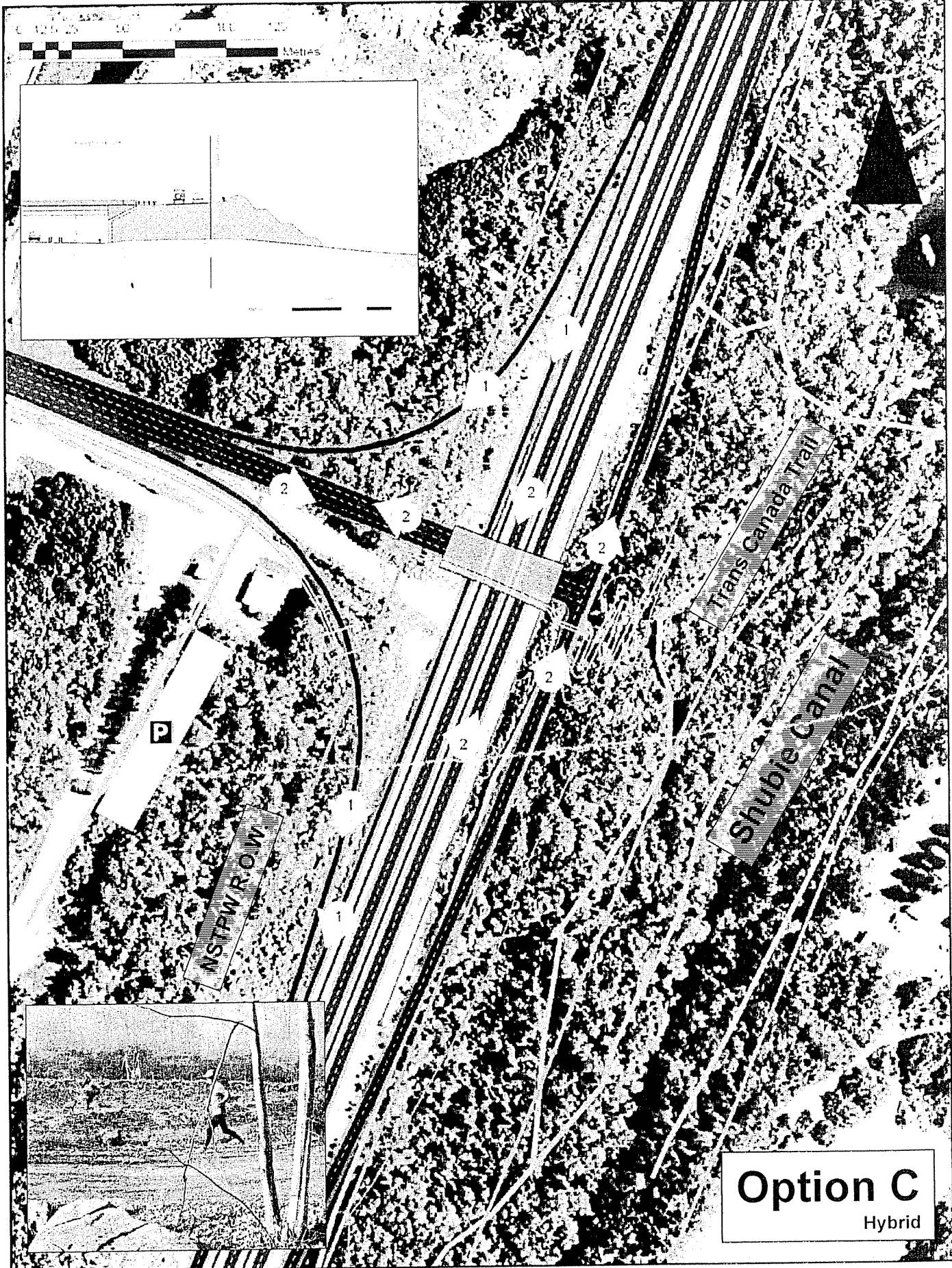
Shubie Canal





Option B
Sloping Embankment

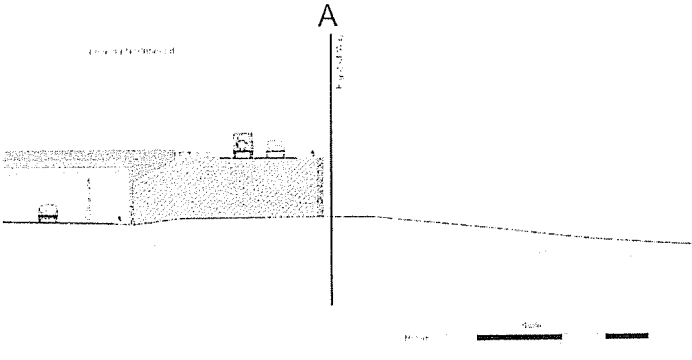
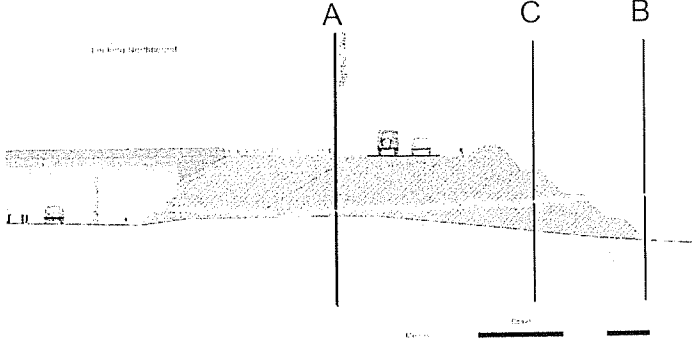
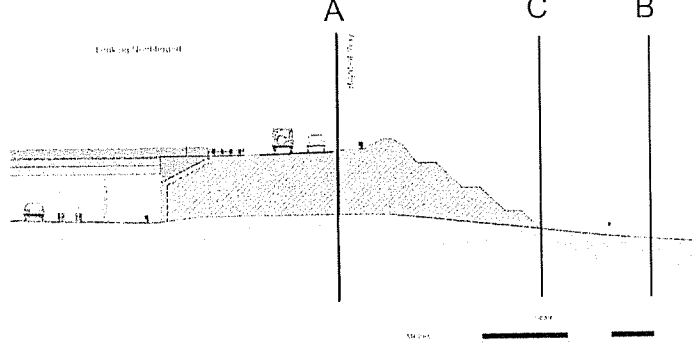




Option C
Hybrid

Chronology of Events relevant to the Highway 118 interchange and Shubie Park.

- 1750 – Founding of Dartmouth
- 1783 – First Royal land grant in Dartmouth from King George III of England to Royal Navy mast maker Samuel Greenwood (includes future Countryview lands and Shubie Canal lands).
- 1826 – Shubie Canal construction begins, construction halted 1834, 1854 canal construction restarts.
- 1861 – Shubie Canal officially opens.
- 1870 – Shubie Canal closes.
- 1953 – Quarry operations begin on the Countryview lands.
- 1959 – Country View Estates Limited established for future residential development of the land.
- 1964 – Moosehead brewery plant opens and beginning of the Burnside Industrial Park.
- 1970 – Dr. Alexander (A.) Murray MacKay Bridge opens.
- 1971 – Dartmouth Lakes Advisory Board formed in response to sedimentation from quarry operations on Countryview lands and construction around the lakes, including the Micmac Mall.
- 1971 – Metropolitan Area Planning Commission (MAPC) Regional Plan proposes the “Shubie Canal Lakes Regional Park” as a linear park through Dartmouth and the County of Halifax. Also identifies the alignment of Highway 118.
- 1971 – Provincial expropriation of Countryview land for construction of Highway 118.
- 1971 – Provincial expropriation of Shubie Canal land at Locks 2 & 3 for conservation of the canal.
- 1974 – Provincial expropriation of Countryview settled at the Expropriations Compensation Board, Province of Nova Scotia commits to provide future access to Countryview land.
- 1992 – Construction of Highway 107 Akerley Avenue Extension / Forest Hills Parkway.
- 1994 – City of Dartmouth North Dartmouth Study references ‘diamond interchange’ at Whebby Quarry entrance and recommends expropriation of the eastern parcel of the Countryview lands for Shubie Park. City of Dartmouth subsequently expropriates 43 acres of Countryview land for Shubie Park.
- 1996 – Province of Nova Scotia creates the Halifax Regional Municipality.
- 1999 – Halifax Regional Municipality settles Shubie Park expropriation with Country View Ltd.; NSURB decision references a diamond interchange midway between the two existing interchanges (Country View Estates Ltd. vs. City of Dartmouth).
- 1999 – Burnside Drive Traffic Study; Atlantic Road & Traffic Management Ltd. and Beasy Nicoll Engineering Limited, for Halifax Regional Municipality. Traffic modeling defines specific traffic generators that trigger the need for the Wright Avenue / 118 Interchange.
- 2000 – Province of Nova Scotia creates the Shubie Canal Commission.
- 2001 – Burnside Industrial Park, Major Routes Traffic Access Study Dartmouth; SNC Lavalin, Transpro Systems & Services Ltd., LEA Consultants, for Halifax Regional Municipality. The study confirms the 1999 results regarding the timing and the need for the Burnside interchange on Highway 118.
- 2004 – Wright Avenue Extension and Highway 118 Interchange – Preliminary Location and Design Study; CBCL Consulting Engineers for Halifax Regional Municipality and Nova Scotia Department of Transportation and Public Works.
- 2004 – HRM opens the Wright Avenue Extension across Burnside Drive.
- 2004 – Wright Avenue Extension and Highway 118 Interchange Traffic & Functional Design Review – Burnside Business Park and Countryview Centre; BA Group Transportation Consultants for North American.
- 2004 – Countryview lands sold to North American (Dartmouth Crossings Limited).

	Total permanent encroachment on Shubie Park	Total temporary encroachment on Shubie Park during construction	Max. distance between highway ROW and edge of embankment slope
<p>Option A</p> 	0 acres	0 acres	0 metres
<p>Option B</p> 	4.2 acres	0.25 acres	36 metres
<p>Option C</p> 	2.5 acres	0.25 acres	23 metres