

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

> Item No. 1 Halifax Regional Council January 14, 2014

TO:	Mayor Savage and Members of Halifax Regional Council
	Original Signed by Director
SUBMITTED BY:	
	Jane Fraser, Director of Planning and Infrastructure
DATE:	August 29, 2013
SUBJECT:	Rural Road Standard – Non-substantive Amendment to Development Agreement for Multi-Purpose Trail – Seven Lakes, Porters Lake

## **INFORMATION REPORT**

### <u>ORIGIN</u>

Motion approved at the June 25, 2013, meeting of Halifax Regional Council that Harbour East Marine Drive Community Council request that Regional Council direct staff to consider a new rural road standard to include the proposed multi-purpose trail for future consideration as a non-substantive amendment to the development agreement.

# **LEGISLATIVE AUTHORITY**

- Halifax Regional Municipality Charter, Part IX, Subdivision, Section 290 (1)
- Halifax Regional Subdivision By-Law, Section 23

# BACKGROUND

Harbour East Community Council has approved a proposed development agreement (Case 17463) to allow for a Classic Open Space Design development in Porters Lake. The proposed development includes a multi-use trail from Alps Road to Conrod Settlement Road within the public road right-of-way. Since the latest edition of HRM's Municipal Design Guidelines does not contemplate a multi-use trail within a rural road public right-of-way, HRM Council has directed staff to consider a new rural road standard to include the proposed multi-use trail for future consideration as a non-substantive amendment to the development agreement.

#### DISCUSSION

The Regional Subdivision By-Law requires that the design of all public streets and highways within a subdivision be approved by an Engineer.

The HRM Municipal Design Guidelines set the minimum design and construction standards for all new public roads and streets constructed within the municipality, and are intended to be a uniform basis on which to review designs. The design guidelines cover the more common situations encountered by designers and they provide for variations to be approved by the Engineer, provided that factors such as safety, maintenance, operational, and environmental issues are considered.

With regard to a multi-use trail, the design guidelines contain three options (see attachments) to accommodate a 1.5 metre wide concrete sidewalk within the public right-of-way of a rural road. The provision of a 3 metre wide asphalt multi-use trail, within the road right-of-way, can be considered as a variance to the Municipal Design Guidelines and approved by the Engineer as described above. A multi-use trail of 3 meters can be used in each option but with an asphalt surface versus concrete, and an additional minimum right-of-way of 1.5 meters must be provided. This practise of providing an asphalt surface in lieu of concrete, to accommodate multiple uses, is often used in urban areas.

The developer must submit the request in writing. No specific action of Council is required to develop a new rural road standard. As is the case with any submission, special conditions may be required depending on the circumstances and details of the design.

If the multi-use trail is approved as an amendment to the development agreement, service standards for winter maintenance will need to be approved. The development is located in the Rural Tax Designation and, under the current tax policy, a separate area rate would be required to pay for the maintenance and renewal of rural sidewalks.

#### FINANCIAL IMPLICATIONS

A multi-use trail within public road right-of-way will have to be maintained by HRM. If the non-substantive amendment to the development agreement is approved, increased funding would be required in TPW's annual operating budget for Municipal Ops to support the new service standard.

#### **COMMUNITY ENGAGEMENT**

The multi-use trail was presented at the Public Information Meeting held by the developer as part of their public parkland dedication. The community engagement process is consistent with the intent of the Community Engagement Strategy.

### **ATTACHMENTS**

Attachment A:	HRM 45 Rural Type 1 Sidewalk
Attachment B:	HRM 46 Rural Type II Sidewalk
Attachment C:	HRM 47 Rural Type III Sidewalk

A copy of this report can be obtained online at http://www.halifax.ca/council/agendasc/cagenda.html then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by:	Paul Burgess, M.Eng., P.Eng., Program Engineer
	ned
Report Approved by:	Sign
	Peter Duncan, Manager, Infrastructure, 490-5449
Business Unit Approval	Oright
	David Hubley, Acting Director, Transportation and Public Works, 490-4855





