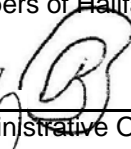


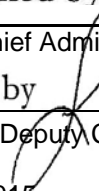


P.O. Box 1749  
Halifax, Nova Scotia  
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**Item No. 8.1**  
**Halifax Regional Council**  
**October 6, 2015**

**TO:** Mayor Savage and Members of Halifax Regional Council

**SUBMITTED BY:** Original signed by   
Richard Butts, Chief Administrative Officer

Original Signed by   
Mike Labrecque, Deputy Chief Administrative Officer

**DATE:** September 21, 2015

**SUBJECT:** Off-site Parkland Dedication Request – Marsh Lake Lands, Bedford

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#### **SUPPLEMENTARY REPORT**

##### **ORIGIN**

- Request by Armco Capital Inc.
- Order M06387 from the NS Utility and Review Board dated December 23, 2014
- August 4, 2015 motion of Regional Council requesting additional information

##### **LEGISLATIVE AUTHORITY**

Halifax Regional Municipality Charter:

Subsection 283(2) – “Where a subdivision by-law provides for the transfer to the Municipality of useable land, the applicant may provide land, equivalent value or a combination of land and equivalent value equal to the amount of the transfer required by the subdivision by-law.”

Subsection 283(11) – “An applicant may, with the approval of the Council, convey to the Municipality an area of land in the Municipality of equal value outside the area being subdivided, in lieu of land in the subdivision.”

##### **RECOMMENDATION**

It is recommended that Regional Council accept the transfer of the Marsh Lake lands as shown on Map 1 of this report as public parkland with a value of \$1,620,000, for the benefit of Armco Capital Inc. and its affiliates, as lands of equal value outside the area being subdivided, for their various subdivision application requests.

## **BACKGROUND**

On August 4, 2015, Regional Council debated the request by Armco Capital Inc. to accept the transfer of the Marsh Lake lands in Bedford as public parkland for its various subdivision developments throughout the Municipality, instead of providing the cash-in-lieu of land payments as would ordinarily be required. Such an arrangement may be authorized with the permission of Regional Council in accordance with the provisions of the HRM Charter. Through their debate on the request, Council deferred a decision on the matter and passed the following motion:

*“This matter was deferred pending verification by staff that, with regard to the Armco subdivision “Indigo Shores”, the parkland dedication for McCabe Lake is sufficient for a boat launch and beach.”*

## **DISCUSSION**

As noted in the June 8, 2015 staff report<sup>1</sup> on this item, Armco Capital Inc. has a number of active subdivision applications on file throughout the Municipality where park dedications in the form of cash-in-lieu of land are required. Armco may proceed with approval of some or all of these applications at the present time based on their business needs. In the case of the Indigo Shores project, a cash-in-lieu of land dedication in the amount of approximately \$100,000 is required in addition to the six parcels of land within the subdivision (Map 2) that are proposed to be dedicated to HRM for park purposes. Three of the parcels have water frontage and will provide public access to McCabe Lake. Rather than provide the cash-in-lieu of land dedication, Armco will complete site improvements of equivalent value to develop one of the waterfront parcels.

Further to Council's motion, staff met with Councillor Johns to provide an overview of the park dedication for the Indigo Shores project and also conducted further site visits to examine the suitability of the waterfront parcels to accommodate a boat launch and beach. Staff advises that Site B as shown on Map 2 offers the highest potential for an active waterfront park. The smaller park parcel opposite the island (Site E) has some potential as a trailered boat launch; however staff had not contemplated McCabe Lake for a motorized boat launch due to its shallowness and lake type. Any creation of a motorized launch at this site would be subject to further investigation owing to the nature of the lake itself. Lake access for swimming is possible here on an informal basis.

Based on site conditions, Site B has good potential as a local public swimming area and high potential as a canoe/kayak “put-in” owing to its size, long shoreline (approx. 700 ft), proximity to the open lake and a 3 kilometers of still water on the Upper Sackville River. This site is not recommended for a motorized boat launch given the long distance from the public road to the shore and the presence of sensitive areas along the shore and still water. Staff also do not recommend the site for a conventional beach type development due to the lake's properties, however, the site is very likely suitable to be developed with a boardwalk and floating dock for access and swimming purposes. A sensitive site design will be necessary to ensure protection of flood prone areas. This site also has potential for aquatics programming (i.e., HRM Learn to Swim) if additional improvements are provided. Through the design process to come, a more detailed assessment of the site will be necessary and involve additional water quality testing, to determine the suitability of the lake for any HRM aquatic program. A preliminary site design prepared by staff for the purposes of this discussion has identified that the development of Site B by the developer would likely include the following features:

- a small boat access (for canoe/ kayak/ small fishing boats) and swimming area capable of supporting a learn to swim program and guarded swimming for local residents;
- an access road and parking area;
- a put-in dock;
- an access trail and short boardwalk;
- a shore-based swimming platform and lifeguard station; and
- a changing stall.

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<sup>1</sup> See Staff Report on this item at: <http://www.halifax.ca/council/agendasc/documents/150804ca1114.pdf>

As park Site B is in a future phase of the development, a detailed site design has not been yet been prepared but would need to be provided by the developer prior to construction. Additionally, by the time the site is developed, the \$100,000 value of the required site improvements is expected to increase due to the higher property assessment values that are likely to be in effect then. Staff estimates that the value to be provided would be sufficient to cover the cost of these improvements.

### **Conclusion**

While the Indigo Shores project was not one of the subdivision applications where Armco had proposed the value of the Marsh Lake lands be applied instead of providing a cash-in-lieu of land dedication, staff advise that the parkland dedication for this subdivision is sufficient to be developed with a swimming area and canoe/kayak put-in facility for that local subdivision and the wider community. Armco will undertake improvements to park Site B as generally described above and subject to a detailed site design, prior to HRM's acceptance of lands for public park purposes.

In keeping with the policies of the Regional Plan, the Marsh Lake lands are highly desired for regional park purposes. In consideration of the request by Armco Capital Inc. and the December 2014 Order of the NS Utility and Review Board, staff recommend that Regional Council accept the transfer of the Marsh Lake lands as public parkland with a value of \$1,620,000.

### **FINANCIAL IMPLICATIONS**

There are no long term financial implications. The request is based on an equal value transfer, lands required for future HRM parkland in exchange for a cash-in-lieu-of-land credit.

### **COMMUNITY ENGAGEMENT**

At the September 15, 2014 meeting of North West Community Council, a petition was received from the Sandy Lake Conservation Association supporting that the Municipality expand the park lands surrounding Marsh Lake and Sandy Lake to create a regional park and wilderness area. Staff responded with an Information Report to Community Council indicating that planning and land acquisitions for the Regional Park were continuing.

### **ENVIRONMENTAL IMPLICATIONS**

This land will serve as a positive move to protect and preserve high value ecological lands associated with the Sackville River Corridor.

### **ALTERNATIVES**

Regional Council may choose to refuse to accept the transfer of the Marsh Lake lands as equal value park lands outside the areas of land being subdivided by Armco or its affiliates. Should this be the case, Armco will be required to provide payments of cash-in-lieu of land to HRM prior to receiving approval of their subdivision applications.

### **ATTACHMENTS**

- Map 1 Marsh Lake lands, Bedford
- Map 2 Indigo Shores Subdivision Park Sites

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by:

\_\_\_\_\_  
Kelly Denty, Manager, Development Approvals, 902.490.4800

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Peter Bigelow, Manager, Policy & Planning, Parks, 902.490.6047

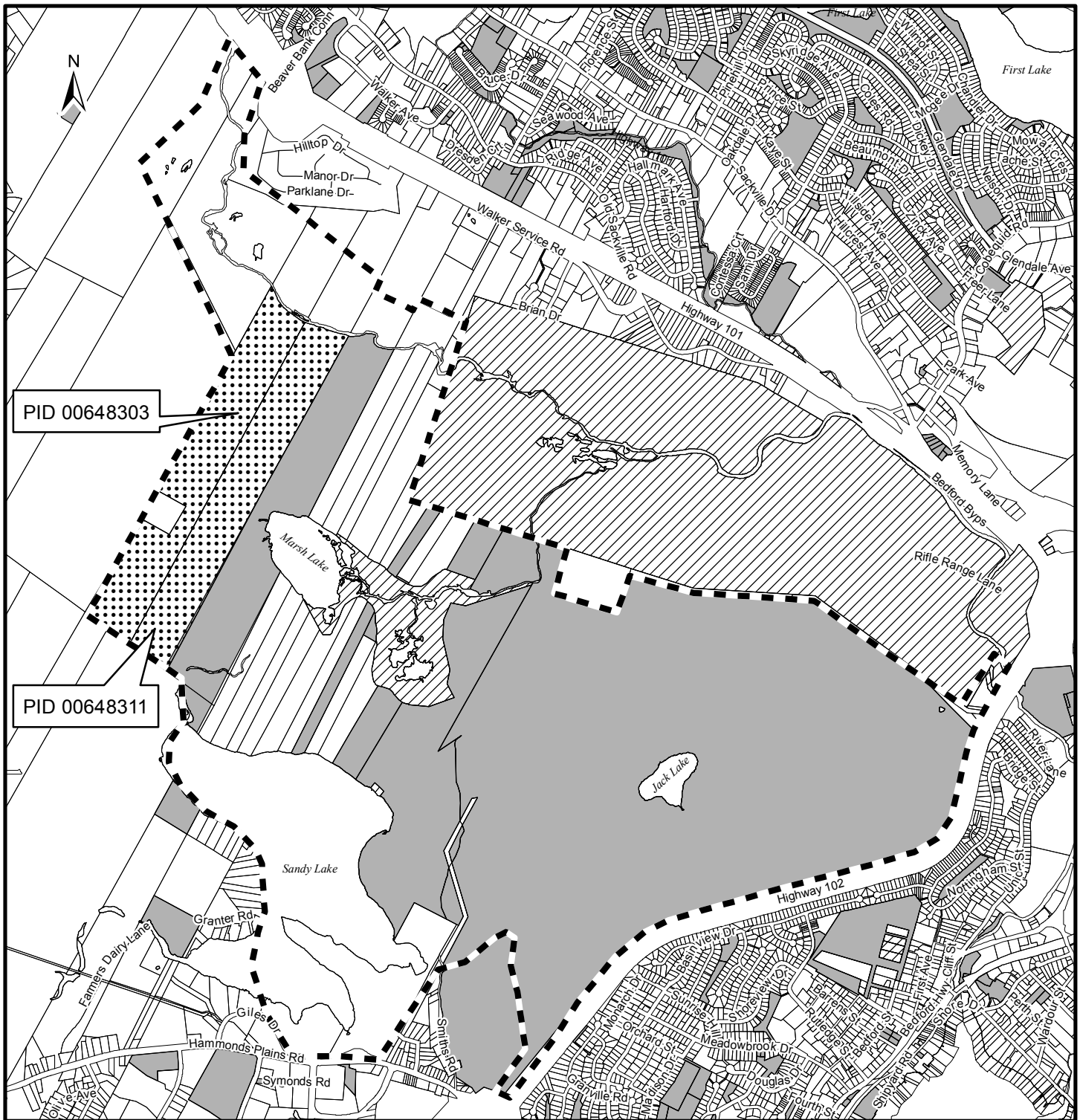
Report Approved by:

\_\_\_\_\_  
Bob Bjerke, Chief Planner and Director, Planning & Development, 902.490.1627

Report Approved by:





\_\_\_\_\_  
Brad Anguish, Director, Parks & Recreation, 902.490.4933

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## Map 1 - Marsh Lake Lands, Bedford

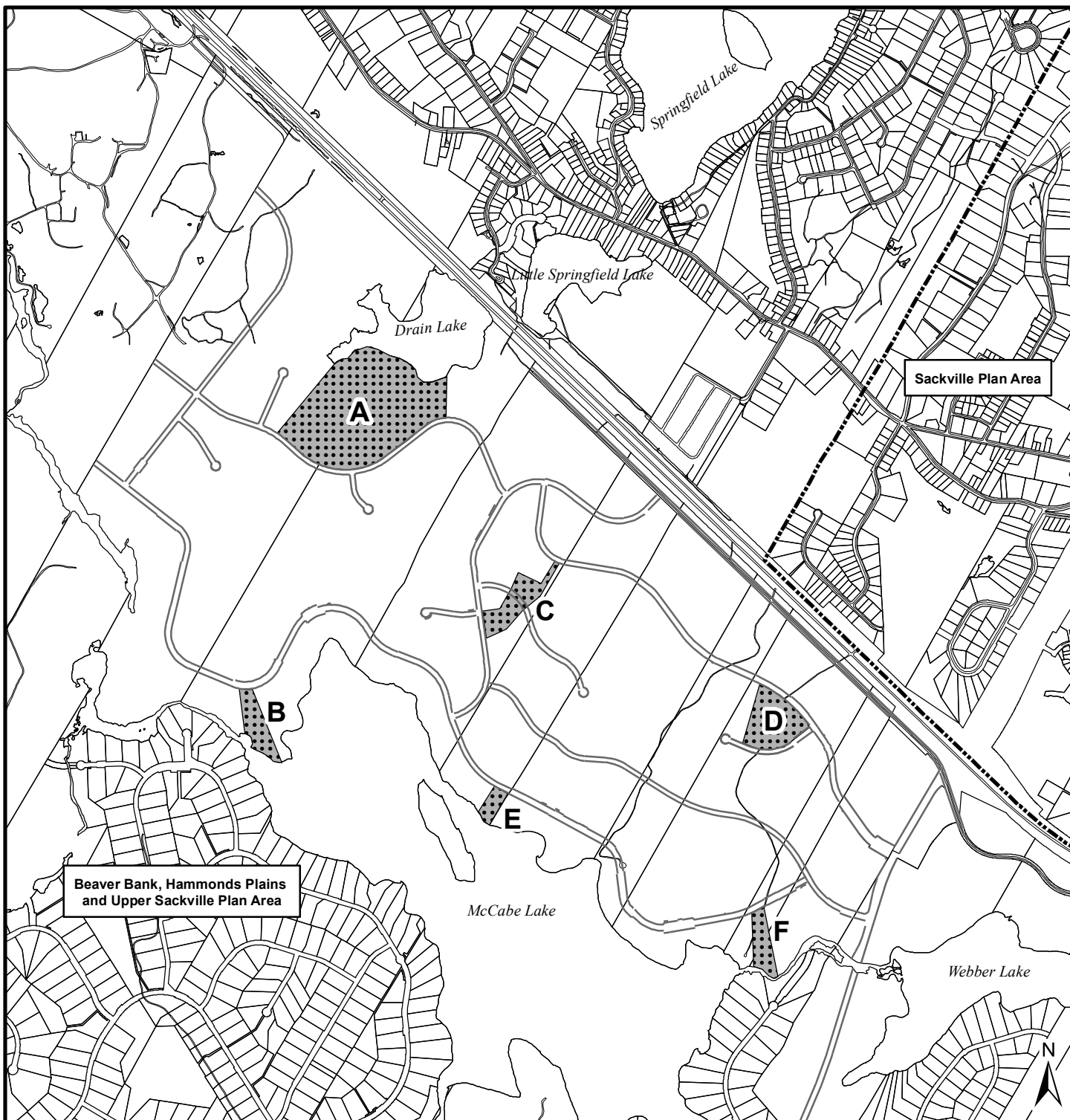
**HALIFAX**

-  Subject Properties
-  HRM Owned Parcels
-  Federal Government Owned Parcels
-  Conceptual Boundary of the Jack's Lake Regional Park

Bedford  
Plan Area

0 200 400 600 800 m


The accuracy of any representation on this plan is not guaranteed.



**Map 2 - Indigo Shores Subdivision Park Sites**

**HALIFAX**

 Park Sites (A - F)

 Plan Area Boundary

Beaver Bank, Hammonds Plains  
and Upper Sackville and  
Sackville Plan Area

0 200 400 600 800 m



This map is an unofficial reproduction of  
a portion of the plan areas indicated.

The accuracy of any representation on  
this plan is not guaranteed.