

HALIFAX

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

Item No. 14.3.1
Halifax Regional Council
May 10, 2016

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original Signed
Councillor Steve Adams, Chair, Halifax and West Community Council

DATE: April 20, 2016

SUBJECT: Safe Waterfront Access, PID 00560789

ORIGIN

Motion passed by the Halifax and West Community Council at the April 19, 2016 meeting.

LEGISLATIVE AUTHORITY

HRM Charter, Part 1, Clause 25(e) – “The powers and duties of a Community Council include making recommendations to the Council respecting any matter intended to improve conditions in the community...”

RECOMMENDATION

The Halifax and West Community Council recommends that Halifax Regional Council direct staff to retain the roadside property at PID#00560789 for its scenic values for users of Highway #333 and the community and not designate the site as safe water access to Prospect Bay.

BACKGROUND

A staff information report dated April 11, 2016 regarding safe waterfront access at PID 00560789 was before the Halifax and West Community Council at the meeting held on April 19, 2016.

DISCUSSION

The Halifax and West Community Council held a brief discussion of the matter, with members suggesting that the property may offer opportunities for other recreational activities. The Community Council passed a motion to approve the staff recommendation.

FINANCIAL IMPLICATIONS

Financial implications are outlined in the April 11, 2016 staff report.

RISK CONSIDERATION

None identified.

COMMUNITY ENGAGEMENT

The Halifax and West Community Council consists of six duly elected members of Regional Council. Meetings are open to the public; agendas and reports are posted online.

ENVIRONMENTAL IMPLICATIONS

Not applicable.

ALTERNATIVES

The Committee did not provide alternatives. An alternative is identified in the staff report dated April 11, 2016.

ATTACHMENTS

Attachment 1: Staff report dated April 11, 2016

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: Phoebe Rai, Legislative Assistant, Municipal Clerk's Office, 902.490.6732



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

Item No. 13.1.3
Halifax and West Community Council
April 19, 2016

TO: Chair and Members of Halifax and West Community Council

Original Signed

SUBMITTED BY: _____
Brad Anguish, Director, Parks and Recreation

DATE: April 11, 2016

SUBJECT: Safe Waterfront Access, PID 00560789

ORIGIN

May 13, 2013 Halifax and West Community Council motion:

Moved by Councillor Adams, seconded by Councillor Watts that Halifax & West Community Council request staff, in consultation with local residents and the Department of Transportation, prepare report exploring the possibility, and safety implications, of opening HRM property PID 00560789 on the Prospect Road for public waterfront access.

MOTION PUT AND PASSED

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter

Section 61 (1) The Municipality may acquire and own property granted or conveyed to the Municipality either absolutely or in trust for a public or charitable purpose.

(3) The property vested in the Municipality, absolutely or in trust, is under the exclusive management and control of the Council, unless an Act of the Legislature provides otherwise.

(5) The Municipality may (a) acquire property, including property outside the Municipality, that the Municipality requires for its purposes or for the use of the public; (b) sell property at market value when the property is no longer required for the purposes of the Municipality;

Section 79 (1) The Council may expend money required by the Municipality for;

(k) recreational programs; (x) lands and buildings required for a municipal purpose; (ah) playgrounds, trails, including trails developed, operated or maintained pursuant to an agreement made under clause 82(c), bicycle paths, swimming pools, ice arenas and other recreational facilities;(ai) public grounds, squares, halls, museums, parks, tourist information centres and community centres.

RECOMMENDATION

It is recommended that Halifax and West Community Council recommend that Regional Council direct staff to retain the roadside property at PID#00560789 for its scenic values for users of Highway #333 and the community and not designate the site as safe water access to Prospect Bay.

BACKGROUND

Prospect Bay is a 7 km narrow water body extending from the Prospect River at Whites Lake to the Atlantic Ocean at the Village of Prospect. It is representative of the deep granite coves along the Atlantic shoreline of southwest Nova Scotia. The Bay is used by boaters and sea kayakers. Approximately 25% of the shore of the bay is owned by the Province of Nova Scotia and is in a natural condition.

The subject property is located at 3408 Prospect Road on Highway #333. It is a narrow lot approximately 92 meters long by 16 meters wide. It is bounded by the Prospect Bay shoreline along the south boundary and Highway #333 on the north boundary (See Attachment 1). A driveway easement leading to a residential property to the east encumbers the property. The property predominantly consists of steep slopes of 20% to 30% across the lot's width from highway to shoreline. A small flat area exists at the west end of the property at water level and is subject to periodic tidal flooding. The highway has a minimal shoulder at the location and then slopes away quickly. The height of land affords users of Highway #333 an impressive view of Prospect Bay. This is one of a series of views which give the #333 and community the picturesque quality for which the South Shore is known.

The local community consists of approximately 210 residents within a 10 minute walk time and 1200 residents within a 10 minute drive time. A few local residents are mooring small boats off the shore and are using the property as access. A rudimentary non-HRM, boat stage has been built on the site for use as a haul-out. HRM does not conduct maintenance on this property. At the May 13, 2013 meeting, Halifax and West Community Council requested a staff report on expanding the use of this site as a public waterfront access.

DISCUSSION

Suitability as Public Water Access

With the steep slopes at the site, access to the shoreline is prohibitive. Extensive destruction of the site and construction of retaining walls would be required to provide vehicle access to even a minimum standard. That would involve tight switchbacks, raising and extending the area at the slope bottom into the ocean with a seawall. Even with that amount of construction, there would minimal room for turning at the bottom and no room at the top. Further, there is no room at the top of the slope for a pull-off. The shoulder widens enough for one or two vehicles on the property to the north, however, it is still too narrow and unsafe to be considered for a public pull-off.

Pedestrian access would be less problematic as there is a rudimentary path on the site. However, only boats capable of being carried could be launched at the location due to the other site constraints. Swimming is also challenging at this spot although not impossible. The site has large boulders on the shoreline and bottom from the outwash associated with the Prospect River.

The site's location on a turn is also concerning from a site distance consideration. For those travelling from the east, there is less than 80 m stopping distance upon first visual contact of an emerging or turning vehicle. Based on the proximity of the turn and observed highway speeds, entrance and egress would be dangerous along the length of the property.

Consultation with provincial Transportation and Infrastructure Renewal staff has confirmed that this is not a suitable location for a safe public access. Therefore, HRM should not be encouraging activities on a busy rural highway with tight turns at rural highway speeds and a narrow shoulder.

Visual Access

As mentioned, this property affords good scenic access to Prospect Bay. While it is one of a series of views from the highway to the ocean, this is the first point of contact with the ocean for those travelling east from the urban areas to destinations along the South Shore, including Peggy's Cove. It also provides views of the estuary of the Prospect River for those travelling west. Public consultation under the Halifax Green Network Plan has highlighted the high public value that citizens place on such views as character and identity for themselves and their community. Therefore, this site should continue to be preserved and

managed for those values.

Alternatives

While there are significant safety concerns related to the use of the proposed site as a public waterfront access, there are other potential options for water access in the area including:

- An alternative but rudimentary boat access exists at Bayside (on Shad Bay) less than 4km from this site.
- Staff has also identified lands on Prospect Bay which may be subject to future residential conservation subdivision development. These lands would offer better and safer public access to Prospect Bay for swimming and boating. Access from those lands may be able to be explored as part of parkland donation through any subdivision process.
- Staff is also exploring the feasibility of reopening a former community swimming beach at nearby Fourth Lake.

The configuration of the site limits its effectiveness as a public waterfront access. More importantly, its configuration and location would create significant safety concerns and as a result, it is not recommended as a public access point. The site does, however, have important value for scenic views and should continue in that format

FINANCIAL IMPLICATIONS

There are no immediate financial implications associated with the approach recommended in this report.

Direction by Council to provide public access to Prospect Bay at this property would require substantial engineering and construction. Engineering design to produce Class B cost estimates would be required prior to consideration of Council for budget approval purposes.

COMMUNITY ENGAGEMENT

The Halifax Green Network Public Consultation identified this roadway as a scenic route important to residents and the economic benefits of tourism.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with the recommendations of this report.

ALTERNATIVES

Alternative 1: Halifax and West Community Council could recommend that Regional Council direct staff to provide safe public access at this site.

ATTACHMENTS

Attachment 1: Site Plan

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: Peter Bigelow, Manager Policy and Planning. Parks and Recreation
902.476.4016



PROSPECT RD

PID 00560789

Shad Bay

Subject Parcel PID 00560789

Property Boundaries

HALIFAX

0 20 40
Meters