

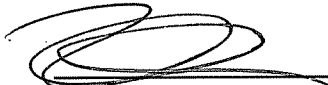


PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

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Halifax Regional Council
February 14, 2006

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: 
Peter Stickings, Acting Director, Real Property and Asset Management

DATE: February 6, 2006

SUBJECT: First Lake Trail Development

INFORMATION REPORT

ORIGIN:

A petition was presented to Council from residents of First Lake opposed to trail development on public lands as well as a letter from the Friends of First Lake supporting the trail development initiatives.

BACKGROUND:

The Friends of First Lake have been involved with HRM's Regional Trails Program for the past three years. Over this period the volunteer trail group has met on a regular basis regarding the First Lake Trail, sent representatives to the monthly Halifax Regional Trails Advisory Team meetings and demonstrated due diligence in terms of public consultation with a well-attended open house. The group completed a detailed proposal for Council funds in 2005/06 and initiated concept planning and design. Their concept for the trail is based on sound active transportation, environmental, recreation and Parks and Open Space principles. (See Appendix A, letter from the Friends of First Lake to the Concerned Residents of First Lake)

The greenbelt around First Lake is a significant open space resource. Historically it is a result of the Community Development Planning process for the Provincial Residential Land Assembly for Lower Sackville. The greenbelt or park area varies in width from one hundred metres to several hundred metres and incorporates over two thirds of the entire lakeshore. From a regional perspective it is considered a significant parks and open space element in the rapidly evolving Sackville Drumlins landscape. According to a Housing Commission planner at the time, the greenbelt evolved in a phased approach and was originally zoned Community Facility Zone. During this phased approach, several major community buildings were constructed within its boundaries including, a major high school, sports stadium, fire hall, gymnastic's club house, rink and canoe club. The greenbelt also incorporates a major beach park and ballfields. All of these built facilities and active play areas are currently connected with an informal undeveloped trail which essentially circles the lakeshore.

The concept plan for the trail is to plan, design and upgrade this informal trail to a standard that would permit the widest possible range of active transportation and recreational uses. Enhancing and linking the high school and other community facilities to the surrounding residential areas is also a key objective of the multi-use trail.

Currently the Friends of First Lake have been allocated \$50,000 from HRM Capital Accounts within the 2005/06 Regional trails budget and are requesting another \$50,000 from the 2006/07 budget. This is under review at the staff level and will be addressed as part of the budget review process.

DISCUSSION:

As indicated in the attached appendix correspondence, the greatest resistance to developing the trail is from adjacent landowners. These residents have had historically unfettered access to the lakeshore over public land. They have legitimate environmental concerns regarding the lake, particularly relating to water quality and are concerned about increasing public access in the proximity of their homes. All of these are valid concerns and need to be addressed. For the purposes of this report, the attached letter from the Friends of First Lake addresses each one of these concerns/issues from a community trail perspective.

It is staff's position to continue to support the Friends of First Lake in their goal to upgrade the First Lake Trail. In the community trail development model the next planning phase is to complete a detailed assessment and design. It is only through this process that many of the questions and concerns of the adjacent residents can be appropriately addressed. An important component of the assessment will be a CPTED Audit, (Crime Prevention Through Environmental Design), completed by the HRM Community Response Team. At a regional and community level, staff feel there is overwhelming support for the increased mobility, connectivity and enjoyment the multi-use trail will provide.

BUDGET IMPLICATIONS

There are no specific budget implications unless Council directs staff to not support the Friends of First Lake build the First Lake Trail, based on the information provided.

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.

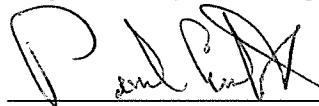
ALTERNATIVES

NA

ATTACHMENTS- January 5, 2006 letter from Bob Taylor to Bob Harvey, subject, Petition rebuttal, January 8, 2006.

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

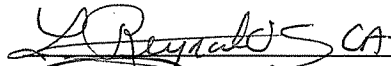
Report Prepared by :



Paul Euloth, Regional Trails Coordinator, RPAM

490-4415

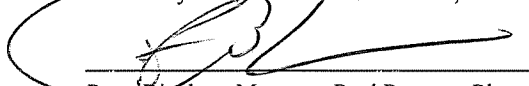
Financial Review by:



Leslie Reynolds, Financial Consultant, RPAM

490-6902

Report Approved by :



Peter Bigelow, Manager, Real Property Planning, RPAM

490-6047

Paul Euloth - Petition rebuttal Jan 8 06.1 (1)

From: Bob Taylor <taylorro@accesswave.ca>
To: Bob Harvey <harveyb@region.halifax.ns.ca>
Date: 09/01/2006 5:05 pm
Subject: Petition rebuttal Jan 8 06.1 (1)
CC: Paul Euloth <eulothp@halifax.ca>, Don Ambler <hrtat@eastlink.ca>

January 5, 2006

To Whom It May Concern

Re: First Lake Trail Upgrading Program

This letter is in response to a letter dated December 7, 2005 and its accompanying list of issues and petition. The letter was addressed to "Friends of First Lake" and signed "Concerned Residents of First Lake".

The Friends of First Lake Society was formally established in 1995 by a group of community members who were concerned about the quality of the lake, its shoreline and the surrounding public lands that provide public lake access. The group's endeavours over the past ten years have been focused on protection of the natural asset the lake provides to the community and enhancing the access to that asset for the general public. A significant part of FOFL agenda has been related to securing the long-term public rights to the natural spaces bordering the lake and to providing safe and convenient public access to those spaces by means of trail system that is appropriate to the environment.

In the early 1990's, a rudimentary trail was established along the shores of the lake on the public lands (owned by HRM and the Province) from the Sac-A-Wa Canoe Club to Sucker Brook as well as behind the residences of Johnston Crescent. The trail was later upgraded by Glen Slaunwhite, a resident of the area, with the assistance of inmates from the Sackville Correctional Centre. Much of the trail was located on top of the natural berm that borders and protects the lake or alongside natural wet areas. As a result of significant usage of the trail by local residents over the last 15 plus years, the trail now consists of many areas of exposed tree roots, washed out stream crossings and wet sections. The trail is suitable for use only by the fit and determined.

The Friends of First Lake have been labouring for several years to develop a trail plan and acquire funding in order to improve the quality of the existing trails on behalf of the significant community that surrounds the lake without the benefit of having convenient access to it. These efforts have resulted in the commissioning of a trail study that has established a conceptual plan and high-level budgetary parameters and the securing of \$50,000 of funding from HRM's trail development program.

Unfortunately, our endeavours are being criticized by a few local residents, primarily those who occupy properties that border the green space that was specifically reserved for public access to the lake and to ensure protection and conservation for the lake and its shoreline. The objections to the trail plan are being put forward by some individuals who have adopted the public space for their own use, cleared trees and vegetation, built boardwalks, platforms, stairs and wharfs and obstructed the public path, all on the public land that separates their properties from the lake. Some have actually limited public access to that space by obstructing the public path with their boardwalks and personal property. We would like to specifically address the six issues presented by the petitioners:

1. Environmental Degradation

A fundamental principal of trail development is respect for and protection of the environment the trail is intended to provide access to and enjoyment of. Part of the rationale for the trail improvement is to move the path to less environmentally sensitive areas, to protect the trees, natural growth and wetlands in the green space. There has been no suggestion, plan, proposal or even intention to destroy or damage the environment in any way. Any active hiker who enjoys the miles of trails in our provincial and national parks will understand that properly and carefully planned and constructed trails can enhance our natural environments without damaging them.

Environmental protection is the heart of our organization. We have been at the forefront of stewardship and cleanup efforts in our watershed. To suggest that we would propose a trail that would threaten the very environment we formed to protect is somewhat absurd. Having those suggestions made by individuals who have themselves cleared trees and vegetation from the green space for their personal use and enjoyment is particularly offensive.

2. Trail Maintenance

There is a minimum trail standard that will warrant maintenance efforts both by HRM and by community volunteers and that will make that maintenance feasible. Today the trail is not accessible by equipment. The proposed trail would be wide and smooth enough to allow small maintenance vehicles (such as a bobcat or maintenance-type ATV) to undertake trail repairs and facilitate removal of debris, natural and otherwise.

3. Vandalism Potential

Improving the trail will not increase the number of vagrants or vandals in the community. It will, in fact, make the existing pathway more visible and less inviting to vandals. The ultimate goal will be to establish the trail as a component/extension of the Second Lake trail system with the potential for police patrols and/or dusk-to-dawn closures

4. Arson Potential

For those who would threaten the woods with fires, the area is already accessible. Upgrading the trail will permit easier access for both enforcement and fire protection purposes in the event that irresponsible use poses a threat. FOFL has interviewed both the fire department and RCMP and will continue to do so during the design and implementation period. We will monitor the trail use and learn what works with both departments after construction.

5. Loss of Privacy

It is an unfortunate reality that public lands adjoining one's property do not offer the promise of privacy. Private lands do. Public lands are public. Any 'loss' experienced by owners of property adjacent to the public lake-front area is more than offset by the 'gain' experienced by the public who access *their* property via the trail – those in the community who are not in a position to access and enjoy that space on a continuous basis as the adjacent property owners are.

6. Property Devaluation

It is not a forgone conclusion that a well conceived, constructed and maintained trail would devalue adjacent properties. It is arguable that offering a convenient, safe and accessible opportunity for healthy exercise and recreation will, in fact, enhance property values. It is true that a property adjacent to a public green space, with or without a trail, would be worth less than the same property if it extended to the waterfront. Perhaps this is the 'devaluation' that is referred to by the petitioners. There is little doubt that the vast majority of properties in the area would increase in value as a result of the establishment of safe and convenient access to the green space surrounding the lake.

We recognize that trail development is a sensitive issue that benefits some more than others. We are striving to find the balance that will result in the appropriate trail facilities for the community while minimizing any negative impacts that may be inevitable with change. We welcome all constructive input to the process and look forward to achieving continued improvements to the public assets surrounding our lake.

Sincerely,

Friends of First Lake

Directors:

Dick deGier
John Dubois
Monique Guilderson
Gordon Kyle
Jim MacLean
Bob Taylor

CC: Mr. Bob Harvey, City Councilor, HRM
Mayor Peter Kelly, HRM
Mr. Don Ambler, Chair, HRTAT (Halifax Regional Trails Advisory Team)
Mr. Paul Euloth, Regional Trails Coordinator, HRTAT