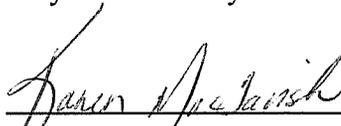

Halifax Regional Council
March 26, 2001

TO: Mayor Peter Kelly and Members of Halifax Regional Council

SUBMITTED BY:



Karen MacTavish, Director, Parks and Recreation Services

DATE: March 20, 2002

SUBJECT: **Hovercraft Use On and Around McNabs/Lawlor Islands and
MacCormacks Beach**

INFORMATION REPORT

ORIGIN

Councilor McInroy presented a petition from the Friends of McNabs Island Society (Council Meeting of February 26, item # 9.1.1) expressing the concerns of the community about disturbance to wildlife caused by the commercial hovercraft tour which travels near and onshore at McNabs and Lawlor Islands and MacCormacks Beach.

BACKGROUND

The majority of McNabs Island is primarily owned by the Province of Nova Scotia. There are several small parcels which are owned by the Federal Government and also several small privately owned parcels on the island. Lawlor Island is also owned by the Province of Nova Scotia as is MacCormacks Beach Provincial Park in Eastern Passage. McNabs and Lawlor Islands are designated as Provincial Park Reserves and are in the final stages of full park designation. The islands are home to many forms of animal and bird life and offer a unique example of an undeveloped coastal island immediately adjacent to a highly urbanized community.

The hovercraft service is operated by Murphys on the Water who take visitors on Halifax Harbour and to visit the island where they also demonstrate the amphibious ability of the water craft by travelling onto the beaches and along the shallows. The hovercraft is based from a wharf owned by HRM and managed by the Waterfront Development Corporation

DISCUSSION

The lands in question are owned by the Province of Nova Scotia and are outside of HRM's direct area of jurisdiction. Staff has taken the opportunity to discuss the concerns expressed to Council by the community with the Director of Parks, Department of Natural Resources (DNR) who is responsible for the islands and park. DNR has been involved with the issue since last summer and have determined that they intend to restrict the hovercraft operators from bringing the vehicle onto the shoreline of the islands and park. The Department is also forming a small task force involving the affected parties to address the issues around operation of the hovercraft immediately off the islands' shoreline. DNR is hopeful that a solution can be developed. The department is currently in the process of developing guidelines to direct future water craft operators who wish to access provincial lands from the water.

It is expected that if the hovercraft does not come ashore, then the noise disturbance of the hovercraft revving up/down, will not occur. However, if a citizen feels there is a noise issue, the complaint would be handled through the Halifax Regional Police.

A different hovercraft operator had previously applied to bring his craft ashore at Point Pleasant Park, however, that request was denied by the Point Pleasant Park Advisory Committee and Parks staff.

If it were to be determined that a restriction regarding the operation of a hovercraft around the islands is necessary it would need to be imposed through Boating Restriction Regulations under the jurisdiction of the Canadian Coast Guard. Under the current process, the only non-federal agencies able to make requests for restriction for the use of water craft are provinces and municipalities. The application process involves a series of public meetings and notifications carried out by the applicant over a period of approximately one year. Any application for boating restrictions pertaining to the proposed island park should be made by the park owner (Province of Nova Scotia). It should be noted that any boating restriction would apply to all motorized vessels using these waters and cannot be applied to one type of craft. This may present difficulties for other activities in the area.

While the hovercraft is operated from a Halifax waterfront wharf owned by HRM and managed by the Waterfront Development Corporation, staff do not feel that it is appropriate to influence the island issue by withholding permission to utilize the dock.

BUDGET IMPLICATIONS

There are no budget implications in regards to this issue.

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.

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, Parks and Open Spaces - 490 6047.