

HALIFAX

Future Roles and Responsibilities of Community Trails Associations with respect to Active Transportation Facilities

What We Heard Report

Item 8.1.2 Active Transportation Advisory Committee Meeting

February 20, 2020

Agenda

- Review project to date
- Present key findings from Stakeholder Engagement
- Receive additional feedback to help form AO development and Council Report



**Gaetz Brook
Greenway
- Construction
started in 2018 to
be finalized in
2020 by SATA
Trails Society**

Project Origin

Integrated Mobility Plan, Action 80:

- Review and update the community development model for planning, constructing and maintaining Active Transportation Greenways

[14.3.1 Future Roles and Responsibilities of Community Trails Associations with Respect to Active Transportation Facilities \[PDF\]](#) - January 15, 2019

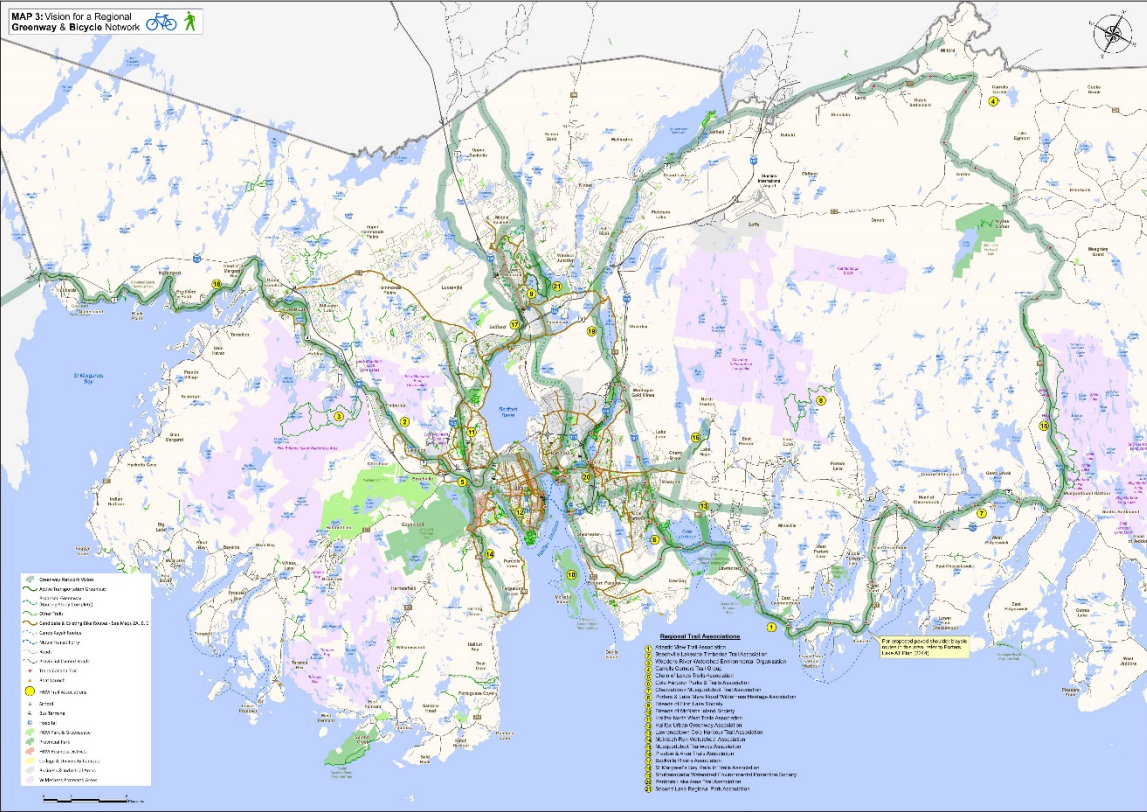
Regional Council directed to staff to:

- Continue Municipal funding support for volunteer community associations who plan, build, maintain and promote active transportation facilities in the municipality;
- Develop an Administrative Order for Regional Council's consideration that updates roles and responsibilities and establishes a Municipal grant/contribution program to support the work of such associations; and
- Consult with community associations, the provincial government, the Halifax Regional Trails Association, HRM officials and other stakeholders in the development of this proposed Administrative Order on key issues as outlined in the discussion section of the August 10, 2018 staff report.

Objectives for A.O. Development and Recommendation Report

1. Update the administrative model and authority for HRM funding for community association projects
2. Provide clarity on the roles and responsibilities of community associations who do not have agreements to build, maintain and operate facilities
3. Manage risks and opportunities related to community associations' sustainability
4. Confirm the inter-jurisdictional roles and responsibilities between HRM and the Province
5. Clarify Maintenance and Operations costs and responsibilities for HRM
6. Determine a clear direction on HRM funding for facilities permitting Off-Highway Vehicles (OHVs)
7. Respond to the request for an HRM funding program to support the construction and ongoing maintenance of recreational trails
8. Other issues as determined during stakeholder engagement

Background: Current Network



- Total envisioned: 320KM of MUPs
- 63% of MUPs are on land owned by the Province (former railways and parks)
- Total built by end of 2017 fiscal: 182 KM
- Total HRM investment by end of 2017 fiscal: \$11.6 M

Making Connections 2014-2019 Active Transportation Priorities Plan
 Map 3- Vision for a Regional Greenway and Bicycle Network

Stakeholder engagement

- **Internal Stakeholders meetings**
 - Legal, Insurance and Risk Management; Community Grants; Parks and Recreation; Transportation and Public Works
- **HRTA member Trail Associations (TAs) surveys and HRTA Strategic Sessions**
 - Surveys sent to all 18 active Trail Associations members of HRTA; responses received from 14 groups
 - Participated in HRTA Strategic Sessions
 - Organized a session to present key findings and receive feedback
- **External stakeholders meetings and presentations**
 - Monthly meetings with The Province of Nova Scotia- CCH, Lands and Forestry and other departments as invited (The Province)
 - Meetings and conference calls with Nova Scotia Trails Federation, Annapolis Valley Trails Coalition, ATVANS and OHV Clubs
 - Presentations and discussions with AT Advisory Committee and Accessibility Advisory Committee
- **Surveys sent by email to AT community groups, such as:**
 - Halifax Cycling Coalition, Walk'n Roll, Ecology Action Centre, Bicycle Nova Scotia

Key Findings Review

Objective 1

- **Update the administrative model and authority for HRM funding for community association projects**
- **Consider streams of funding to support capital/re-capitalization, maintenance, and promotion and education**

Objective 1- HRM Grant Funding Program Streams

Proposed Grant Categories	Current Directions/ Programs	Goal for new AO
AT Capital and Re-capitalization	Regional Council directions from 2008 and 2014	<ul style="list-style-type: none"> • Align with other HRM Grant programs and 2011 Auditor General Report rec. for grant program. • Reduce Red tape and processing • Respond to stakeholders' feedback
AT Maintenance and Operation		
AT Education and Promotion	Bike Week events and other ad-hoc funding	<ul style="list-style-type: none"> • Meet IMP – Action 78 for promotion and education of AT. • Provide resources to AT “supporter” groups • Expand AT promotion and education beyond one week per year
Recreational Trails Capital	N/A	<ul style="list-style-type: none"> • Respond to HRTA requests. • Support HRM Parks and Recreation direction

Objective 1 – Key findings (1): HRTA Members' Feedback

- HRM funding is critical. Could not build, maintain , operate AT facilities without financial support. HRM is often the first to commit funding which supports leveraging.
- HRM should become a “**one-stop shop**” for all other funders (e.g. Province, TCT) supporting capital and maintenance projects in HRM.
- Clarity, simplicity, consistency, transparency and reduced timelines for approval and payment disbursement are expected moving forward; automated process – online.
- Change thresholds for lower cost projects (e.g. tender for small jobs can be sole sourced up to \$5 or \$10K; no funding agreements for projects under \$5K).
- Trail maintenance is a requirement to keep the trails safe and useable - 100% of funds needed should be funded
 - Based on pre-approved budget in two-year budgeting process.

Objective 1 – Key findings (2): HRTA Vision on HRTA’s Role and Responsibilities

HRTA members have differing vision related to HRTA’s future roles and responsibilities

- **Option 1:** Maintain status quo, except: HRM funds HRTA staff person and HRM provides more staff support. Shared decision-making on projects.
- **Option 2:** Move to more traditional grant program model with HRM fully responsible for grant process. HRTA role is to publicize funding opportunity, support member project development.

Objective 1 – Key Findings (3):

HRTA 's Executive Priorities as per 2019 HRTA Strategic Sessions

- 1. Secure a staff position for HRTA to support its administrative work as directed by its activities and expectations from HRM's funding program**
 - Increase sustainable funding; support workload; improve internal communication and social media presence; elevate HRTA's profile
- 2. Maximize existing funding available and identify new sources for its members as well as maximize effort needed to access funding**
- 3. Recreational Trails Funding Access & Facilitation**
 - Support program development, coordination with landowners; Develop & adopt standards for non-motorized rec trails of all types that can be practically applied by community groups
- 4. HRTA becomes a non-motorized organization and promotes healthy use of trails**
 - Change HRTA By-law & objectives of the society and obtain support from members, community, politicians to restrict motorized usage (other than mobility devices) on all trails in HRM

Objective 1 – Key findings (4): AT groups with Education and Promotion role (including HRTA members)

- Support for HRM Grant program for education and promotion on AT generally.
- Program should be simple to participate.
- Specific suggestions for program (e.g. leveraging, payment disbursement)
- HRM should also lead AT education and promotion projects (e.g. local recreation centre programming on AT facilities)

Objective 1 – Key findings (5): HRM Community Grants Programs - Lessons

- No A.O., except for Community Museums funding.
- The Council report is the key authority- no appeals are enabled; Council can differ decision for more debate.
- Administrative requirements depend upon the grant amount awarded:
 - Funding of \$5,000 and \$20,000 :
 - Regional Council Recommendation Report with all projects approved listed for grants of up to \$20,000
 - require only a letter of approval from HRM Grants Group and a final report;
 - cheque with 100% amount is paid after approval;
 - if no report is received, the group loses eligibility to apply in the future
 - Funding over \$20,000:
 - Council report with staff recommendations to the Finance Committee and Regional Council for decision making for each proposal over \$20,000 or proposal received outside the Community Grants Program (e.g. Hospice program)
 - Contribution Agreement developed by Legal for grants over \$50,000
- Tendering:
 - Grants under \$5,000 –applicants are encouraged and evaluated better
 - Grants over \$5,000 – quotes/ tendering is mandatory

Objective 2

Clarify roles and responsibilities of community associations who do not have agreements to build, maintain and operate facilities – “Supporters”

Objective 2 – Key Findings (1): HRTA “Supporters” feedback and future roles

- Supporters are 50% of HRTA members (e.g. Chain of Lakes Trails Association, Halifax North West TA, Sackville Rivers Association)
- Current/historic roles and responsibilities: planning and advocacy; trail warden patrols; clean-ups/stewardship; trailheads and interpretive signage; light maintenance; community events.
- Typically on facilities on HRM land - built and maintained by HRM

They envision:

- Involvement in facility planning and design (e.g. propose projects, support engagement, consulted during design).
- Monitor trail post -construction and reports issues, needs for maintenance
- Host events, education and promotion, light maintenance
- Involvement in regional advocacy for trails

Objective 2 – Key findings (2): TPW and P&R - Focus Group Feedback

- Continue practice of HRM being fully responsible to plan, construct and operate/maintain AT facilities on HRM land.
- Supporter groups provide value in planning and design of AT facilities. Include them in project charters as key stakeholders with specific roles.
- TPW – Design is open to interaction with groups during design.
- Develop MOUs with supporter groups who want to have a role in operation of facility (e.g. light maintenance, monitoring, trail warden, clean-ups, promotion and education, amenities, other).

Objective 3

Manage risks and opportunities related to community associations' sustainability and trail sustainability

Objective 3 - Key Findings (1):

What we heard from Trail Associations “Operators”

Administrative/ organizational development support

- HRTA staff person for all processes and reporting, volunteer recruitment/ retention
- Volunteer conferences to discuss topics of interest ensuring trails are included

HRM staff and funds to support construction and operation

- Technical standards / directions to develop and maintain facilities; engineering, mapping, survey; materials (e.g. crusher dust, sand);
- Land acquisition budget for Trail expansion

Promote the work of Trail Associations with the public

- Promotion: trail groups' website promotion; use trails to host major events, promote the work of trail associations to public to attract new volunteers

Implement Education and promotion programing for the trails

- Education: user etiquette, effect of vandalism; signage and interpretation
- Treat trails in HRM as recreation facilities: promote/ organize events on trails through the HRM Programing site
- Encourage and promote group seeking partner policing and neighborhood watch programs

Objective 3 - Key Findings (2): What we heard from HRM

- HRM technical support (e.g. HRM design engineer as advisors, subject to available resources)
 - TPW Design Engineering is open to provide advice/coaching on processes for design, structure inspection, and what to expect from consultants, tender process, sign offs, etc.
- The new A.O. and simplified processes should help with sustainability;
- HRM open to “one stop shop” model of funding, but needs coordination with Province.
- Education and Promotion grant could be used for volunteer training (e.g. workshop with P.Eng. on project planning, design and construction best practices);
- HRM can assist with shared templates for common facility elements (e.g. signage, gates)

Objective 3 - Key Findings (3):

Three groups have requested that HRM assume responsibility for PNS-owned facilities

Moved by Councillor Whitman on January 14, 2020

THAT Regional Council direct the Chief Administrative Officer to prepare a staff report that responds to the requests by the St. Margaret's Bay Area Rails to Trails Association, the BLT Rails to Trails Association, and the Cole Harbour Parks & Trails Association that Halifax Regional Municipality takes responsibility for the operation and maintenance for the segments of active transportation multi-use pathway currently under their responsibility. The report should consider options such as HRM assuming ownership of the facilities or a Letter of Authority from the Province and consider factors such as the Provincial government position, cost, enforcement, permitted uses and other considerations to help understand the implications for the sustainability of these facilities and for Municipal responsibilities.

Response will consider:

- Parks and Recs and TPW – ROC resources needed to take over provincial rails to trails corridors
- Enforcement procedures and costs
- Customer Service – 311 response management
- Insurance and risk management
- Legislation/ by-law implications

Objective 4

Confirm the inter-jurisdictional roles and responsibilities between HRM and the Provincial Government

Objective 4 - Key Findings (1): Feedback from HRTA Trail Associations

Establish HRM - Provincial cooperation on funding programs so they are less intimidating and time consuming

- Create “one-stop shop”.
- Reduce administrative burden through PNS-HRM co-ordination on funding.
- Co-ordinate and improve enforcement on Crown land

Establish HRM - Provincial cooperation on Trail governance

- **Option 1:** Develop a new type of Agreement with the Province that includes HRM as a formal partner with the Trail Association to plan, build, maintain and operate the facility
- **Option 2:** Develop new type of Agreement with the Province where HRM assumes full responsibility to plan, build, maintain and operate the facility to manage operations in the AT facilities on Provincial land with Trail Associations playing a “supporter” role.
- **Option 3:** HRM takes ownership of all provincial land that has trails. HRM deals with province to get a more reasonable level of funding but trail groups deal only with HRM.

Objective 4 - Key Findings (2): Discussions with Province of Nova Scotia

Recognize the need for improved cooperation and consider HRM a strong municipal partner

- Value the one -stop-shop model (HRM or HRTA) to remove burden and red tape; Interested to pilot a model in the future
- Actively engaged to explore governance options/ land agreements for trails managed by SMBARTA, BLT - RTA, CHPTA and other potential groups
- Province ultimately retains the right to make the decision which option aligns better with their priorities (Shared Strategy for Trails in Nova Scotia)
- Currently unlikely to transfer land to HRM

Maintenance and governance models and thresholds vary across the province

- Shifting focus on maintaining existing infrastructure vs. expanding
- Interested to learn HRM's trails models for operations/ maintenance of trails

Objective 5

Clarify Maintenance and Operations costs and responsibilities for HRM

Objective 5 - Key Findings (1): Feedback received from HRTA groups

Survey results present inconsistent views on the roles HRM should have as related to Maintenance

- **Option 1:** HRM should take over maintenance of all HRM AT trails on Provincial owned land - mandatory for the long- term sustainability of Lands & Forestry owned trails
- **Option 2:** HRM should provide HRM staff and other resources and funds to support maintenance by trail groups
 - Trail inspections and identify projects needed
 - Technical standards and directions to maintain facilities; engineering, materials (e.g. crusher dust, sand);
 - Educate/ allow trail groups on how to access existing resources

Objective 5 - Key Findings (2): What we heard from Parks and Recreation

- HRM – Parks and Recreation has no mandate to maintain and operate provincial trails. Even if this mandate would be modified, there are significant constraints to be addressed, such as:
 - Parks and Recs is not currently properly resourced to take over all rails to trails corridors- staffing requirements should be assessed
 - Assumption that trail maintenance in rural areas would be higher than urban

Objective 6

Determine a clear direction on HRM funding for facilities permitting Off-Highway Vehicles (OHVs)

Objective 6: Key Findings (1): OHV Groups of Interest - Perspective

Equality as related to permission on trails

- Rural economy in HRM is overlooked - ATVers tourism spending; there are cultural differences between rural and urban – these barriers need to be removed
- ATV trails don't exclude anyone: running groups are using the Blueberry Run as a venue
- There are issues with the Exit 20 project; Bollards are a problem because they block access
- Interest in riding on rails to trails from a connectivity prospective and to use the access points into ATV designated trails (E.g. There are currently 500 access points from SMBARTA and 140 access points from BLT to ATV designated trails)
- ATV users want assurance from HRM that they can still use trails
- Trails should only be restricted to dirt bikes, snowmobiles and blue platted vehicles (e.g. Jeeps)

Equality as related to funding non- HRTA members

- No penalty should be applied because of motorized usage is allowed on trail
- Marine Riders have an LOA for Blueberry Run, trail included in the AT Priorities Plan
- HRM should partner with OHV- IF (Provincial fund for motorized trails) for other 50% for maintenance funding

Focused on peer- to – peer education and in-kind volunteering

- ATVANS supports the idea and believes that regulated OHV sector works better with educational programs and flyers produced
- SMATVA is interested to collaborate with Citizens on Patrol for enforcement initiatives
- There are 7 clubs with over 1100 members in HRM maintaining trails extending to Sheet Harbour; estimated 7,000 - 8,000 ATV users in HRM
- ATVers are an asset to the municipality as they are the largest trail developers in the province and can save money

Objective 6 – Key Findings (2):

OHVs impacts on rails to trails facilities- Issues raised from public, HRTA volunteers and researchers

- **Trail surface and environmental damages** are frequent and result in higher maintenance costs and shorter state of good repair;
- **Safety/ perception of safety** of pedestrians and bicyclists on trails and on adjacent private property impacted by: potential collision impact, OHV sizes, high-speed, trespassing, inefficient peer-to peer education and enforcement
- **User experience** of other trail users can be impacted by excessive noise, dust and speed if users expect nature tranquility when on trail and instead they encounter ATV users who are not following expected trail etiquette – complaints received from residents living adjacent to trails
- **Trail Volunteers' experience:** burden resulted from ineffective interactions with OHV users and supporters, inefficient enforcement from the Province and more intensive maintenance caused by trail damages
- **Restrictions** with no alternative routes and/ or **lack of active enforcement** increase user conflict and trail impacts

Objective 6 – Key Findings (3): HRM perspectives

- HRM bylaws : The municipality has no roles or responsibilities related to off-highway vehicles (i.e. ATVs) and does not permit them in municipal parks or on municipal owned streets
- HRM bound by Provincial policy on provincially-owned segments of AT network.
- Historically, no Council direction on their use on segments of the AT network in HRM, or generally in municipal plans;
- Analysis of HRM maintenance fund allocations indicates higher cost for surface repair and maintenance for facilities that allow OHVs.

Objective 6 - Key Findings (4): HRTA Trail Associations Position on OHVs

Some Trail Associations' position related to OHV is inconsistent with HRTA's mandate to support only non-motorized trails.

Overall feedback is:

- The provincial shared use policy is unworkable;
- Motorized vehicles use on public trails should not be subsidized, promoted or permitted on the HRM AT network.
- Existing motorized shared use should be phased out, banned in HRM
- HRTA trail associations are not in position to make this decision

HRM needs to clearly state and make policy related to human-powered trails within it's boundaries

- Clear policy and public communications for use of electric-assist personal mobility (e.g. scooters are becoming popular in bigger cities)

Facilitate discussion with Province to achieve:

- Coordinated responses from both levels to achieve common policy which is a non-motorized policy
- Change rails to trails from Crown Land Act to Trails Act and place restrictions for non-motorized

Objective 6: Key Findings (5): Trans Canada Trails perspectives

- When connectivity options are limited:
 - TCT would support re-capitalization or building new alternative route that is not motorized
 - Concerned with capability to maintain a good standard of the trail when motorized used is not restricted
- Looking at supporting trails accepting OHVs with:
 - Trail etiquette signage
 - Safety measures
- TCT received inconsistent messages; they will impose additional scrutiny on those groups who are not consistent in delivering projects.
- There are more trails, outside HRM who have an interest to start lifting OHV restrictions
- Some municipalities have included in their AT definition the OHV usage
- TCT wants to protect their investment in Greenways (non-motorized trails)
- TCT could de-register any trail lifting OHV restrictions

Objective 6: Key Findings (6): NS Trails

- Umbrella organization representing trail associations in NS. HRTA represents the Central Region in this organization:
- Position related to shared use trails
 - “NS Trails supports the shared use of trails when, through a process of consultation and engagement with community members and the community of trail users, trail managers determine a variety of uses is appropriate for a particular trail. [..] The safety and enjoyment of all who use the trail must be the primary objective of any project.”
 - <https://nstrails.com/shared-trail-use/>
- Partners with Province of NS and TCT to deliver risk management solutions (insurance and consult), resources with funding applications, strategy in NS, and recommendation for funding through OHV -IF
 - Administratively funded by partners

Objective 7

Integration with HRM funding program to support the construction and ongoing maintenance of recreational trails

Objective 7 - Key Findings (1): HRTA trail associations

- AT Facilities and Recreational Facilities funding programs should have similar forms, requirements, and processes.
- HRTA wants \$500K/year and dedicated HRM staff support.
- Trail Associations supportive of taking lead on recreational trails projects
- Assist with recreational trail standards and other aspects related to design, construction and maintenance
- Provide a clear statement of policy for recreational trails
- Similar roles and responsibilities as with AT facilities for HRM, HRTA and HRTA members.

Objective 7 - Key Findings (2): Discussions with HRM- Parks and Recreation

1. Interested to incorporate the Funding Program in the Administrative Order
2. Open to develop the Recreational Trails Funding Program to incorporate the same eligibility requirements for applicants
3. Plans to create a definition for recreational trails and what projects are eligible as per priority plans (e.g. Halifax Green Network Plan)

Objective 8

Identify and address other issues as determined during stakeholder engagement

Objective 8: Key Findings from stakeholders

- Development of an HRM Comprehensive Trails Strategy for all types of trails and usage (including mountain bike)
- Creation of Accessibility standards for new trails and as re-cap
- B.A.T.H. – Boardwalk Around the Harbour must be started with HRM as the lead
- Active Rec trails are used outside the HRTA groups' areas, Dartmouth's Spectacle Lake for example. These equally deserve uniform signage, mapping and website presence

Objective 8: Key findings from Accessibility Advisory Committee

- Accessibility Advisory Committee members are interested to collaborate with AT Team to develop standards and programs
- Grants criteria could encourage projects to improve accessibility;
- Establish thresholds/methodology for accessibility designation;
- Education, outreach and promotion to help residents access facilities (e.g. support Blind Sports NS group rides)
- The Province also has funding available to increase accessibility of trails

Administrative Order Development Next Steps

Feb 20, 2020: Presentation of findings to ATAC

Feb – March 2020 – Receive direction from HRM senior management and Legal/ Risk Management

Feb - March 2020: Develop AO in partnership with Legal

May 28, 2020: Present AO and Recommendation Report to TSC

June 2 or 16, 2020: Present AO and Recommendation Report to the Regional Council

June – Sept 2020: Transition as per new AO

Sept 2020 and ongoing: Implementation of the new AO

Thank you

Bissett Lake Greenway – Phase 3

- **Built by HRM in 2019
with support from Cole
Harbour Parks and
Trail Association**
- **Currently maintained
by HRM**

