

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by 
Jacques Dubé, Chief Administrative Officer

DATE: October 29, 2021

SUBJECT: Blue Mountain-Birch Cove Lakes Regional Park - Boundary and Committee

ORIGIN

June 9, 2020 Regional Council Motion:

MOVED by Councillor Zurawski, seconded by Councillor Adams

THAT Halifax Regional Council request a staff report for a plan for the creation of a park at the Blue Mountain Birch Cove wilderness reserve. I request that this report include considerations for, projected land acquisition needs for the creation of the park, expected costs associated with land acquisition, projected costs of maintenance of the park before, during and after the acquisition of the necessary lands, staff requirements to maintain the park, boundaries of the park, timeline for the creation of the park, potential sources of funding for the creation and maintenance of the park, and mitigation of threats to park at this juncture. The staff report is required because of the changing nature our municipal budgets, and because of threats to the existing forests from fire, pests, and overuse.

MOTION PUT AND PASSED UNANIMOUSLY.

August 18, 2020 Regional Council Motion:

MOVED by Councillor Zurawski, seconded by Councillor Austin

THAT Halifax Regional Council:

1. Request a staff report directing that the Parks Planning process for Blue Mountain Birch Cove include the entire backcountry in addition to the core parklands identified in Map 11.
2. That the Regional Plan review include considering revising Map 11 for Blue Mountain Birch Cove Park.
3. Direct that HRM provide a more fulsome history and timeline of the Blue Mountain Birch Cove Park, including conceptual park maps, on the municipal website.

MOTION PUT AND PASSED UNANIMOUSLY.

September 1, 2020 Regional Council Motion:

MOVED by Councillor Zurawski, seconded by Deputy Mayor Blackburn

THAT Halifax Regional Council request a staff report considering that a senior level coordinating committee, led by HRM staff, be established for the Blue Mountain-Birch Cove Lakes Regional Wilderness Park. The purpose of this HRM, staff-led senior level coordinating committee, will be created to ensure

1. That land use, development decisions, and approvals involving adjacent and surrounding lands of the core wilderness area are compatible with the ecological mandates of the park, as outlined by the best ecological research, and do not adversely affect the viability and integrity of the future park.

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2. The coordinating committee will be HRM staff led and comprised of advisors from the public, and NGOs such as, but not limited to the Ecology Action Centre (EAC) and Friends of BMBC Lakes.
3. Provide progress reports to HRM Regional Council once every twelve months, which will be made available to the public
4. Provide a monitoring plan, whose purpose is to protect the ecological integrity of the proposed park with an emphasis on ensuring public use compatible with the purposes of the future park.

MOTION PUT AND PASSED UNANIMOUSLY.

February 9, 2021 Special Meeting, Regional Council Motion:

MOVED by Councillor Lovelace, seconded by Councillor Russell

THAT Halifax Regional Council request a staff report to:

1. Reaffirm council's commitment to the proposed BMBCL (Blue Mountain Birch Cove Lakes) park;
2. Acknowledge the new NSNT (Nova Scotia Nature Trust) connector as now formally part of the conceptual park boundary; and
3. Confirm the correct name of the proposed park to Blue Mountain Birch Cove Lakes Regional Wilderness Park.

MOTION PUT AND PASSED UNANIMOUSLY.

LEGISLATIVE AUTHORITY

Halifax Regional Municipal Charter:

Section 7A

The purposes of the Municipality are to

- (b) provide services, facilities and other things that, in the opinion of the Council, are necessary or desirable for all or part of the Municipality; and
- (c) develop and maintain safe and viable communities.

RECOMMENDATIONS

It is recommended that Halifax Regional Council direct the Chief Administrative Officer to:

1. Initiate a park planning project for Blue Mountain-Birch Cove Lakes as outlined in this report, based on the consideration of:
 - (a) the existing conceptual park boundary to reflect new circumstances, such as the municipality's Blue Mountain-Birch Cove Lakes land acquisitions; and
 - (b) an enlarged conceptual park boundary to the north of the Highway 113 Corridor, as represented on Map 11 of the Regional Municipal Planning Strategy;
2. Undertake initial work on the park planning project to include:
 - (a) formalizing the roles of the Province, Nova Scotia Nature Trust, and Parks Canada;
 - (b) determining Mi'kmaq perspectives and interests in the project;
 - (c) consulting and receiving feedback on the project with community stakeholder groups and the public;
 - (d) determining the role of a possible committee or group to support and contribute to the project, and forms of public consultation;
 - (e) undertaking background studies and reviews; and
3. Negotiate and execute contribution agreements or other agreements, including those with Parks Canada for work related to the initiation of the park planning project such as background studies, subject to the availability of municipal funds that may be required, within approved capital and operating budgets or as otherwise approved by Regional Council.

BACKGROUND

This report responds to motions from Regional Council that include directions to undertake park planning with an expanded conceptual boundary, for the prospective Blue Mountain-Birch Cove Lakes (BMBCL) Regional Park. This report outlines the existing context for the BMBCL Regional Park and proposes a project to advance Regional Council's directions. A recent statement of collaboration between the Municipality and Parks Canada is also considered.

EDM Plan and Regional MPS

In 2006, the Municipality and the provincial departments of Transportation and Public Works and Natural Resources, commissioned Environmental Design Management (EDM) to develop a study (EDM Plan) to consider the viability of BMBCL as a regional park, and how this might relate to the development of the prospective Highway 113. The scope of the study included both provincial crown and private lands.

The EDM Plan contains an inventory of natural and settlement characteristics, analysis, and approaches for the development of the prospective park, including:

- A conceptual park boundary, which is described as such due to its dependence on private property acquisitions, detailed park planning, and urban development that might adjoin the park;
- Edge Wilderness Landscapes (front-country areas), that might include trailheads, canoe launches, multi-purpose trails, and neighbourhood parks, that are to be along the conceptual park boundary and established as adjoining urban development occurs; and
- Core Wilderness Areas (backcountry areas), that would be remote and retained largely in a natural state and comprised of nature-based recreation such as hiking trails and canoe routes, within the centre of the prospective park and that are largely comprised of provincial crown lands.

The EDM Plan was referenced within the municipality's first Regional Municipal Planning Strategy (Regional Plan) in 2006, which included a map that identified the conceptual park boundary in the context of the overall BMBCL area. The Regional Plan stated that the municipality intended on further determining the park boundary and acquiring the lands on the edge of the conceptual park boundary to support the establishment of the park.

Following a consultation program, the province designated the crown lands both within the conceptual park boundary and just outside it extending to the Highway 113 Corridor, as a protected Wilderness Area in 2009.

The Regional Plan was reviewed by the municipality in 2014. Although the province had designated the additional crown lands as a Wilderness Area in 2009, the conceptual park boundary did not change and remains today, as it shown on Map 11 (Attachment A).

Initiatives to Establish the BMBCL Regional Park

Starting in 2007, there were a series of municipal initiatives with private property owners to acquire lands in the Suzies Lake and Highway 102 area. These initiatives included the completion of studies, negotiations, and a formal facilitation process between the Municipality and the property owners. However, by 2016 an agreement had not been reached, and lands in this area were not obtained by the Municipality. One of the property owners subsequently took legal action against the Municipality, which continues today.

Since that time, the Municipality continued a program to obtain lands around the conceptual boundary. This approach involved offers to acquire private lands. To date, this program has resulted in the Municipality purchasing over 198 hectares (Attachment B). Additionally, as development occurs in areas adjoining the prospective park, the Municipality has been planning and developing access points, such as in Bedford West where a parking lot and trail is being developed.

While the Municipality's acquisition program has been focused on the lands along the conceptual park boundary, other initiatives have concentrated on lands to the north of the Highway 113 Corridor. In 2015, the province designed additional crown lands as Wilderness Area. In 2019, the Nova Scotia Nature Trust (NSNT) acquired 194 hectares of private lands for protection. These lands are outside the conceptual park boundary however they are within the overall BMBCL area.

Current Regional Council Motions

In 2020 and 2021, Regional Council adopted motions for staff reports to address a variety of possible BMBCL park planning initiatives to include the consideration of an expanded conceptual park boundary to encompass the lands to the north of the 113 Highway Corridor.

Parks Canada

Previous Regional Council motions directed staff to seek opportunities with the federal and provincial governments to advance the BMBCL Regional Park, including the following from September 6, 2016:

- "3. Direct staff to explore opportunities and develop a program to acquire land to establish the proposed Blue Mountain-Birch Cove Regional Park, with a priority of providing public access to the provincially protected wilderness area, that includes, but is not limited to:
- a) discussions with the Federal and Provincial governments;"

Over the past several months discussions have been held with federal government regarding a new parks program. This culminated in Parks Canada and the Municipality signing a statement of collaboration for BMBCL to be recognized as a possible National Urban Park. The statement of collaboration outlines that the Municipality together with other parties will work on advancing the potential park. This collaboration is expected to emphasize opportunities for indigenous reconciliation and stakeholder involvement.

DISCUSSION

The remainder of this report responds to the overall directions within Regional Council's motions and the opportunities for advancing the prospective BMBCL Regional Park with the Parks Canada National Urban Park program. While there are a variety of subsets to Regional Council's motions, they can be summarized as directives for the:

- potential enlargement of the conceptual park boundary;
- initiation of park planning for creation of the regional park including determinations about development and management costs; and
- formation of a coordinating committee and the involvement of stakeholders.

Enlarged Conceptual Park Boundary

The designation of the crown lands to the north of the Highway 113 Corridor as an expansion to the BMBCL Wilderness Area and the subsequent acquisition of lands by the NSNT was based on the natural attributes and recreational potential this area. It was also the intention of the Province and NSNT for these lands to contribute to a larger park concept. The scope of the park planning project identified in this report would consider an expanded boundary to the north of the Highway 113 Corridor, and review the existing boundary to consider new circumstances, such as the Municipality's land acquisitions.

While an enlarged conceptual park boundary would be positive in realizing a larger park, it would also require increased resources for possible land acquisitions, planning and coordinating access points, trailheads, the establishment of parkland on the periphery of the conceptual park boundary, and eventual park improvements and operations. The proposed expansion would increase the size of the conceptual park boundary from approximately 1,682 to 2,984 hectares. These may not be all be municipal

responsibilities, but they are important factors to be considered. Addressing these matters would ensure that the viability of the prospective park is properly understood and then properly planned and developed.

With Map 11 forming part of the Regional Plan, an amendment to that Plan is required to revise the map in order to reflect an enlarged conceptual park boundary. A regular review of the Regional Plan is currently underway, through which changes to Map 11 will be able to be considered. There have also been issues in the conceptual park boundary being interpreted as a regulatory boundary where it appears over private lands. Other prospective regional park maps that may include both public and private lands are not represented in the Regional Plan in the same manner. Therefore, determinations will need to be made about how to represent the BMBCCL area, and other regional parks, within the Regional Plan. Regional planning perspective indicates the public lands to the north of the Highway 113 Corridor are already being recognized as part of the BMBCCL area through the Regional Plan Review project. The proposed park planning will help inform the Regional Plan review and subsequent decisions on park boundaries.

Park Plan

An expanded conceptual boundary and overall changes in circumstances are reasons to undertake a new park plan, although many of the approaches in the EDM Plan are expected to remain. A new park plan would include three significant components:

1. Background Studies and Reviews

Several background studies and reviews are needed to support analysis and development of the plan. Including information on the lands and their surroundings such as; history, land ownership, ecological, cultural and recreational attributes, land use, subdivision and development approvals, and planning policies and regulations. Background studies and reviews would also include:

- reviews of the historic and cultural importance of the lands to Mi'kmaq, along with other groups such as African Nova Scotian Communities;
- urban wilderness park case studies for comparable near-urban parks in other jurisdictions; and
- the relationship of the BMBCCL area relative to other open spaces and the inclusion of information from the Halifax Green Network Plan.

2. Vision Statement

A collective vision statement would outline the long-term vision for the Park along with high-level objectives and principles to guide Park establishment and management.

3. Park Planning

With analysis from the background studies, the park plan would produce guidance on subjects that include:

- new conceptual park boundaries;
- ecological and cultural resource protection and opportunities for nature-based recreation;
- management zones that support both front-country and back-country, including trail types and appropriate forms of recreation;
- guidance over the appropriate interface of the park and urban settlement features, including existing and future transportation routes and utilities;
- public access and infrastructure development needs and priorities;
- opportunities for Indigenous reconciliation;
- opportunities for delivery of co-benefits arising from the park such as climate change, mitigation/adaptation, and the delivery of natural benefits such as protection for wildlife corridor and water quality;
- opportunities for inclusive delivery of benefits especially for historically marginalized groups;
- key monitoring, research, mitigation, and management requirements to ensure public safety and the maintenance of ecological integrity including risks associated with forest fires and water quality degradation;

- options for long term governance of the park that provides for the ongoing collaboration of land owners/managers, integration of Indigenous values and leadership, and opportunities for public and stakeholder participation in park management and stewardship; and
- implementation plans, including budgetary implications.

The background studies and reviews, and the park plan itself may help to inform any secondary planning in areas in the vicinity of the prospective park.

Parks Canada

Initial discussions have been held with Parks Canada about how the park planning project may proceed. At this time there is a focus on identifying the background studies and reviews that may be necessary. Parks Canada is outlining funding for these through contribution agreements, where the Municipality's contribution may be largely the staff resources on the project. Determinations about initial stakeholder and public consultation are to be made in partnership with Parks Canada and other parties.

Undertaking any public land planning exercise for a scale as substantial as the BMBCL area should include First Nations perspectives. As outlined in the Park Plan section above, specific background studies are envisioned to understand the traditional uses of the lands. However, Mi'kmaq interests in the project also need to be fully understood and incorporated at the outset, including any procedural elements.

Committee and Public Consultation

The park planning would be undertaken by municipal Parks and Recreation staff and the provincial Department of the Environment and Climate Change staff, in conjunction with Parks Canada. As required, other departments representing subject matters beyond the open space attributes of the lands would be expected to participate as needed. The NSNT is an important landowner and its role in the project is to be determined as the park planning approach is finalized with Parks Canada and other parties.

Regional Council directed, by motion in 2020, the creation of a senior level coordinating committee with representation from community groups. Since the approval of the motion, there have been subsequent motions of Regional Council to consider establishing a municipal-wide parks advisory committee as well as a park stewardship program. With multiple approaches to public involvement in HRM parks, there could be alternative models to consider for BMBCL. A future staff report will review the request to create a senior level coordinating committee with representation from community groups.

Notwithstanding Regional Council's motions related to committees, stakeholder and community consultation is seen as an important component of the National Urban Park program and overall project. Municipal staff will be engaging with community stakeholder groups about the scope of the project and park planning matters, including the development future public consultation programs.

Next Steps

The project outlined in this report includes the consideration of an enlarged conceptual park boundary, the development of a park plan, the formation of a committee, and public consultation. To advance the initial parts of park plan project, next steps include:

- continue scoping work with Parks Canada and other parties, including the province and NSNT;
- enter into contribution agreements for the funding of background studies and work;
- determine Mi'kmaq perspectives and interests in the project;
- receive feedback on the project from community stakeholders and develop a program for community consultation; and
- support the project through upcoming capital and business planning processes.

FINANCIAL IMPLICATIONS

There are no immediate financial implications to the recommendations within this report. Financial resources that may be required for the park planning project and will be considered through the municipality's 2022/23 capital and business planning process. Initial funding has been identified in Capital Account CP000014..

RISK CONSIDERATION

The risk of not proceeding with an updated park plan is that continued actions and programs of the municipality and others respecting the prospective park will not be reflective of current circumstances. The opportunities that could arise with the Parks Canada National Urban Park program may not be realized. Proceeding with the report recommendations will address these risks.

COMMUNITY ENGAGEMENT

There was no formal community engagement undertaken in the preparation of this report. The recommendations within the report contain directives for consultation with community stakeholder groups and the general public.

ENVIRONMENTAL IMPLICATIONS

The recommendations in this report direct initiatives that support the retention of lands for ecological conservation and nature-based recreation.

ALTERNATIVES

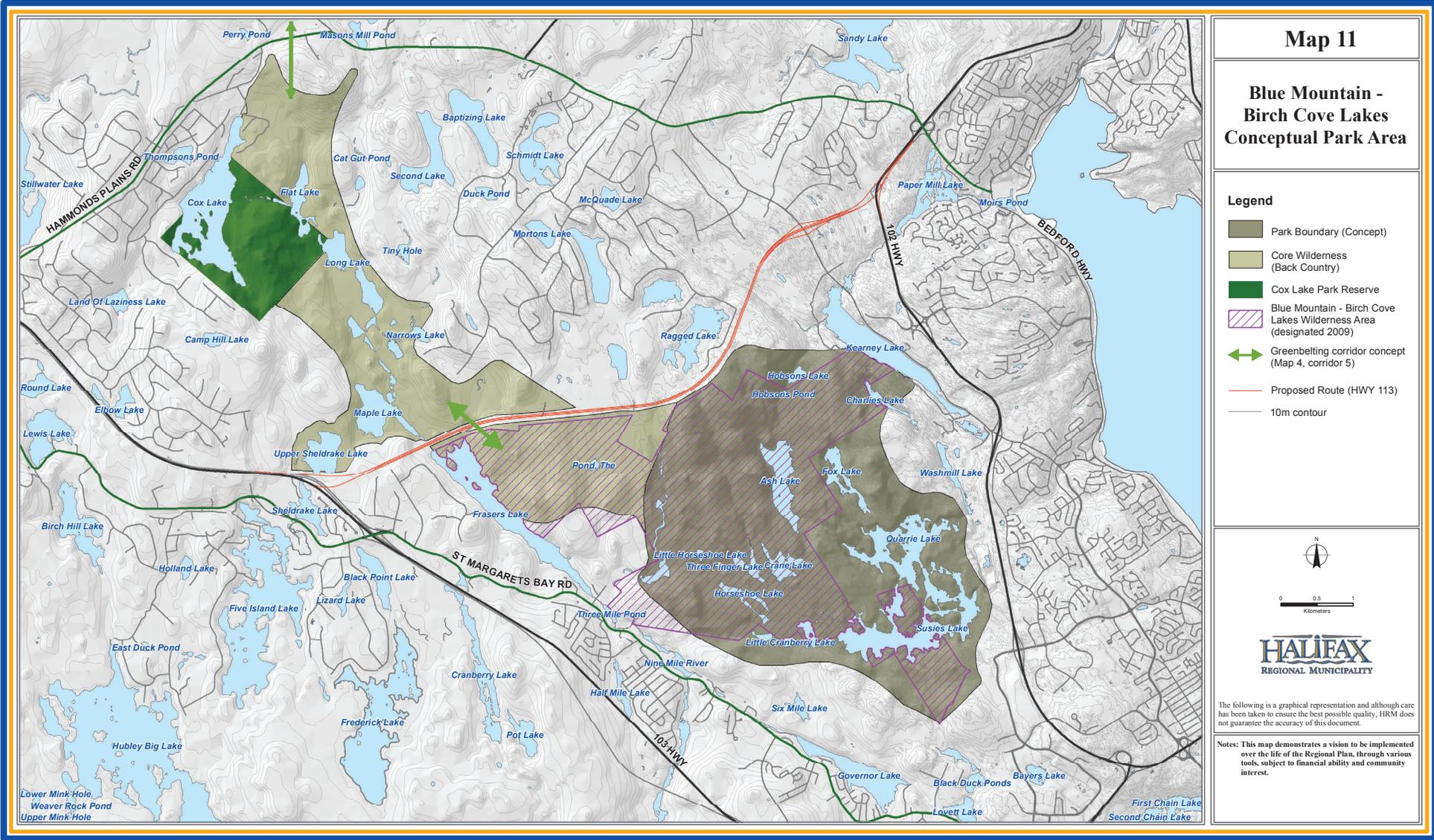
1. Regional Council could direct that the existing conceptual park boundary identified in Attachment A Map 11 of the Regional Plan be retained for the outlined park planning project as summarized in this report.
2. Regional Council could choose to continue with the municipality's current BMBCL program, which is largely focused on obtaining lands and coordinating access points on the periphery of the existing conceptual park boundary without proceeding with the park plan outlined in this report.

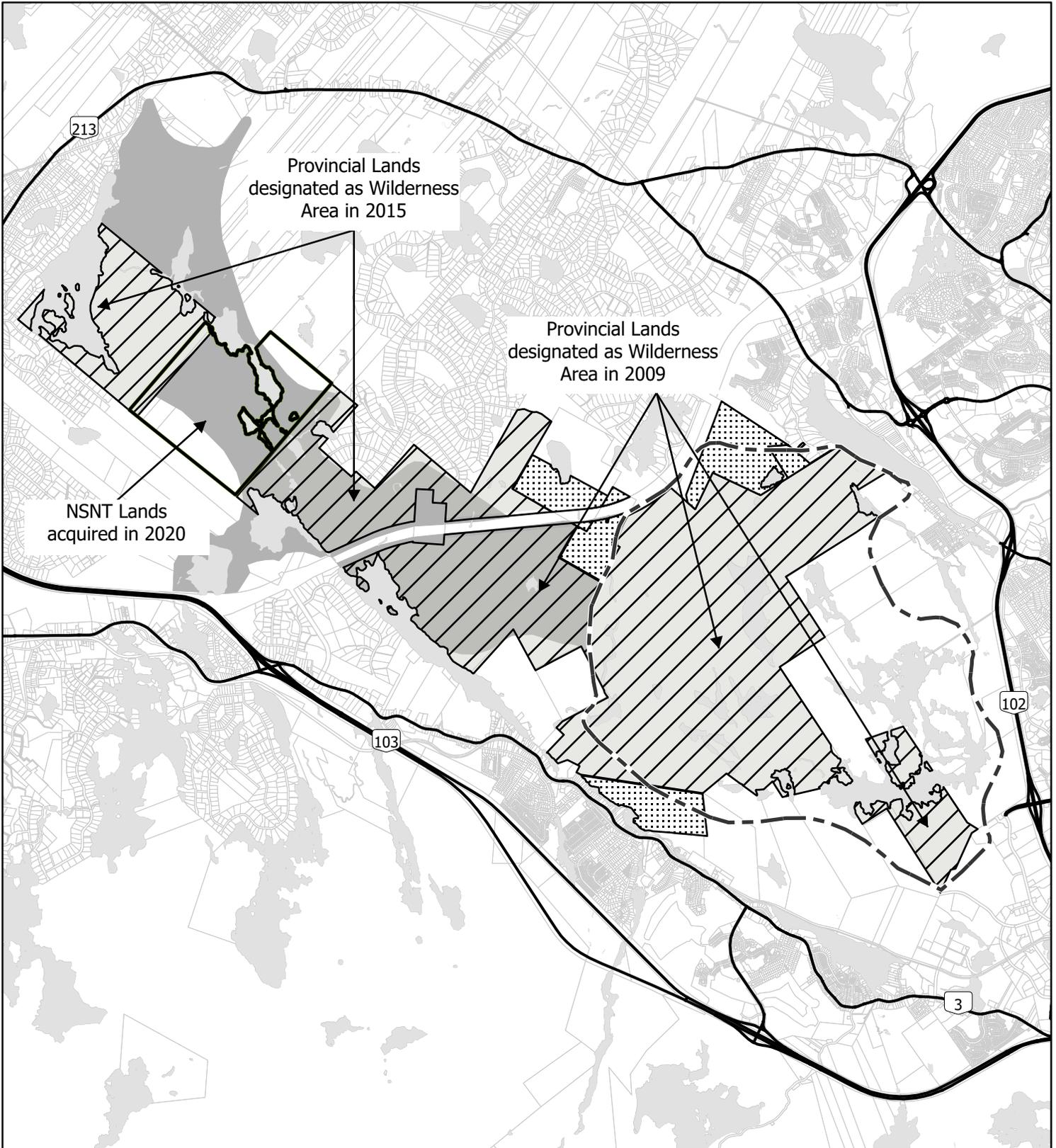
ATTACHMENTS

Attachment A Regional Plan Map 11
Attachment B Public and Nature Trust Lands

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Richard Harvey, Manager, Policy and Planning, 902.476.5822





PUBLIC AND NATURE TRUST LANDS

-  Conceptual Boundary as Shown Within the Regional Plan
-  Blue Mountain Birch Cove Lakes Wilderness Area
-  Provincial Blue Mountain-Birch Cove Wilderness Area
-  Core Wilderness (Back Country)
-  Municipal Lands Acquired Since 2016
-  Lands Acquired by NSNT Since 2020

HALIFAX

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Kilometers
Date: 10/22/2021