

The Blue Mountain NEWS

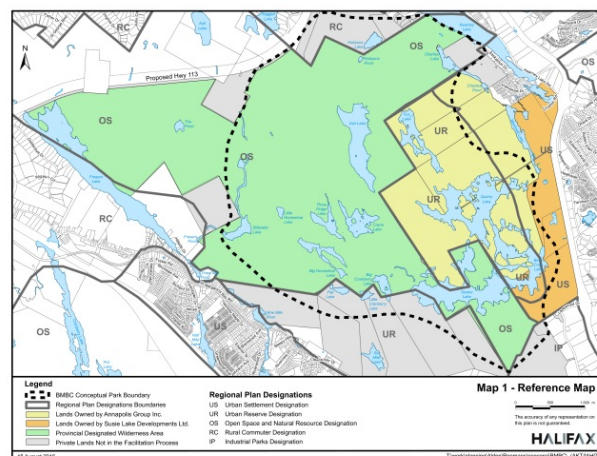


Spring 2022, Edn. 13

DEVELOPMENT PRESSURE MOUNTING

In late March, Nova Scotia's Minister of Municipal Affairs and Housing, John Lohr, committed \$2.3 million to provide HRM with financial support for development studies for four development projects, including what HRM refers to as the Hwy 102 West Corridor.

This corridor lies along approximately 2.5 km of the southern boundary of the BMBCL Wilderness area. The land follows the southern shores of Susie, Quarry, Washmill and Little Kearney lakes. These studies were recommended by HRM staff mere days before this announcement, but Council voted against the development studies for the Hwy 102 West Corridor. Council declined the recommendation for several reasons, including that the Stantec National Urban Park study is already underway.



HRM staff are now treating the subsequent provincial announcement as an override of Council's decision but whether the Province's announcement does override the council decision is an open question.

The \$2.3 million for HRM development studies was part of a larger announcement, with more yet to come, of a plan to fast-track the development of up to 22,600 new residential units across nine areas throughout HRM, including Sandy Lake.

One of the development proposals, the Stevens proposal, has other major issues associated with it, including the proposal to redirect stormwater coming from under Lacewood Drive from Susie Lake into the existing quarry. Diverting the water would then create a man-made lake. Redirecting the water would significantly reduce water flow to Susie Lake and Quarry, already fairly shallow lakes.

The Stevens proposal would also totally reshape its 346 acres so that barely any greenspace would exist between Hwy 102 and the four referenced lakes. Under the plan, only a narrow strip of greenspace along the Susie lake

southern border would remain.

According to Councillor Kathryn Morse, "If it's developed, it may have a negative impact on Susies Lake and the entire chain of lakes downstream." Councillor Kathryn Morse recently seconded Councillor Lisa Blackburn's motion to delay all development studies of this area until Parks Canada could complete its ecological study of the entire Blue Mountain area. "I'd like to see ecological studies and watershed studies done before planning studies," adds Morse.

The provincial plan takes the matter largely out of the municipality's hands, which has residents and conservationists concerned that the sole focus is on development interests. "What's happened here is that the big metro developers made a spectacular end-run around Halifax Regional Municipality's government, effectively rendering council and the various municipal planning strategies in place or in development irrelevant," wrote Raymond Plourde, the Ecology Action Centre's senior wilderness coordinator, [in a recent Saltwire op-ed](#). "Areas like Sandy Lake, Blue Mountain-Birch Cove Lakes and the Eisner's Cove Wetland are squarely in crosshairs."

While councillors were told that completion of the provincial government's study does not assure that development will happen, Morse and some colleagues are concerned that the Province's plan is taking a bull-dozer to community engagement.

BMBCL members are encouraged to contact Minister of Municipal Affairs and Housing John Lohr and Timothy Halman, the Minister of Environment, to express their concerns.

John Lohr
Phone: 902-424-6642
dmamin@novascotia.ca

Timothy Halman
Phone: 902-424-3736
Minister.Environment@novascotia.ca

REGIONAL PLAN REVIEW



In a 5-phase process, HRM is now in Phase 3 of the Regional Plan Review, slated to wrap up by year-end or shortly thereafter. The outcome could have significant implications related to the establishment of the community vision of the Blue Mountain-Birch Cove Lakes National Urban Park. It is still too early to tell precisely how impacting the 2022/23 Regional Plan will be – especially because the Housing Task Force has now become part of the planning and development decision-making with the recent announcement regarding removing the various HRM Planning Advisory Committees from the process.

As part of Phase 3, HRM invited comments by April 18th on the development proposals that HRM has received, which are identified in HRM's *What We Heard* report presented to [HRM's Committee of the Whole on January 25th](#). Although the Stevens Group proposal for its 346 acres bordering Susie, Quarry, Washmill and Little Kearney lakes is included in the *What We Heard* document, HRM has moved some projects, including the Stevens Group development proposal, to a parallel process with a separate HRM team. Our understanding is that this was done to help to manage workload. Thus the April 18th deadline does not apply to the Stevens Group proposal. However, there is no time like the present for community input as the HRM plan is to move these projects along for decision-making asap.

Another development with potential implications that continues as part of the Phase 3 process is the redevelopment of 120 acres on the south side of Fraser Lake in Timberlea, recently acquired by Clayton Developments.

In May, HRM plans to announce Quick Hits, which will be advance changes to the Regional Plan. The Regional Plan Team indicated at the *What We Heard* presentation to the Committee that this would include such things as a change in the wetland setback.

The Regional Plan review process bears close monitoring for those committed to a BMBCL National Urban Park unparalleled in Canada.

Visit www.shapeyourcityhalifax.ca/regional-plan to learn more.

ANNAPOLIS LAND REMAINS IN LIMBO

In mid-March, Justice Chipman, Supreme Court of Nova Scotia, ruled



that the Annapolis Group's \$120 million lawsuit against the City of Halifax will have to wait a while longer to be heard. The Nova Scotia court decided to wait until the Supreme Court of Canada returns its decision on an appeal from an earlier ruling.

The legal saga between the developer and the City is now five years in. The fight started in 2017 when the Annapolis Group claimed the City effectively expropriated land in Blue Mountain-Birch Cove area for park use. Annapolis Group also alleges the City delayed and obstructed the developer's attempts to develop the land and avoided zoning the land as parkland so the City would not have to compensate Annapolis Group. The company also claims the City showed favoritism to Clayton Development, a rival company.

The Nova Scotia Court of Appeal dismissed the allegation of expropriation. There was no attempt by the City to have the allegation of favoritism/bias dismissed before trial, so that issue remains a live trial issue. The dismissal of the expropriation allegation was appealed to the Supreme Court of Canada. In February, the Supreme Court of Canada heard the case but has not issued its ruling.

The Annapolis Group asked the Supreme Court of Nova Scotia to proceed with the lawsuit without the Supreme Court ruling. However, the City argued that the case should wait until the Supreme Court of Canada delivered its ruling. The City argued that the higher court's decision could affect the Supreme Court of Nova Scotia trial. The judge agreed with the City.

What does this mean for the BMBCL Wilderness area? It means a significant piece of the BMBCL Wilderness remains in limbo. Annapolis is claiming damages of more than \$119 million. If the City loses the case, it will have to pay Annapolis for the 765 acres that the courts will have determined were de facto expropriated or reach a settlement. If the City wins the case and the courts find no de facto expropriation or bias at play, then the question is, what happens to the 765 acres that the community had hoped for years would ultimately become part of the BMBCL Wilderness area? Will the City purchase all or part of the 765 acres from Annapolis assuming Annapolis is willing, or does the Annapolis Group development on Quarry, Charlie, Ash, and Fox lakes move ahead as planned?

Either way, the uncertainty of the BMBCL Regional Wilderness Park's future continues.



HRM'S 2022-23 BUDGET

HRM's Budget Committee met on March 23 to debate items to be added to the 2022-23 budget. The final **budget** will be approved on April 12. Items totalled almost \$7 million, including funds for the AGNS, free transit on Fridays in the summer, staffing to create more sidewalks and campaigns to support local businesses.

Council also approved funds to initiate development planning studies for three areas identified as future serviced communities: Akoma Holdings lands in Westphal, Morris Lake and Sandy Lake. Funding development planning work at Sandy Lake puts one of the last remaining wild areas in urban HRM at risk. Council did reject spending funds on development studies at BMBCL, thereby slowing development planning for this wilderness area.

A LEAVE-NO-TRACE SPRING HIKING GUIDE

special submission, Richard Vinson
National Chair, Leave-No-Trace Canada



What better way to enjoy a warm spring day than by taking a walk in BMBCL Wilderness? Over the past few years, countless hikers have found new adventures visiting Charlies, Fox, Hobson and Ash lakes – and that's just on one side of the Wilderness area! But with all of this discovery comes a challenge – keeping the BMBCL Wilderness in a relatively pristine state so that others can enjoy it for years to come. Spring brings unique situations that demand our attention if we are to maintain the area in a way that will minimize the impact of so many hikers.

At **Leave No Trace**, travelling on existing trails to deliver as small an impact as possible is important. This is especially challenging in the BMBCL Wilderness, where there is flooding and pooling along many popular paths. However, never could it be more important than springtime. Moving off a trail can lead to braiding, widening, trampled plants and, potentially, the formation of dead ends. Unfortunately, this has become commonplace on some trails, especially with so many visitors new to hiking and the BMBCL Wilderness. Another situation we're seeing is the formation of new trails (often perceived as shortcuts), leading to more localized damage and

confusion among trail users.

The most important consideration then for spring travel, and really for any season, is to stay on the trails. Where there is a “water hazard” along the way, wearing good footwear (and gaiters!) will allow you to maintain your course without going around. This remains the best option to address spring travel, where soils and plants are especially vulnerable until the wet areas are improved. Once vegetation is damaged, erosion can follow unimpeded. Also, if you know a particular trail is prone to flooding or has many wet sections – avoid it until it has a chance to dry out. Travelling early in the day when the ground is still hard or partially frozen helps too.

There is much work to do in the BMBCL Wilderness to improve the trails, especially in the heavily travelled “front country” sections, and until that’s completed, let’s do what we can to conserve our Blue Mountain trails and plan for a future where we truly will “leave no trace” of our woodland journeys.

For more information, [visit www.leavenotrace.ca](http://www.leavenotrace.ca)

THANK YOU BAY TREASURE CHEST!

Friends of Blue Mountain-Birch Cove Lakes send a big thank you to Bay Treasure Chest Association (BTCA). The BTCA presented a \$500 honorarium to Friends, which will go a long way to help train stewards, purchase first aid kits for hikes and advocate for BMBCL.

Many non-profits, including Friends of Blue Mountain-Birch Cove Lakes, have struggled during the pandemic. It is very kind of BTCA to find ways to support Friends and so many other local groups.



ACCESSING BMBCL WILDERNESS

With warmer weather finding its way into Nova Scotia, more and more people want to hike in Blue Mountain Birch Cove Lakes. All types of terrain can be found in the Wilderness area. Everything from steep, rocky grades to flat, pine needle-covered paths to wetlands and lakeshores.

Many ask us how to access the area. Popular access points are the Bayers Lake Business Area (behind Kent), Collins Road (via Belle Street and Kearney Lake Road), and Anahid Drive (Kingswood Subdivision via Hammonds Plains Road). However, **NONE of these access points are official or managed.** Businesses and private citizens can get frustrated with people parking so please be aware. As well, **the trails themselves are not managed.** Most trails around and inside BMBCL are the result of private citizen initiatives or have been in place before the wilderness area was created. None of them are officially managed.

Access and trail management is one of the main challenges facing the wilderness area and one that Friends of BMBCL is working tirelessly to resolve. Becoming a national urban park would be the best solution to these issues and many others.

NAME THAT BUG...OR BIRD

If you’re wondering what’s that bird, tree or bug, iNaturalist is for you. An initiative of the California Academy of Sciences and the National Geographic Society, information is gathered by anyone from anywhere and available to everyone from scientists to nature-lovers alike.

To help our members and friends learn how to use iNaturalist and how it can be used while visiting BMBCL, join us for a zoom presentation on April 28th with Mary Kennedy. **(Watch your email for more details).**



This event will also help you prepare to join in the City Nature Challenge that starts the very next day. Started in 2016, the City Nature Challenge (CNC) has grown into an international event. The friendly competition-collaboration brings people together to help gather, observe, and log information about nature. The 2022 event takes place April 29th – May 2nd.

You can join the fun by [downloading iNaturalist](#) and then join Friends of BMBCL in a webinar on April 28th. After the webinar, you can visit BMBCL Wilderness or find an [event near you](#). We love to learn more about what's growing or buzzing around the wilderness.



L-R: Pierre Clement, David Young, Dusan Soudek and Heather Leslie
Volunteers taking lake measurements

A GIANT BEAR HUG OF THANKS

April 23-30 is National Volunteer Week in Canada and we want to send all our volunteers a giant bear hug.

Thank you for supporting Friends of BMBCL and working to keep this unique land a wilderness for today and future generations. Whether you are clearing up garbage, training to be a trail steward, balancing the books, or keeping our growing membership list up to date—we are grateful to each of you.

Volunteering offers a profound human connection and is often at the heart of keeping

individuals healthy and engaged, and is an important component of strong communities.

This year's theme for volunteer week is "Volunteering is empathy in action". Empathy helps people relate to others and build awareness around different experiences. It connects people in ideas and actions and fosters common goals and aspirations. The empathy BMBCL volunteers feel for our wilderness is strong and is seen in every action. Thank you to all of you for your support.

SHARON INGALLS: LONGTIME ROCKINGHAM RESIDENT AN EXPERT IN LOCAL HISTORY

When Sharon Ingalls first arrived in Halifax from her home province of British Columbia some fifty years ago, she was immediately struck by the rich history of the area, particularly around her home in Rockingham. "We live on the grounds of an 18th-century estate, Prince's Lodge, and the remnants of a garden that the Duke of Kent built here," says Ingalls, who has lived on Kent Road since the early 1970s.

Ingalls has spent much of the last 50 years working to preserve and share this history with her community as an active member of the Rockingham Heritage Society and the co-author of the 2010 book, *Sweet Suburb: A History of Prince's Lodge, Birch Cove & Rockingham*. In recent years, she has also become a regular presence on the Friends of Blue Mountain Birch Cove Lakes Facebook group, where she posts photos of the area from the early 20th century.

The photos, many of which were shot by local photographer Gordon Larkin, depict families dressed up in their Edwardian finery for a Sunday picnic at Quarry Lake, teens swimming during World War II and a portrait of a Mi'kmaq family camp. "Those photos have been kept for years in people's basements and they've been passed around and around," Ingalls says. "There were thousands of these negatives. Some of them were mouldy. Some of them were stuck together, so we're working on getting somebody to make better copies of the negatives that we have."

Ingalls has a unique understanding of the need to protect green spaces from development. When several hectares of old-growth forest adjacent to the Hemlock Ravine were cut down to create a new subdivision, Ingalls and a group of her neighbours rallied to protect the area, helping to create what is now a popular trail network for hikers, dog walkers and families. "With all of the new development, people have to have somewhere to go to enjoy nature," she says. "And Blue Mountain Birch Cove Lakes has been used by generations of people for recreation." Despite the constant threat of development, she hopes that, like Hemlock Ravine, this area too can be



protected for future generations to enjoy.




Photo: S. d'Entremont

JOIN
FRIENDS OF BLUE MOUNTAIN BIRCH COVE LAKES

**Lend your voice to preserving this rare and unique wilderness
in the heart of Halifax Regional Municipality**

Visit www.bluemountainfriends.ca to join today

JOIN FRIENDS OF BMBCL

Friends of BMBCL want to add more members this year. The goal is to have 1000 members by mid-year, lending a stronger voice for advocacy work.

Encourage your friends to join, **IT'S FREE**, and support BMBCL. For us, the more, the merrier.

To join, just click [Friends of Blue Mountain-Birch Cove Lakes Wilderness](#)

CONTACT US: Let us know what you think.

Send comments or pictures to bluemountainbirchcovelakes@gmail.com

All previous editions, starting in 2018, can be viewed [on our website](#).



Newsletter Ed: C. McKellar