

**TERMS OF REFERENCE
FOR THE PREPARATION OF A
FOCUS REPORT**

**NOVA SCOTIA DEPARTMENT OF TRANSPORTATION AND PUBLIC
WORKS**

**HIGHWAY 113
HALIFAX REGIONAL MUNICIPALITY, NOVA SCOTIA**

NOVA SCOTIA DEPARTMENT OF ENVIRONMENT AND LABOUR

December 7, 2004

Introduction

The Highway 113 project proposed by Transportation and Public Works (TPW) was registered for environmental assessment as a Class 1 undertaking pursuant to Part IV of the Environment Act on May 2, 2001.

On May 25, 2001, the Minister Nova Scotia Department of Environment and Labour (NSEL), based on comments received on the project, decided that additional information was required from TPW, regarding: the impacts and mitigation strategies for zoological species-at-risk, species such as moose with large home ranges; and, wilderness recreation values of the Blue Mountain - Birch Cove Lakes area. More information was also required to provide further explanation as to how the proposed highway will function “as an effective block to development toward the much larger area south of the Kingswood subdivision” as claimed by the Proponent.

On September 7, 2004, the Nova Scotia Department of Transportation and Public Works (TPW) submitted Addendum # 2 Additional Information for the Proposed Highway 113.

On October 4, 2004, TPW withdrew the project in order to be able to construct the connector from Trunk 3 to Highway 113 (this was not part of the original EA trigger). The project was re-registered without the connector road on October 18, 2004.

On November 12, 2004, following a review of information submitted by the proponent, review agencies and the public, the Minister of NSEL decided that there may be limited adverse effects or significant environmental effects related to the proposal . In accordance with section 13(1)(c) of the Environmental Assessment Regulations, the Minister directed TPW to provide a focus report to examine how the proposed Highway 113 fits within the context of the current Halifax Regional Municipality's (HRM's) regional planning efforts, including but not limited to, consideration of parks and natural areas, recreational land-use, transportation corridors and private development.

The proponent is required to submit the Focus Report within one year of receipt of the Terms of Reference. Upon submission of the Focus Report by the proponent, NSEL has 12 days to publish a notice in the newspaper, that advises the public where the Focus Report can be accessed for review and comment. A 30 day public review period of the Focus Report follows.

At the conclusion of the 30 day public review, NSEL has 25 days to review public, government comments, and provide a Report and Recommendations to the Minister.

Terms of Reference for a Focus Report

The Minister of Environment and Labour will have the following decision options, following the review of the focus report:

- (S. 18) (a)
- i. the undertaking is approved subject to specified terms and conditions and any other approvals required by statute or regulation;
 - ii. an environmental-assessment report is required; or
 - iii. the undertaking is rejected.

The following concerns identified during the screening portion of the environmental assessment are presented to TPW for response in the form of a Focus Report.

1.0 Project Description

A description of Highway 113 including the following:

- the highway corridor location;
- the highway length and methods used to calculate the length;
- any assumptions which underlie the details of the project design, including impact avoidance opportunities; and
- the construction schedule.

2.0 Reason for the Undertaking

In recognition of the fact that the project has a potential to impact upon the environment and planned or existing land use in the area, this section shall discuss the public need for the undertaking.

3.0 Other Methods/Alternatives For Carrying Out the Undertaking

Describe other methods/alternatives for carrying out the undertaking, including the following:

- alternative route alignments;
- adjusting the median width;
- other modes of transportation;
- upgrading Hammonds Plains Road; and
- the null or “do nothing “ alternative.

4.0 Description of HRM’s Regional Planning Process

Describe HRM’s planning process including the: scope; process; themes and opportunities for public participation, based on public documents and discussions with HRM staff.

5.0 Highway 113 within the context of HRM’s Regional Plan

Describe how Highway 113 fits within the context of HRM’s Regional Plan and examine options for integrated/ collaborative planning, in particular, as they relate to:

5.1 Transportation Corridors

Describe how, or to what extent, Highway 113 is consistent with HRM’s planning objectives for integrating transportation systems with land use and the

environment.

5.2 Private Development

Describe how, or to what extent, Highway 113 is consistent with HRM's planning objectives for residential and related commercial development in suburban and urban areas, including the Blue Mountain area and communities such as Bedford West.

5.3 Parks and Natural Areas Land-use

Describe how, or to what extent, Highway 113 is consistent with HRM's planning objectives for regional parks and open space corridors in the Blue Mountain area and the vicinity of Frasers Lake.

5.4 Recreational Land-use

Describe how, or to what extent, Highway 113 is consistent with HRM's planning objectives to provide opportunities for public recreational land-use in the Blue Mountain area and the proposed Bedford West community.

