
A Provincial Policy for Rails to Trails in Nova Scotia



Introduction and Background

Abandoned railway corridors present exciting opportunities for recreation, tourism and community development, through the establishment of a network of high quality public trails.

Formerly the foundation of Nova Scotia's transportation infrastructure, these corridors link the important communities of the province's past and present. Following abandonment, the railway beds and bridges that remain are well-suited for a wide variety of trail uses.

This policy therefore responds to widespread public interest, both on the part of trail user groups and of community development interests, in the conversion of abandoned railway corridors into public recreation trails.

The policy also recognizes that, as linear corridors, abandoned railway lines typically pass by numerous adjacent private properties. As a result, the policy gives particular consideration to the issues and concerns of adjacent landowners, and is intended to ensure that an acceptable balance can be achieved between public recreational use and the interest of private landowners.

According to this policy, municipalities and community organizations are encouraged to take the lead role in the development and management of abandoned railway corridors as public recreational trails.

The Province of Nova Scotia will support local initiatives where possible, through corridor acquisition, trail designation, and planning and development assistance. The lead provincial agencies are the Department of Natural Resources and the Sport and Recreation Commission.

This policy is founded on community-based initiative, consultation, co-operation and partnerships.

Principles

CORRIDOR ACQUISITION

Abandoned railway corridors are acquired by the Province of Nova Scotia in consideration of their potential for future development and management as public recreational trails, and for additional linear public uses where such uses can be demonstrated to be compatible with existing or potential recreational trail use.

CONTINUITY OF PUBLIC OWNERSHIP

An overriding management principle will be maintaining the continuity of the abandoned railway corridor in public ownership, once it is acquired for public recreational purposes.

RELATIONSHIPS WITH ADJOINING LANDOWNERS

In managing acquired abandoned railway corridors, the Province will practice a deliberate "good neighbour" policy with respect to adjoining landowners. Subject to the overriding principle of maintaining the continuity of the corridor in public ownership, crossings will be permitted on the condition that the integrity of the former railway grade generally can be maintained. As well, proposed uses of the corridor in association with adjacent land use will be considered where these can be demonstrated not to impact negatively on the future potential of the corridor as a recreational trail. Particular consideration will be given to situations involving urgent need or hardship. Authorized uses will be permitted through formal agreement and, correspondingly, unauthorized encroachments or trespasses will be treated as such.

FORMAL TRAIL DEVELOPMENT THROUGH AGREEMENT

Trail development, and associated management and use, will occur only on a formal basis, and generally be undertaken locally by the pertinent municipal unit(s) and/or incorporated community organizations through agreement with the Department of Natural Resources.

TRAIL DEVELOPMENT BY NATURAL RESOURCES

In certain instances, particularly where abandoned railway corridors link directly with provincial park properties or Crown lands, trail development and management may be undertaken directly by the Department of Natural Resources.

DESIGNATION UNDER THE TRAILS ACT

Formally-established trail opportunities will be designated under the **Trails Act** to facilitate management and enforcement.

TRAIL RESERVES

In the absence of formal trail establishment and designation, informal recreational use will not be encouraged, access points to abandoned corridors will be barricaded and advisory signage erected where necessary. Motorized vehicle use will not be permitted (unless required for management purposes, or expressly authorized for some other purpose compatible with the status of the corridor as trail reserve). In the absence of a formal trail development proposal, bridges and other structures may be removed and the corridor allowed to grow over as vegetation encroaches naturally.

PLANNING AND CONSULTATION

Commitments and related decisions regarding trail development proposals and other compatible linear public uses, whether to be undertaken directly by the Department of Natural Resources or through agreement with municipalities and/or community organizations, will be based directly on planning and consultation processes at the local level.

ALTERNATE ALIGNMENTS

In exceptional circumstances, ownership of individual corridor segments may be transferred to accommodate other uses where priority public interest may apply or where situations involving extreme hardship can be demonstrated. Under such circumstances, and where relevant, priority consideration would be given to the availability of alternate alignments that could be established to maintain the continuity of the public corridor.

FUTURE DISPOSITIONS

If warranted, as a result of planning and consultation processes, consideration may be given to the disposition of individual abandoned corridors, specific corridor segments or spur lines—where viable potential public uses of the corridor cannot be demonstrated. Where disposition may be considered, public notice and review will precede any final decision in this regard. Where possible, disposition of individual corridors or segments will occur as undivided properties, and involve transfer to either a municipality or incorporated community organization. Disposition on a parcel-by-parcel basis to individual adjoining landowners generally will not be entertained. In general, however, disposition of individual corridor segments will not be considered for a 10-year period following adoption of this policy, in order to allow municipalities and/or community-based organizations to develop and demonstrate the viability of public trail proposals.

Responsibilities

The Department of Natural Resources and the Sport and Recreation Commission will share primary responsibility as the lead agencies at the provincial level, with regard to the management and use of acquired abandoned railway corridors.

DEPARTMENT OF NATURAL RESOURCES

The Department of Natural Resources will act as the Province's acquisition agent. The department will manage acquired corridors in reserve status, develop specific corridor segments as trails where consistent with program priorities, enter into lease agreements to permit trail development and management by municipalities and/or community organizations, and arrange for the designation of formal trail opportunities under the **Trails Act**.

SPORT AND RECREATION COMMISSION

The Sport and Recreation Commission will work with municipalities and community groups to assist with planning, design and management of abandoned railway lines for recreational purposes. The Commission will assist the Department of Natural Resources with the acquisition of abandoned corridors and in meeting front end administrative costs following acquisition. In addition, the Commission may assist with the development of trails.

OTHER PROVINCIAL DEPARTMENTS

The interest of other departments and agencies regarding the use of acquired abandoned railway corridors will be established through the Deputy Ministers' Committee on Land Use.

MUNICIPALITIES AND COMMUNITY-BASED ORGANIZATIONS

Municipalities and/or community-based trail organizations will be encouraged to work in partnership with the Province, by assuming primary responsibility for active trail development and management.

Translating Policy Into Action

HOW DO YOU INITIATE A RAIL TRAIL PROJECT?

The process of establishing a viable public recreational trail on an abandoned railway corridor may vary considerably from one project to another. Therefore, initially, it is recommended that you contact the Nova Scotia Sport and Recreation Commission's regional representative in your area, as listed below, for advice and guidance.

The regional representative will discuss your project proposal with you, suggest an approach that seems most appropriate to your situation, and put you in contact with the relevant government and non-government resources that can help to make your trail proposal a reality. At this stage, arrangements also will be made for contact with the Department of Natural Resources, as the provincial agency responsible for the management and administration of the subject abandoned railway corridor.

Prior to making contact with government agencies, however, consideration should be given to the following questions:

- How much public and private support currently exists in the municipality and community (e.g. support of landowners adjacent to the railway corridor, and of the planners, recreation professionals, and politicians within the municipality)?
- What organization(s) or group(s) is (are) willing to assume responsibility for the development and management of the trail?
- How would the proposed trail project impact upon the community—socially, economically, etc.? Does it fit in with other initiatives?
- Is the expertise and leadership required to undertake this project available within the community and municipality?
- Who are the intended users of the trail?
- What is the current state of the corridor, and how much work needs to be done to bring it up to a usable standard?
- Are there any special features that need to be given special consideration (e.g. bridges, adjacent land uses or activities, etc.)?

- How will the costs of development be met? and
- Are there any special opportunities, problems or issues that could significantly influence the success of this project?

Although all of the answers may not be readily available, these questions will help you to sort out the magnitude and feasibility of the project, and generally to begin to prepare for the tasks ahead.

What services are available to support a rail trail proposal?

The Sport and Recreation Commission will work with municipalities and community groups to assist with planning, design and management of abandoned railway lines for recreational purposes. The Commission also will liaise with rail trail proponents and the Department of Natural Resources in regards to the negotiation of agreements that are required to authorize trail development, to the designation of approved rail trail projects under the **Trails Act**, and to ensuring that rail trail projects comply with appropriate trail development and management standards.

Specifically, the Commission will act as a resource and catalyst, to encourage the establishment of community-based rail trails by:

- fostering interest in rail trail development in municipalities and communities;
- nurturing community trail group development;
- assisting trail groups to conduct needs assessments and feasibility studies;
- assisting in the development of rail trail leadership at all levels;
- providing coordination between the community and provincial organizations, provincial government departments, federal departments and other municipalities, regarding rail trail initiatives;
- conducting research on the impact/benefit/management of rail trails;
- funding trail planning and development initiatives through existing programs; and
- providing information regarding the trail development process.

Primary contacts include Regional Representatives at the following locations:

Cape Breton (Sydney)	563-2380
Central (Halifax)	424-7622
Fundy (Truro)	893-6215
Highland (Antigonish)	863-7380
Western (Bridgewater)	543-5000

For information of a provincial nature, contact the Co-ordinator of Outdoor Recreation (Halifax) 424-4642

How can adjacent landowners initiate discussion concerning uses of abandoned railway corridors as it relates to his or her adjoining property?

Any landowner wishing to discuss uses of an abandoned railway corridor may do so by contacting the nearest local office of the Department of Natural Resources. Primary contacts in this regard include the Area Supervisors, Forest Resources, at the following locations:

Cape Breton County (Coxheath)	563-3370
Victoria/Inverness (Baddeck)	295-2554
Richmond/Guysborough (St. Peters)	535-2032
Antigonish/St. Mary's (Antigonish)	863-7336
Pictou (McLellans Brook)	752-3181
Cumberland (Parrsboro)	254-3241
Colchester/Hants East (Bible Hill)	893-5625
Halifax East (Middle Musquodoboit)	384-2290
Halifax/Hants West (Waverley)	861-2560
Lunenburg/Queens (Bridgewater)	543-0628
Kings (Kentville)	679-6097
Yarmouth/Shelburne (Tusket)	648-3526
Annapolis/Digby (Lawrencetown)	584-2229

References:

The following organizations have long-standing interests in rail trail projects, and may be able to provide useful information and advice.

Recreation Association of Nova Scotia:

This not-for-profit agency's membership includes recreation professionals and volunteers, municipal councillors/aldermen. Many of its members are the catalyst and resources behind the rail trail movement. In partnership with the Commission, they have produced the Rails to Trails Resource Manual available at a cost of approximately \$25.00. Contact: P.O. Box 3010 South, Halifax, Nova Scotia, B3J 3G6. Phone (902) 425-1128, Fax (902) 425-5606.

Nova Scotia Trails Federation:

This not-for-profit agency is a federation of trail users including Dartmouth Volksmarch Club (hikers), Snowmobilers Association of Nova Scotia, Nova Scotia Equestrian Federation, Nordic Ski Nova Scotia, Canadian Motorcycle Association, and others. The Nova Scotia Trails Federation offers information on member organizations, available expertise and printed resources. For example, the "Developing Recreation Trails in Nova Scotia" manual is a valuable resource which provides detailed information on planning, designing, constructing, maintaining and managing trails. Contact: P.O. Box 3010 South, Halifax, Nova Scotia, B3J 3G6. Phone (902) 425-5450, Fax (902) 425-5606.

Canadian Rails to Greenways Network:

This organization provides a national focus for the rail trail movement by facilitating information exchange and influencing government policy/legislation. They have a number of resources available and can be contacted at 1600 James Naismith Drive, Suite 306, Gloucester, Ontario, K1B 5N4. Phone (613) 748-5651, Fax (613) 748-5854.

Rails to Trails Conservancy:

Essentially this is the American equivalent of the Canadian network and has considerable resources available. Contact: 1400 Sixteenth N.W., Suite 300, Washington, DC 20036. Phone (202) 797-5400.



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July 1997