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Item No. 10.1.2
North West Community Council
May 25, 2015

TO: Chair and Members of North West Community Council

Original Signed

SUBMITTED BY: _____
Bob Bjerke, Chief Planner & Director Planning and Development

DATE: April 21, 2015

SUBJECT: **Case 18686: Amendments to Extend the Central Water Service Boundary from Lucasville Road to McCabe Lake North, Middle Sackville**

ORIGIN

- May 7, 2013 Motion of Regional Council.

“MOVED by Councillor Johns, seconded by Councillor Walker that staff initiate the process to extend the municipal water service boundary to Macabes North and amend the MPS for Beaver Bank, Hammonds Plains and Upper Sackville (Planning Districts 15, 18, and 19) MOTION PUT AND PASSED.”

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, Part VIII, Planning & Development

RECOMMENDATION

It is recommended that North West Community Council recommend that Regional Council:

Direct staff to consider the extension of the Central Water Service Boundary from Lucasville Road to McCabe Lake North, Middle Sackville within the scope of the Secondary Planning Strategy process planned for Middle Sackville as previously directed by Regional Council to ensure the proposal is considered holistically and is consistent with Regional Plan policies.

BACKGROUND

On August 9, 2012 North West Community Council requested a staff report initiating the extension of the Central Water Service Boundary from Lucasville Road to McCabe Lake North and to initiate the process to amend the Municipal Planning Strategy for Beaver Bank, Hammonds Plains and Upper Sackville (Planning Districts 15, 18, 19) to support the proposed Central Water Service Boundary extension. Following the Municipal Election in the fall of 2012 this motion was added to the North West Community Council status sheet (December 13, 2012).

An Information Report dated March 11, 2013 was tabled with North West Community Council on April 22, 2013. North West Community Council advised that Councillor Johns would be forwarding the matter and the Information Report to Regional Council.

The Information Report was tabled with Regional Council on May 7, 2013 and Regional Council initiated the process to consider the extension of the central water service district in Middle Sackville to service the McCabe Lake North lands (Map 1). McCabe Lake North has existing subdivision approval for some 490 lots to be serviced with onsite sewage disposal systems and private wells (Map 1). The discussion at the time of initiation was that leachate from the former Sackville Landfill, located to the west of McCabe Lake (Map 1), could eventually contaminate ground water at the McCabe Lake North lands.

In 2011, an "External Leachate Treatment Study" was completed of the former Sackville Landfill site to determine if external leachate could be treated on site. Generally, the results of the study indicate that leachate is not leaving the former landfill site in a contaminated manner. The study does not report on ground water testing on the adjacent lands at McCabe Lake North. At the time of this report, staff are unaware of any study that shows that leachate from the former Sackville Landfill will cause impact to the ground water source for McCabe Lake North.

Location and Surrounding Land Use:

Subject Property	See attached Maps
Location	On the west side of Lucasville Road over Serviced Road to McCabe Lake North Lands (Maps 1 and 2).
Surrounding Uses	Residential uses to the south, an NSPI Power Transfer Station and vacant land (Maps 1 and 2).
Current Use(s)	Service Road (Class "L" Crown Reserve) utilized for Agricultural access (Maps 1 and 2).

DISCUSSION

The Regional Council motion of May 7, 2013 requires that consideration be given to amending the Beaver Bank, Hammonds Plains, and Upper Sackville Municipal Planning Strategy and the Regional Subdivision By-law¹. However, in order to extend the Water Service District, an amendment to the Regional Plan (RP) and its serviceable boundary map is also required. Typically, an amendment to the RP (approved in

¹ <http://www.halifax.ca/Commcoun/central/documents/nwccmccabesoriginalsigned.pdf>

2014) and other Municipal Planning Strategies would not be supported by staff unless substantial justification can be provided.

Regional Plan Policy

Regional Plan Policy G-9 states that amendments to secondary planning strategies should be consistent with or further the intent of Regional Plan policies when brought forward for approval. By extending the water service boundary to include McCabe Lake North in accordance with the Council resolution consideration would be given to establishing a new water service district at that location. When establishing a new water service district Policy SU-14 applies. Policy SU-14 requires the completion of a Secondary Planning Strategy (SPS) prior to the establishment of a new Water Service area. Alternatively, SU-14 permits consideration of extending the new water service area if a Classic Conservation Design development is proposed. However, the subject lands already have a conventional subdivision approval (490 lots) in place.

The SPS program for Middle Sackville is scheduled as a project on the priority list of secondary planning processes that was established in the RP+5 June 24, 2014 report to Regional Council. Policy G-2 states that the approved Community Visioning Statement (CVS) for Middle/Upper Sackville/Lucasville shall be considered when preparing secondary planning strategies. The action plan that forms part of the CVS explicitly identifies this area as having some form of existing development approval but states that there is still a possibility for a redesign of these lands and that Secondary Planning should be encouraged (Attachment B). The Council resolution to extend water service to McCabe Lake North is not consistent with the intent of Regional Plan or the Provincial Interest Statement regarding Infrastructure which indicates that the installing of municipal water systems without municipal wastewater disposal systems should be discouraged.

Halifax Water

As a cost sharing measure with the developer of McCabe Lake North, Halifax Water supports the extension of the water service boundary (and subsequent water main location) from Lucasville Road to McCabe Lake North. Halifax Water has identified the need for a secondary water transmission main that would cross Hwy. 101 (at Margeson Drive) to Sackville as a longer term initiative. The routing of the water transmission main (at Lucasville Road) would facilitate cost-sharing opportunities for the construction of the primary transmission main (at Margeson Drive) in the future. However, since the Regional Plan does not permit consideration of the boundary extension it cannot be supported at this time.

Northwest Planning Advisory Committee (NWPAC)

Staff presented the Council resolution to the NWPAC on November 15, 2013 for feedback on alternatives. One alternative would be that, should Council choose to direct that the water service boundary be extended, the Committee recommended that the boundary follow the pathway of a Service Road (Maps 1 and 2) with the intent of excluding adjacent lands from being brought into the boundary where possible. This recommendation was intended to recognize that the Regional Plan directs that a SPS program be completed in order to determine the appropriate land use for this area prior to water service availability.

Conclusion

Regional Plan Policy SU-14 directs that the SPS program for Middle Sackville should be concluded prior to considering the extension of the Municipal Water Service Boundary. Regional Council has previously indicated that this area is a phase 1 priority for planning policy development, and staff are actively working on policy development for communities on this list. In the absence of the SPS program or the submission of an application for a Conversation Design Development, Policy SU-14 cannot be satisfied.

Therefore staff recommends that Council not direct staff to prepare the proposed amendments to the RMPS, Beaver Bank, Hammonds Plains, and Upper Sackville MPS and the Regional Subdivision By-law.

FINANCIAL IMPLICATIONS

The HRM costs associated with processing this planning application can be accommodated within the proposed 2015/16 operating budget for C310 Planning & Applications. Should Council direct staff to undertake amendments, there are potentially long term financial implications associated with installing central water without central sewer. Costs for such projects per household are undetermined at this point. This would naturally increase over time and could put pressure on the Municipality and other levels of government to subsidize these costs.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy.

The level of community engagement was consultation, achieved through a Public Information Meeting held on November 4, 2013 (see Attachment C for minutes). Notices of the Public Information Meeting were posted on the HRM Website, in the newspaper, and mailed to property owners in within the area.

ENVIRONMENTAL IMPLICATIONS

No additional concerns have been identified beyond those raised in this report.

ALTERNATIVES

Halifax Regional Council may choose to direct staff to prepare amendments to the Regional Municipal Planning Strategy and Regional Subdivision By-law as required for Public Hearing by extending a single line water service boundary along the service road extending to a point sufficient to service all of the McCabe Lake North Lands as generally shown on Maps 1 and 2.

ATTACHMENTS

Map 1	Extension of Water Service Boundary west from Lucasville Road over Service Road and on the lands of McCabe Lake North
Map 2	Detail - Extension of Water Service Boundary west from Lucasville Road over Service Road and on the lands of McCabe Lake North
Attachment A	Policy Context
Attachment B	Excerpts from the Community Vision
Attachment C	North West Planning Advisory Committee Minutes - November 4, 2013

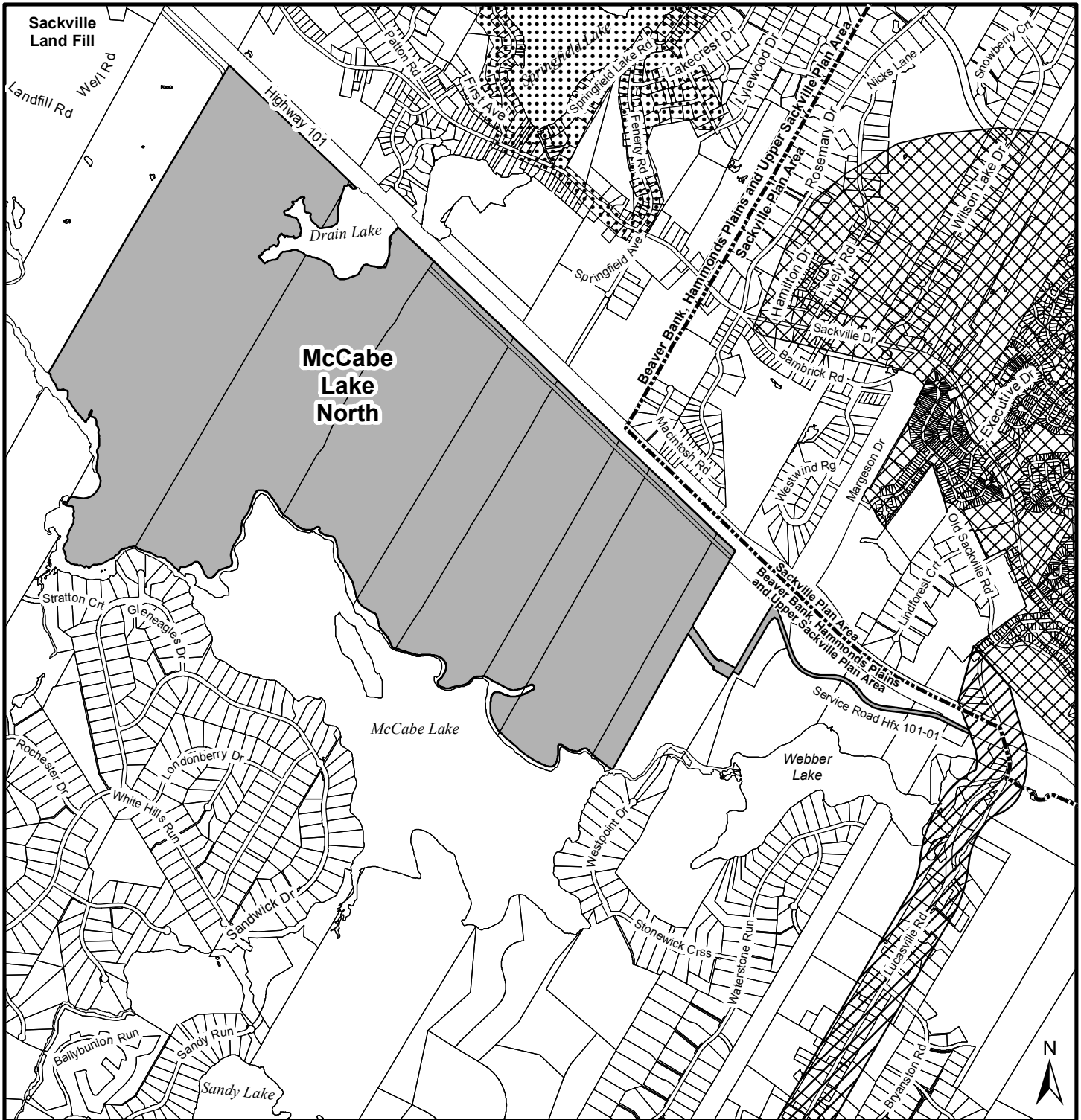
A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Shayne Vipond, Senior Planner, Development Approvals 902.490.4335





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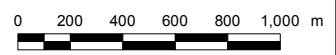
Report Approved by:

Kelly Denty, Manager, Development Approvals 902-490-4800



Map 1 Extension of Water Service Boundary Over Service Road - Alternative HALIFAX

-  Proposed Water Service Boundary Extension
-  Water Service Boundary Only
-  Urban Service Boundary (Central Water and Sewer)
-  Service Boundary (Sewer Only)



This map is an unofficial reproduction of a portion of the plan areas indicated.

The accuracy of any representation on this plan is not guaranteed.




Beaver Bank, Hammonds Plains and Upper Sackville and Sackville Plan Area

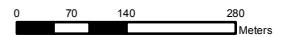


**Map 2 - Detail Extension of Water Service Boundary Over Service Road
- Alternative**

HALIFAX

Middle Sackville

-  Proposed Water Service Boundary Extension
-  Water Service Boundary Only
-  Urban Service Boundary (Central Water and Sewer)



This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

HRM does not guarantee the accuracy of any representation on this plan.

Planning Districts 15, 18, & 19 And Sackville Plan Area

Attachment A - Policy Context

REGIONAL PLAN

8.3 WATER, WASTEWATER AND STORMWATER SERVICES: PLANNING FOR GROWTH IN SERVICED AREAS

This Plan seeks to focus development in areas where infrastructure can be provided in a cost-effective manner with consideration given to both capital and operating costs. HRM also seeks to support a competitive housing market by maintaining a 15 year supply of serviced lands. A primary tool for achieving these objectives will be directing the supply and location of lands to be serviced with wastewater and water services.

SU-14 HRM may consider establishing new Water Service Areas, subject to the financial ability of HRM to absorb any related costs, provided a wastewater management plan is also considered in accordance with Policy SU-20, if:

- (a)
 - (i) the area is within a Rural Commuter, Rural Resource or Agricultural centre and it has been determined through a secondary planning process that new growth is to be encouraged in this area; or
 - (ii) the lands are adjacent to an existing Water Service Area and a Classic Conservation Design development is proposed; or
 - (iii) the lands are adjacent to an existing Water Service Area and a Classic Conservation Design development is proposed within an Urban Reserve designation, subject to the provisions of clause (d) of policy G-16; and
- (b) the new service area and a charge needed to pay for growth related improvements to the water or stormwater services has, where required, been approved by the Review Board.

9.2.2 Community Visioning

In 2006 Community Visioning was identified as a key process for informing secondary planning and implementing this Plan at the community level, including the Regional Centre and each of the growth centres. In addition to the Vision for the Regional Centre, presented in Chapter 6, community visions were approved in principle by HRM as a basis for future secondary planning, business planning, and service delivery in seven communities.

G-2 The Community Visioning statements approved by HRM for the Bedford Waterfront, Fall River, Musquodoboit Harbour, Middle/Upper Sackville/Lucasville, Spryfield, Penhorn/Woodlawn, Woodside and Upper Tantallon shall be considered when preparing secondary planning strategies, programs and service delivery for these communities.

G-3 When preparing secondary planning strategies, HRM shall incorporate a visioning program as part of the planning process.

9.4 SECONDARY PLANNING STRATEGIES

Various Secondary Planning Strategies were adopted prior to amalgamation and prior to this Plan being adopted. These Strategies present visions, objectives and policies of a community which may not be consistent with this Plan. Over time HRM will strive to achieve consistency in all its planning documents and programs to ensure that they are consistent with this Plan and that they reflect current community issues and desires for future change.

G-9 When new secondary planning strategies or amendments to existing secondary planning strategies are brought forward for approval, HRM shall consider whether the proposed objectives and policies are consistent with or further achieve the objectives and policies of this Plan.

Attachment B – Excerpts from the Middle – Upper Sackville & Lucasville Vision

LAND USE DEVELOPMENT OPPORTUNITIES

Comments from Middle-Upper Sackville & Lucasville were varied and conflicting on the subject of future land development. Many comments stated a desire to preserve the trees and forests, while at the same time indicating a desire for more housing opportunities, new recreation facilities, and a larger commercial area. There was also a strong desire to have a central gathering place that would serve the whole community (i.e. public commons, community commercial service center).

Given that the Regional Plan has already identified part of our study area as a growth center, and that the proposed Margeson Drive interchange may soon be underway, it is likely that the vision area will have new development. The goals and actions may be area-specific as a way to identify which areas may be suitable for specific types of development.

The residents were consistent in their appreciation of the community and the particular neighbourhood they lived in. Comments received from people who live in Middle – Upper Sackville & Lucasville indicate that they enjoy the fact that they live near the city yet have a lot of trees and forests that make the area semi-rural.

Master Planning

The Vision area contains three identified areas of centrally located undeveloped land that may be suitable for future development in an overall comprehensive manner i.e. master planning. These areas fall primarily into Areas A & B: that is, the interchange locations and surrounding lands, and the lands within proximity to either side of McCabe Lake within the visioning study area. While these areas may have some form of existing development approval there is still a possibility for a re-design of these lands.

Implementation of the Vision and Action Plan

The next stages of the Visioning process include the creation of a detailed Action Plan to clarify short, medium, and long term deliverables of this Vision. Within this process public and private initiatives and relationships will be further defined to achieve this Vision's objectives.

A major concurrent initiative - the creation of a new Secondary Planning Strategy to establish new policies for land use – will commence in accordance with the overall guiding objectives set out in this Vision.

Ultimately these processes will be advanced by way of the Vision Implementation Committee (VIC). The VIC will determine in accordance with the detailed action plan, how to advance the objectives of the Vision including, the structure, number and nature of relationships and subcommittees that will flow back into the VIC. The VIC's mandate is to ensure that each of these processes is consistent with the objectives of the Vision and Action Plan.

Attachment C

HALIFAX REGIONAL MUNICIPALITY

NORTH WEST PLANNING ADVISORY COMMITTEE PUBLIC MEETING MINUTES

November 4, 2013

PRESENT: Ms. Ann Merritt, Chair
Councillor Steve Craig
Mr. Paul Russell
Mr. Brian Murray

OTHERS PRESENT: Councillor Brad Johns

REGRETS: Councillor Tim Outhit
Ms. Carrie Purchell
Mr. Michael Cogan

STAFF: Mr. Shayne Vipond, Senior Planner, Development Approvals
Ms. Holly Kent, Planning Technician, Development Approvals
Ms. Kenda MacKenzie, Manager, Engineering Approvals,
Halifax Water
Mr. Darcy Warren, Legislative Assistant

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1. CALL TO ORDER

The Chair called the meeting to order at 7:13 p.m. in the Wallace Lucas Community Centre, 596 Lucasville Road, Sackville.

Ms. Ann Merritt, Chair of the North West Planning Advisory Committee introduced members of the Committee and staff present, and welcomed members of the public to this public meeting.

2. Case 18686: HRM initiated application to amend the Municipal Water Service Boundary from Lucasville Road to the new 101 Interchange in Middle Sackville.

Mr. Shayne Vipond, Senior Planner provided background and a presentation on Case # 18686 Halifax Regional Municipality initiated application to amend the Municipal Water Service Boundary from Lucasville Road to the new Highway 101 Interchange in Middle Sackville.

Mr. Vipond informed those present that this application was initiated by Halifax Regional Municipality for the purpose of considering the extension of water service boundary from Lucasville Road to the new Highway 101 Interchange.

Mr. Vipond indicated that the boundary extension would serve to permit central potable water services along a service road near the new 101 interchange. If approved the central water service extension could potentially service lands at the Highway 101 Interchange and the McCabe Lake North Subdivision development (currently planned for approximately 357 lots).

Mr. Vipond advised members of the public that this meeting is an information exchange and that no decision on the case would be made at this time.

Ms. Merritt advised the public of the ground rules of the meeting and requested that anyone who wanted to speak to the proposal come forward. The floor was opened for comments from the public.

Mr. Tony Vander, Lucasville stated that he had to pay fees when water went in Lucasville. He question whether there would be additional fees for Lucasville residents if this proposal goes through.

Ms. Kenda MacKenzie, Manager, Engineering Approvals, Halifax Water responded that the long term goal is to make another connection in through Pockwock/Margeson Drive. Ms. MacKenzie informed the public that this was included in the Master Plan started in mid 2000. Ms. MacKenzie indicated that there would be no additional fees applied to Lucasville Road.

Ms. Shelly Kennedy, Lucasville asked if residents say no to this proposal whether Regional Council would listen.

Mr. Vipond responded that this is an information meeting and that no decisions will be made here tonight. Mr. Vipond stated that all comments and suggestions are taken into consideration.

Ms. Velma Parsons, Lucasville questioned why pictures were being taken and that she does not want her picture taken.

Mr. Paul Chisholm, Community Herald responded that he was a reporter and that he would not use her photo.

Mr. Greg Burke, Waterstone commented that this road was proposed in 2007 and the community said no to it and felt that their concerns are not being heard. He questioned why this is so long coming to the community and why they are just being informed.

Ms. MacKenzie advised that this proposal was included in the Regional Plan and that nothing will be done in 2014.

Councillor Brad Johns, District 14 informed the public that there have been several open houses on this proposal and the public has to work with HRM.

Mr. Ross Evans, Lucasville suggested that there be smaller lots, have their own sewer and gravity fed wells.

Ms. MacKenzie advised that there are no designs, budgets or strategies in place at this time.

Mr. Walter Regan, Sackville River's Association commented that with new sub-divisions, planning should include high density in the Master Plan and that more public consultation take place.

Councillor Johns informed the public that public consultations on the Master Plan have been completed and there is no opportunity to add to it. Councillor Johns questioned if there would be any financial impact to the Lucasville system.

Ms. MacKenzie stated that no additional costs would be incurred to the residents of Lucasville. She noted that any new extensions will be paid by the Developer.

Ms. Iris Drummond questioned if sewer would be installed and how were residents to stop this from happening.

Mr. Vipond responded that sewer will not be going in the sub-division. Mr. Vipond stated that it was up to Regional Council whether this proposal is approved.

Mr. Nick Antoff, Lucasville noted that re-zoning on Case 18704 will increase development and pressure on the current water system. He also noted that there has been no study on leachate in the old dump site.

Perley Oliver, Lucasville commented that HRM adjusted the boundaries and costs have not been worked out. The size of pipes installed in Lucasville Road are between 12 and 16 inches and the Master Plan is to have 24 inch pipe from Pockwock.

Mr. Steven Oliver, Lucasville stated that his life savings was used to help pay for water pipes that go into Millwood.

Mr. Greg Burke Lucasville requested a commitment from HRM to have an environmental and feasibility study completed and a survey on Marshland and McCabe's Lake. He also questioned if there are alternative routes for the waterlines.

Mr. Vipond reponded that there are no alternative routes and that he would check with HRM staff in regards to the studies and survey.

Mr. Walter Regan, Lower Sackville stated that this is in the early stages. He questioned if a hydrogeological study has been completed to support well water.

Ms. MacKenzie stated that a hydrogeological study has not been done, reiterating that the developer would incur any costs.

Ms. Angela Downey, Lucasville questioned how long Pockwock would last.

Ms. MacKenzie responded that Pockwock has decades left before tapping into Tomahawk Lake.

Mr. Cedric Parsons, Lucasville questioned if the drinking water would be affected.

Ms. MacKenzie responded that the drinking water would not be affected; reminding the public that residents of Lucasville would not bear the costs of this proposal. She also noted that plans are not underway at this time.

Ms. Deborah States, Lucasville commented that the area of circulation of letters notifying residents of upcoming meetings should be increased.

3. CLOSING COMMENTS

Councillor Craig informed the public that the ultimate authority is Regional Council, and that HRM has Planning Advisory Committees to ensure the voices of the residents are being heard. He thanked staff and North West Planning Advisory Committee members and all others who help ensure that HRM communities are informed.

Councillor Johns thanked those present for attending. He stated that if there are any questions or concerns to please contact him at any time. He informed the public that Case 18704 will be holding a public information meeting in two weeks and that a leachate public information meeting will be coming in the near future. Ms. Merritt thanked everyone for attending.

4. ADJOURMENT

The public meeting was adjourned at 9:00 p.m.

Mr. Darcy Warren
Legislative Support