

TO: North West Community Council

SUBMITTED BY: Ann Merritt for.
Ann Merritt, Chair
North West Planning Advisory Committee

RE: Case 00908: Development Agreement - Expansion of Timber Trails Mobile Home Park, Lucasville Road, Hammonds Plains

DATE: October 2, 2008

ORIGIN

North West Planning Advisory Committee meeting - October 1, 2008

RECOMMENDATION

The North West Planning Advisory Committee recommend that North West Community Council:

1. Give Notice of Motion to consider a development agreement to permit the expansion of the ~~Timber Trails Mobile Home Park, located on Lucasville Road, in the community of Hammonds Plains, as shown in Attachment A of the report dated September 11, 2008, and~~ schedule a public hearing;
2. Approve the proposed development agreement to enable the expansion of the Timber Trails Mobile Home Park as set out in Attachment A of the report dated September 11, 2008; and
3. Require that the agreement be signed within 120 days, or any extension thereof granted by Council on the request of the applicant, from the date of final approval by Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.
4. Request that provisions be included in the development agreement to:
 - (a) Require that a water sampling site be set up at the point where the brook flows into Sandy Lake. Samples should be taken before the new sewage treatment facility is installed to establish baseline data; and then, following construction, samples should be taken in the spring, summer, and fall for the next three years to monitor the efficiency of the facility. Samples should be tested for fecal coliforms, phosphorous, nitrogen and pH. The flow rate of the stream where it enters Sandy Lake should be monitored prior to construction and for the next three years on the same sampling schedule.
 - (b) Require there to be landscaping design and fencing at the sewage treatment plant.

- (c) Require the prevention of infiltration or leakage of sewage pipes.
- (d) Require a bond to be put in place to ensure that all work is completed as per the development agreement.

ATTACHMENTS

Staff report dated September 11, 2008

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report prepared by: Gail Harnish, Admin/PAC Coordinator, 490-4937
Report reviewed by: Ann Merritt, Chair, North West PAC



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

North West Planning Advisory Committee
October 1, 2008

TO: Chair and Members of North West Planning Advisory Committee

SUBMITTED BY: Sharon Bond
Sharon Bond, Acting Director of Community Development

DATE: September 11, 2008

SUBJECT: Case 00908: Development Agreement - expansion of Timber Trails
Mobile Home Park, Lucasville Road, Hammonds Plains

ORIGIN

~~Application by Timber Trail Homes Limited to enter into a development agreement to allow for a
178 unit expansion of the Timber Trails Mobile Home Park.~~

RECOMMENDATION

It is recommended that North West Community Council:

1. Give Notice of Motion to consider a development agreement to permit the expansion of the Timber Trails Mobile Home Park, located on Lucasville Road, in the community of Hammonds Plains, as shown in Attachment A of this report, and schedule a public hearing;
2. Approve the proposed development agreement to enable the expansion of the Timber Trails Mobile Home Park as set out in Attachment A of this report; and
3. Require that the agreement be signed within 120 days, or any extension thereof granted by Council on the request of the applicant, from the date of final approval by Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

EXECUTIVE SUMMARY

Timber Trail Homes Limited have applied for a 178 mobile home space expansion to the existing Timber Trails Mobile Home Park. The additional spaces would be located on extensions of existing park streets and on two new park streets (Map 3). Policy P-19 of the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy (MPS) enables Council to consider this expansion through the development agreement process and staff are satisfied that the proposal meets the intent of the policy. Staff are recommending approval of the development agreement as the adjacent properties will be buffered from the expansion, the extension will compliment the existing development and the required upgrades to the sewage treatment system will enhance the function of the mobile home park and reduce its environmental impact.

BACKGROUND

An application was made by Timber Trail Homes Limited to enter into a development agreement to permit an expansion to the existing, approximately 230 unit, mobile home park. In the past, the Timber Trails Park has struggled with wastewater treatment issues such as overflow and seepage during rain events. Nova Scotia Department of Environment (NSDE) are recommending that the Park upgrade their system to meet current standards. The proposed improvements are estimated to cost between \$850,000 to \$1 million and the owners propose a park expansion to offset this cost.

The proposal is for an additional 178 mobile home spaces, totalling 408 spaces, to be located on extensions of existing streets and the creation of two new streets, as illustrated on Map 3.

The subject property is located on the Lucasville Road in the community of Hammonds Plains and is described as follows:

- comprised of two adjacent parcels (PIDs 40202814 and 40844870) that are 61 and 33 acres (25 and 13 hectares) respectively, and a 35 acres (14 hectares) parcel across the Lucasville Road (PID 40202764) that will be the site of the sewage treatment plant;
- designated Mixed Use C (MU-C) and zoned MU-1 (Mixed Use 1) Zone under the Beaver Bank, Hammonds Plains and Upper Sackville MPS and Land Use By-law (LUB); and
- serviced with Municipal water and on-site sewage treatment systems.

DISCUSSION

Policy P-19 provides the criteria under which Council can consider an expansion to an existing mobile home park (Attachment "B"). The proposal meets the requirements of the policy as:

- the Lands are more than 200 feet (61 metres) from any R-1 (Single Unit Dwelling), C-4 (Highway Commercial), I-1 (Mixed Industrial) and I-4 (Sanitary Landfill Site) zones.
- the mobile home park has direct access off of Lucasville Road; and
- meets the provisions of other applicable policies.

Issues

Policy P-19 also requires Council to have regard for the considerations found in Policy P-18 and the implementation policies found in P-137 (Attachment B). Staff have reviewed the proposal and determined that it is consistent with the relevant Plan policies. The following is a discussion of a number of key issues identified by staff and the public and how these issues satisfy the requirements of the Plan policies:

1. Compatibility

Compatibility with the Waterstone subdivision was raised as a concern during public consultation and buffering/landscaping separations to adjacent land uses are required under Policy P-18 to protect privacy (Attachment B). The applicants are proposing to retain a 15 foot (4.6 metre) buffer at the end of looped roads and a 50 foot (15 metre) buffer to all mobile home spaces to provide separation to the Waterstone Subdivision (Map 3). Section 3.7 of the Development Agreement requires that this buffer be maintained and protected. In addition, the lots of the Waterstone Subdivision are very deep where they back onto Timber Trails land. With an average depth of approximately 300 feet (91 metres), it is unlikely there will be any conflict between the Waterstone dwellings and the park expansion.

Policy P-18 requires that the expansion conform with the provisions of the Mobile Home Park By-law, HRM By-law 29 (Attachment B). The By-law provides the standards for the expansion; all mobile home spaces must have a minimum of 40 feet (12 metres) of park street frontage and 4000 sq. feet (372 sq. metres) of area (Attachment "C"). In addition, the By-law controls the siting and mass of the mobiles, accessory buildings and additions. The controls provided in the Mobile Home Park By-law are similar to the development of the existing home spaces and will create a consistent development pattern throughout the park.

2. Servicing

The existing park is serviced with Municipal water however, the site of the expansion is outside of the Water Service Boundary. Staff have made the determination that servicing the proposed expansion would not be considered an extension of the service boundary; it would be considered an extension of private laterals from existing services. As such, the expansion's location outside of the Water Service Boundary is not an issue and the proposal has been reviewed and accepted by Halifax Waters (Policy P-18, Attachment B).

The existing park is serviced with two sewage treatment plants that discharge into a nearby brook. NSDE have indicated that they support the park expansion as it provides an opportunity to improve a poor treatment situation with a new sewage treatment plant and is likely to result in higher quality of services for the park (Policy P-18, attachment B). Due to current treatment conditions, NSDE will not support construction of the expansion until the upgrade is complete. As part of their approval, NSDE will require a detailed design of the sewage treatment strategy. Section 3.3 of the proposed Development Agreement requires proof of construction and approval from NSDE of the upgraded sewage treatment system prior to occupancy of any new mobile homes.

Halifax Watershed Advisory Board (HWAB) reviewed the proposal and provided recommendation to reduce the impact on the watershed (Attachment D). Due to the sensitivity of the area, HWAB recommended that the new sewage treatment plant provide tertiary treatment. NSDE concurs and will be requiring tertiary treatment in addition to other measures to increase the treatment standard. HWAB also recommended establishing a sampling site where the brook flows into Sandy Lake. NSDE indicated that it will not be necessary to sample here as the required system will achieve acceptable levels before encountering the watercourse, which will ensure that Sandy Lake will not be affected upstream.

3. Traffic and Access

HRM Engineering staff have reviewed the proposal, including the Traffic Impact Study, and have identified no concerns and do not anticipate any negative impact of the expansion on the existing traffic patterns (Policy P-18, Attachment B). The existing park is accessed with a number of privately owned, internal park streets that are not built to HRM standards. These existing park streets will be extended and looped with adjacent park streets (Map 3). While residents wished to retain the cul-de-sacs, the looped streets were required to ensure safe access from an engineering perspective. Emergency vehicles must have two exits/entrances in case of a blockage in the roadway; extending the cul-de-sacs would have required a gated connection between adjacent bulbs. Looping the park streets requires less paved surface, allows for a larger buffer to the Waterstone Subdivision, and meets sound engineering design practices. Further, providing a vehicular connection between two streets is unlikely to generate more traffic on the roadways than a cul-de-sac, which was the primary concern of residents.

A 25 foot (7.6 metres) wide crusher dust walkway is located between the existing park and the proposed expansion (Map 3). This walkway provides an internal connection linking the streets and playground. There is also an existing gravel pathway along the Lucasville Road providing additional internal access; this pathway provides an existing buffer to the public roadway, as required under Policy P-18 (Attachment B).

4. Schools

The Halifax Regional School Board (HRSB) indicated that Madeline Symonds Middle School and C.P. Allen High School are nearing capacity and that potential development in the area may have an impact on the existing school system. Policy P-18 requires that Council consider the ability of education facilities to meet the needs of the development (Attachment B). The HRSB stated that if the local schools do not have adequate capacity at the time of development, the students of this subdivision may be assigned to another school within the Board. While ideally students from this development would be served by local schools, HRSB can accommodate the students within the school system and Policy P-18 would be satisfied.

5. Playground expansion

Policy P-18 requires consideration of the ability of recreation facilities to service the needs of existing and expanded developments (Attachment B). The Mobile Home Park By-law requires a useable area of land be dedicated to recreational space; this space must equal 5% of the total mobile home park area (Attachment C). The proposed expansion is roughly 22 acres in size (8.7

hectares) and five percent would be equal to a recreation space requirement of 1.1 acres (0.43 hectares). The proposal provides adequate recreational facilities as the playground exceeds the 5% requirement with approximately 1.3 acres (0.51 hectares) proposed for the expansion, 2.0 acres (0.83 hectares) for the existing playground and with the inclusion of the walkways which are considered recreational areas.

The applicants will reserve the majority of the expanded playground for future development; a portion of the site will be cleared for relocation of the play equipment displaced by the roadway extension and the new parking area. Timber Trails has a recreation committee that works with the owners to equip and maintain the playground. The existing playground contains a large concrete slab for basketball and ball hockey; a large ballfield and many pieces of play equipment such as climbers, swings, etc. Future development of the park expansion will be based upon the needs identified by the committee. A parking area will be provided next to the playground, which the applicants are proposing to address the lack of park parking, which has been problematic.

6. Environmental controls

Pyritic slate may be an issue at this location. Section 5.1 of the Agreement requires the Developer to follow the Province of Nova Scotia Sulphide Bearing Material Disposal Regulations if pyritic slate is found on the property.

7. Setbacks and buffers from watercourse

~~Watercourse mapping does not show any watercourses or wetlands on the subject properties. The wastewater connection to the receiving waters occurs off-site.~~

8. Subdivision

As construction over property lines is not permitted, the development agreement requires that the applicants consolidate PIDs 40202814 and 40844870, prior to issuance of construction permits.

9. Maintenance

The Mobile Home Park By-law requires that mobile home park owners keep the park and park streets in good condition (Attachment "C"). The Development Agreement also requires that the developer maintain and keep in good repair all portions of the development.

Public Information Meeting

A public information meeting was held on June 21, 2006 with seventy members of the public in attendance. Minutes of the meeting are provided as Attachment "E". Concerns expressed at the meeting were that:

- (a) existing walkways would be retained;
- (b) buffering to the Waterstone development at the rear would be established,
- (c) cul-de-sacs would remain,
- (d) the playground area would be expanded,
- (e) the capacity of schools to deal with new homes would be looked at,
- (f) no new homes would be permitted until the wastewater treatment plant was operational,
and

(g) the traffic impact of the development would be reviewed.

These issues have been addressed in the preceding discussion.

Should Community Council decide to proceed with a public hearing on this application, in addition to published newspaper advertisements, property owners in the immediate area will be individually notified as shown on Map 2. This notification area was also utilized for the Public Information Meeting.

Conclusion

Timber Trails Mobile Home Park has been held up as an example of an excellent mobile home park and the owners have been praised for their maintenance and provision of services. Enabling the park expansion would allow the owners to improve the current sewage treatment system and provide a higher level of service for a larger number of tenants. The proposed mobile home park expansion complies with plan policy and is predicted to have minimal impact on the community. Further, the expansion has the added benefit of improving a problematic wastewater treatment situation. Staff are recommending approval of the expansion of the Timber Trails Mobile Home Park.

BUDGET IMPLICATIONS

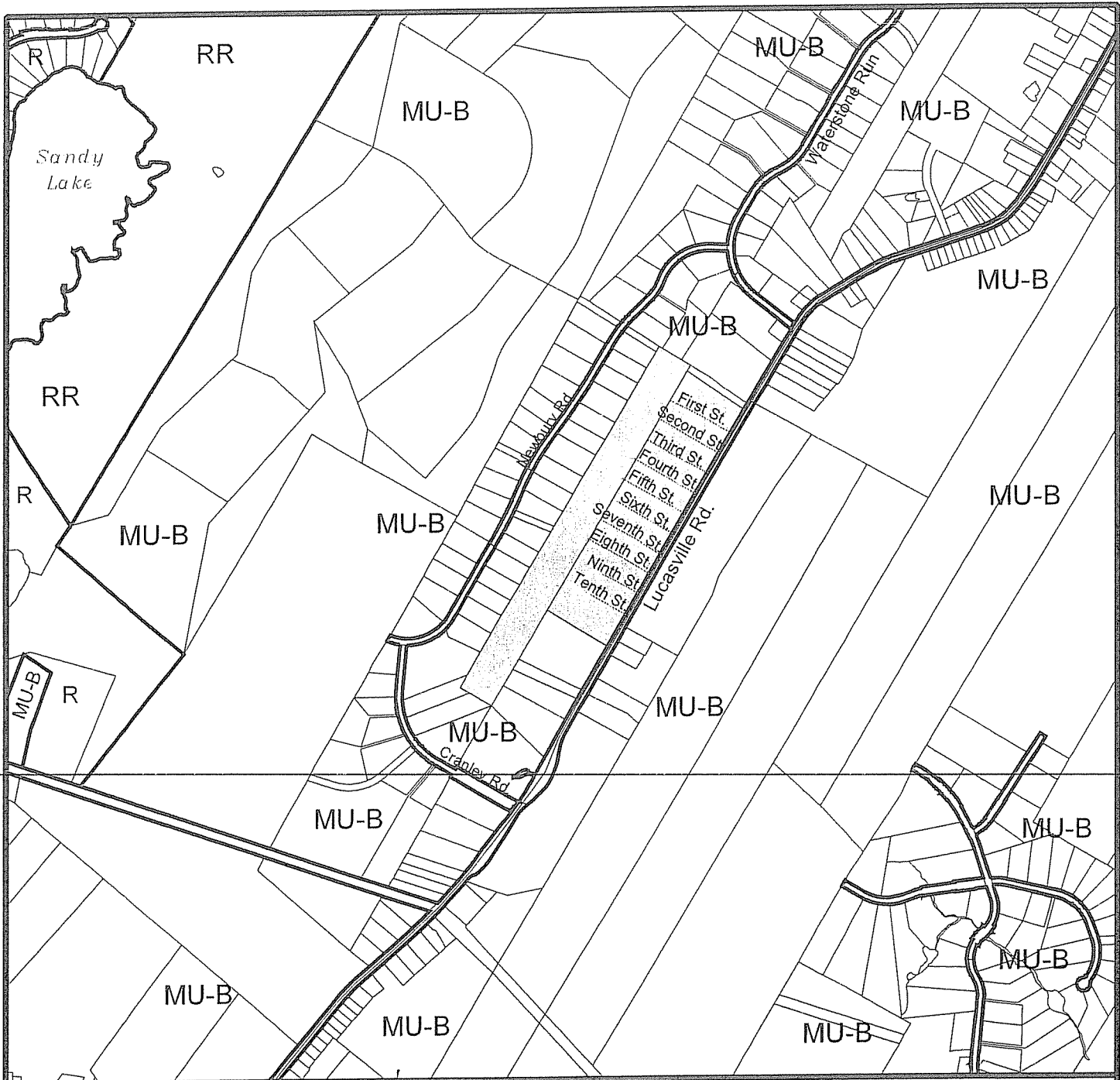
~~There are no budget implications. The Developer will be responsible for all costs, expenses, liabilities, and obligations imposed under or incurred in order to satisfy the terms of the Agreement. The administration of the agreement can be carried out within the approved budget with existing resources.~~

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

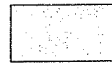
This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

1. Council may approve the proposed agreement. This is the recommended course of action.
2. Council may choose to approve the proposed development agreement subject to modifications. Such modifications may require further negotiations with the applicant and revisions to the schedules attached to the agreement.
3. Council may choose to refuse the proposed development agreement, and in doing so provide reasons based on conflict with existing Municipal Planning Strategy policies. This is not recommended for the reasons stated in this report.



Map 1
Generalized Future Land Use



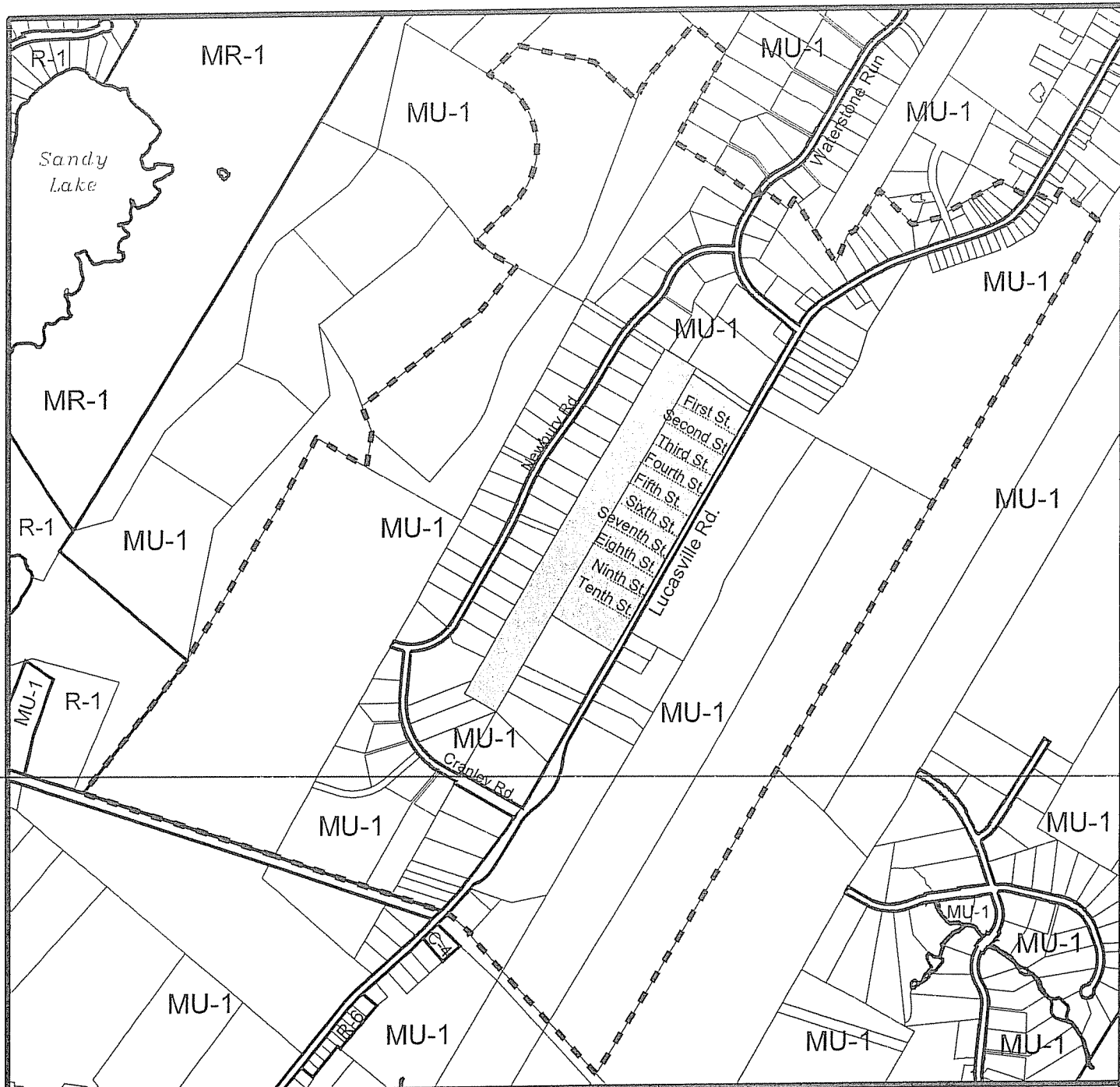
Subject Property

HALIFAX
REGIONAL MUNICIPALITY
Planning Services



- R Residential Designation
- RR Rural Residential Designation
- MU-B Mixed Use B Designation





**Map 2
Zoning**



Subject Property

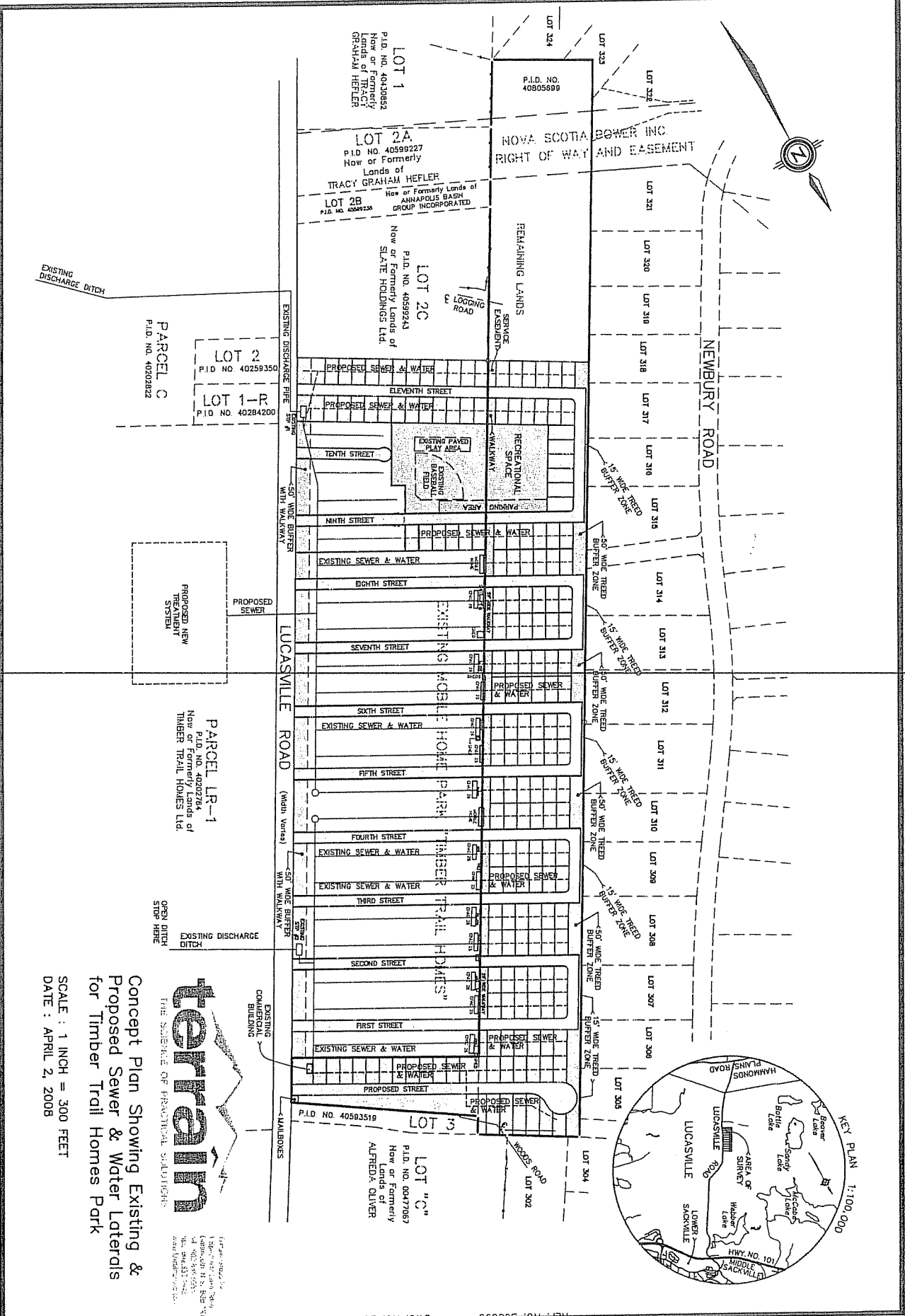
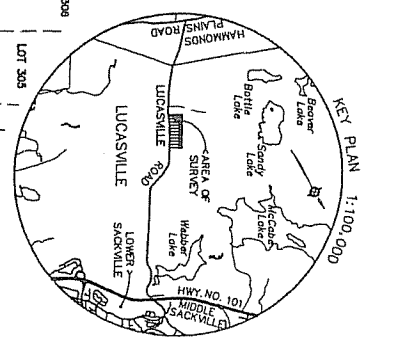
- R-1 Single Unit Dwelling Zone
- R-6 Rural Residential Zone
- C-4 Highway Commercial Zone

- MR-1 Mixed Resource Zone
- MU-1 Mixed Use 1 Zone

--- Notification Area

HALIFAX
REGIONAL MUNICIPALITY
Planning Services



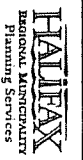


Map 3
Proposed Concept Plan

terrain
THE SCIENCE OF PHYSICAL SOLUTIONS

Concept Plan Showing Existing & Proposed Sewer & Water Laterals for Timber Trail Homes Park

SCALE : 1 INCH = 300 FEET
DATE : APRIL 2, 2008



July 15, 2008

HRM does not guarantee the accuracy of any base map information on this map. T:\Work\Planning\Alden\Remaps\Re zoning\00908\Concept.mxd (AKT)

PART 1: GENERAL REQUIREMENTS AND ADMINISTRATION

1.1 Applicability of Agreement

The Developer agrees that the Lands shall be developed and used only in accordance with and subject to the terms and conditions of this Agreement.

1.2 Applicability of Land Use By-law and Subdivision By-law

Except as otherwise provided for herein, the development and use of the Lands shall comply with the requirements of the Beaver Bank, Hammonds Plains and Upper Sackville Land Use By-law, the Regional Subdivision By-law and the Mobile Home Park By-law of Halifax County Municipality- By-Law #29, as may be amended from time to time.

1.3 Applicability of Other By-laws, Statutes and Regulations

Further to Section 1.2, nothing in this Agreement shall exempt or be taken to exempt the Developer, lot owner or any other person from complying with the requirements of any by-law of the Municipality applicable to the Lands (other than the Land Use By-law to the extent varied by this Agreement), or any statute or regulation of the Provincial/Federal Government and the Developer agrees to observe and comply with all such laws, by-laws and regulations in connection with the development and use of the Lands.

The Developer shall be responsible for securing all applicable approvals associated with the ~~on-site and off-site servicing systems required to accommodate the development, including but~~ not limited to sanitary sewer system, water supply system, stormwater sewer and drainage system, and utilities. Such approvals shall be obtained in accordance with all applicable by-laws, standards, policies, and regulations of HRM and other approval agencies. All costs associated with the supply and installation of all servicing systems and utilities shall be the responsibility of the Developer. All design drawings and information shall be certified by a Professional Engineer.

1.4 Conflict

Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Lands (other than the Land Use By-law to the extent varied by this Agreement) or any provincial or federal statute or regulation, the higher or more stringent requirements shall prevail.

Where the written text of this agreement conflicts with information provided in the Schedules attached to this agreement, the written text of this agreement shall prevail.

1.5 Costs, Expenses, Liabilities and Obligations

The Developer shall be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this Agreement and all federal, provincial and municipal regulations, by-laws or codes applicable to any lands.

1.6 Provisions Severable

The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

PART 2: DEFINITIONS

2.1 All words unless otherwise specifically defined herein shall be as defined in the applicable Land Use By-law, Subdivision By-law and Mobile Home Park By-law.

2.1.1 PARK STREET means a driveway situated within a mobile home park, which is not a public street or highway owned and maintained by the Nova Scotia Department of Transportation or Halifax Regional Municipality.

PART 3: USE OF LANDS AND DEVELOPMENT PROVISIONS

3.1 Subdivision

3.1.1 The parcels of land identified as PIDs 40202814 and 40844870 shall be consolidated prior to issuance of a Construction Permit for the placement of the first mobile home.

3.1.2 All subdivision of the Lands shall meet the requirements of the applicable Land Use By-law, Subdivision By-law and Mobile Home Park By-law.

3.2 Schedules

The Developer shall develop the Lands in a manner, which, in the opinion of the Development Officer, is generally in conformance with the Schedules attached to this Agreement and filed in the Halifax Regional Municipality as Case Number 00908:

The schedules are:

- (a) Legal Description of the Lands(s)
- (b) Plan Number 00908-01 Concept Plan
- (c) Plan Number 00908-02 Stormwater Management Plan

3.3 Requirements Prior to Approval

3.3.1 Prior to the issuance of a Mobile Home Park Construction Permit, the Developer shall provide the following to the Development Officer:

- (a) Written confirmation from the Nova Scotia Department of Environment of their approval of the proposed design of the sewage treatment system; and
- (b) A Stormwater Management and Erosion & Sedimentation Control Plan and supporting documentation as required pursuant to Section 5.2 of this Agreement.

3.3.2 Prior to the issuance of a Construction Permit for the placement of the first mobile home, the Developer shall provide the following to the Development Officer, unless otherwise stated by the Municipality:

- (a) Written confirmation from the Nova Scotia Department of Environment that the upgraded sewage treatment system has been designed and constructed in accordance with their requirements and is fully functioning;
- (b) Plan of Survey of approval for Lot Consolidation of PID's 40202814 and 40844870 pursuant to Section 3.1 of this Agreement;
- (c) Certification that the landscaping has been completed pursuant to Section 3.7 of the Agreement;
- (d) Certification from a qualified professional that the Developer has complied with the required Stormwater Management and Erosion & Sedimentation Control Plan and supporting documentation as required pursuant to Section 5.2 of this Agreement; and
- (e) Certification from a qualified professional indicating that the proposed park street network can safely accommodate emergency vehicles.

3.3.3 Notwithstanding any other provision of this Agreement, the Developer shall not occupy or use the Lands for any of the uses permitted by this Agreement unless an Occupancy Permit has been issued by the Municipality. No Occupancy Permit shall be issued by the Municipality until the Developer has complied with all applicable provisions of this Agreement, the Mobile Home Park By-law (By-law #29) and the Land Use By-law (except to the extent that the provisions of the Land Use By-law are varied by this Agreement) and with the terms and conditions of all permits, licenses, and approvals required to be obtained by the Developer pursuant to this Agreement.

3.3.4 Where the written text of this Agreement conflicts with information provided in the attached Schedules, the written text of this Agreement shall prevail.

3.4 GENERAL DESCRIPTION OF LAND USE

The use(s) of the Lands permitted by this Agreement are the following:

- (a) Mobile dwellings,
- (b) Accessory buildings,
- (c) Business uses in conjunction with mobile dwellings;
- (d) Open space uses; and
- (e) Uses permitted under the MU-1 zone in the existing commercial building.

3.5 DETAILED PROVISIONS FOR LAND USE

All development shall meet the applicable requirements of the Mobile Home Park By-law- By-law #29 and the Beaver Bank, Hammonds Plains and Upper Sackville Land Use By-law.

3.6 PARKING, CIRCULATION AND ACCESS

3.6.1 The internal park street layout and parking areas on the Lands shall be:

- (a) as generally illustrated on Schedule "B"; and
 - (b) parking areas shall be clearly delineated with non-asphalt curbing, landscaping or an acceptable equivalent in the opinion of the Development Officer.
- 3.6.2 The Development Officer may approve, upon application by the Developer, changes to the parking and circulation layout as illustrated on Schedule "B" provided such changes further the intent of this Agreement.

3.7 LANDSCAPING

3.7.1 Private Recreation Areas shall be located and developed as generally shown on Schedule B and be planted with material that conforms to the Canadian Nursery Trades Association Metric Guide Specifications and Standards and sodded areas to the Canadian Nursery Sod Growers' Specifications.

- 3.7.2 Existing Walkways, as shown on Schedule B, shall be:
- (a) retained and reinstated to original condition, if damaged during construction, excluding areas of street right of way and
 - (b) respected during construction to reduce pedestrian and vehicle conflict between the existing walkways and the roadway extension.

3.7.3 The Treed Buffer Zone (Non-Disturbance Area) shall:

- (a) be located as generally shown on Schedule B;
- (b) be a minimum of 15' (4.57 m) in width;
- (c) be delineated on all applications for final subdivision approval, Development/Construction Permit applications and in the field prior to and during construction;
- (d) retain existing vegetated areas and be maintained and enhanced over time to act as a natural buffer;
- (e) permit the following activities provided that approval by the Development Officer has been granted:
 - (i) removal of invasive plant materials as identified by a qualified professional;
 - (ii) removal of standing hazardous or diseased trees; the Development Officer may require verification in writing by a Landscape Architect (a full member, in good standing with Canadian Society of Landscape Architects) or other qualified professional;
 - (iii) removal of fallen timber and dead debris where a fire or safety risk; the Development Officer may require verification in writing by a Landscape Architect (a full member, in good standing with Canadian Society of Landscape Architects) or other qualified professional; or
- (f) be remediated if trees are removed or tree habitat is damaged beyond repair, unless removal is associated with the permitted activities of Clause 3.8.3 (e). The Developer shall replace the damaged trees with a similar species of tree with a minimum caliper of 2.4 inches (60mm) measured at 11.8 inches (300mm) above

established grade. The Development Officer may require the Developer to submit a Remediation Plan prepared by a Landscape Architect (a full member, in good standing with Canadian Society of Landscape Architects or other qualified professional.

3.8 Outstanding Site Work

At time of issuance of a Construction Permit for the placement of the first mobile home, a security for the completion of outstanding landscaping work (per Section 3.7 of this Agreement) may be permitted. Such securities shall consist of a security deposit in the amount of 120 per cent of the estimated cost to complete the work. The estimated cost shall be calculated by a qualified person and submitted to the Development Officer. The security shall be in favour of the Municipality and may be in the form of a certified cheque or irrevocable renewable letter of credit issued by a chartered bank. The security shall be returned to the Developer when all outstanding work is satisfactorily completed.

3.9 Maintenance

The Developer shall maintain and keep in good repair all portions of the Lands including, but not limited to, walkways, park streets, recreational amenities, and parking areas. The Developer shall be responsible for maintaining all landscaping including the replacement of damaged or dead plant stock, trimming and litter control, garbage removal and snow removal/salting of park streets and parking areas.

3.10 Construction/sales Building

A building shall be permitted on the Lands for the purpose of housing equipment, materials and office equipment required for the construction and sale of the development in accordance with this Agreement. The construction building shall be removed from the Lands prior to the issuance of the first Occupancy Permit.

4.0 SERVICING

4.1 General Provisions

All connections to Municipal infrastructure shall satisfy Municipal Service Systems Specifications unless otherwise provided for in this Agreement and shall receive written approval from the Development Engineer prior to undertaking any work.

4.2 Off-Site Disturbance

Any disturbance to existing off-site infrastructure resulting from the development, including but not limited to, streets, sidewalks, curbs and gutters, street trees, landscaped areas and utilities, shall be the responsibility of the Developer, and shall be reinstated, removed, replaced or relocated by the Developer as directed by the Development Officer, in consultation with the Development Engineer.

4.3 Municipal Water Distribution:

The water distribution system shall conform with the schematics presented on Schedule B and all design and construction requirements of Halifax Water.

4.4 On-Site Sanitary System

The Lands shall be serviced through privately owned and operated sewer systems and treatment facilities. The Developer agrees to have prepared by a Qualified Professional and submitted to the Municipality, the Nova Scotia Department of the Environment and any other relevant agency, a design for all private sewer systems. In accordance with Subsection 3.3.1, no Construction Permit for the placement of the first mobile home shall be issued prior to the Development Officer receiving a copy of the approval from Nova Scotia Department of Environment respecting the design, installation, construction of the on-site sewer system. Construction and installation of all private sewer systems shall be carried out under the supervision of a Qualified Professional.

5.0 ENVIRONMENTAL PROTECTION MEASURES

5.1 Pyritic Slate

The Developer shall follow the *Sulphide Bearing Material Disposal Regulations* (Province of Nova Scotia regulation) should pyritic slate be found on the Lands.

5.2 Stormwater Management and Erosion & Sedimentation Control Plan

5.2.1 Prior to the commencement of any onsite works on the Lands, including earth movement and/or tree removal other than that required for preliminary survey purposes, or associated off-site works, the Developer shall:

- (a) submit a detailed Stormwater Management and Erosion & Sedimentation Control Plan in accordance with the Erosion and Sedimentation Control Handbook for Construction Sites as prepared and revised from time to time by the Nova Scotia Department of the Environment. Notwithstanding other Sections of this Agreement, no work is permitted on the site until the requirements of this clause have been met and implemented. The Plan shall indicate the sequence of construction, all proposed detailed erosion and sedimentation control measures, interim stormwater management measures to be put in place prior to and during development and an appropriate stormwater collection and treatment system; and
- (b) submit any pertinent written comments or reports by a qualified professional supporting the Stormwater Management and Erosion & Sedimentation Control Plan.

5.2.2 If the Developer fails at any time during any site work or construction to fully conform to the approved plans as required under Subsection 5.2.1, the Municipality shall require that all site and construction works cease, except for works which may be approved by the Development Engineer to ensure compliance with the environmental protection plans.

6.0 AMENDMENTS

6.1 Substantive Amendments

Amendments to any matters not identified under Section 6.2 shall be deemed substantive and may only be amended in accordance with the approval requirements of the Municipal Government Act.

6.2 Non-Substantive Amendments

6.2.1 The following items are considered by both parties to be not substantive and may be amended by resolution of Council.

- (a) The granting of an extension to the date of commencement of construction as identified in Subsection 8.3.1 of this agreement; and
- (b) The length of time for the completion of the development as identified in Subsection 8.3.3 of this agreement.

7.0 ENFORCEMENT AND RIGHTS AND REMEDIES ON DEFAULT

7.1 Enforcement

The Developer agree that any officer appointed by the Municipality to enforce this Agreement shall be granted access onto the Lands during all reasonable hours without obtaining consent of the Developer. The Developer further agrees that, upon receiving written notification from an officer of the Municipality to inspect the interior of any building located on the Lands, the Developer agrees to allow for such an inspection during any reasonable hour within one day of receiving such a request.

7.2 Failure to Comply

If the Developer fail to observe or perform any covenant or condition of this Agreement after the Municipality has given the Developer fourteen days written notice of the failure or default, except that such notice is waived in matters concerning environmental protection and mitigation, then in each such case:

- (1) the Municipality shall be entitled to apply to any court of competent jurisdiction for injunctive relief including an order prohibiting the Developer from continuing such default and the Developer hereby submits to the jurisdiction of such Court and waives any defense based upon the allegation that damages would be an adequate remedy; and/or
- (2) the Municipality may enter onto the Lands and perform any of the covenants contained in this Agreement or take such remedial action as is considered necessary to correct a breach of the development agreement, whereupon all reasonable expenses whether arising out of the entry onto the lands or from the performance of the covenants or remedial action, shall be a first lien on Lands and be shown on any tax certificate issued under the Assessment Act.
- (3) the Municipality may by resolution discharge this Agreement whereupon this Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use By-law and the

- Mobile Home Park By-Law; and/or
- (4) in addition to the above remedies the Municipality reserves the right to pursue any other remediation under the Municipal Government Act or Common Law in order to ensure compliance with this Agreement.

8.0 REGISTRATION, EFFECT OF CONVEYANCES AND DISCHARGE

8.1 Registration

A copy of this Agreement and every amendment and/or discharge of this Agreement shall be recorded at the office of the Registry of Deeds at Dartmouth, Nova Scotia and the Developer shall incur all cost in recording such documents.

8.2 Subsequent Owners

8.2.1 This Agreement shall be binding upon the parties thereto, their heirs, successors, assigns, mortgagees, lessees and all subsequent owners, and shall run with the lands which is the subject of this Agreement until this Agreement is discharged by the Council and a disch.

8.2.2 Upon the transfer of title to any lot, the subsequent owner(s) thereof shall observe and perform the terms and conditions of this Agreement to the extent applicable to the lot.

8.3 Commencement of Development

~~8.3.1 In the event that construction on the project has not commenced (or deemed complete)~~
within five years from the date of registration of this Agreement at the Registry of Deeds, as indicated herein, the Municipality may, by resolution of Council, either discharge this Agreement, whereupon this Agreement shall have no further force or effect, or upon the written request of the Developer, grant an extension to the date of commencement of construction.

8.3.2 For the purposes of this section, commencement shall mean the issuance of a Construction Permit.

8.3.3 If the Developer(s) fails to complete the development, or after 6 years from the date of registration of this Agreement at the Registry of Deeds, whichever time period is less, Council may review this Agreement, in whole or in part, and may:

- (a) retain the Agreement in its present form;
- (b) amend the Agreement;
- (c) negotiate a new Agreement;
- (d) discharge this Agreement.

8.4 Completion of development

Upon the completion of the development or portions thereof, or after 10 years from the date of registration of this Agreement with the Registry of Deeds, whichever time period is less, Council may review this Agreement, in whole or in part, and may:

- (a) retain the Agreement in its present form;

- (b) amend the Agreement;
- (c) negotiate a new Agreement;
- (d) discharge this Agreement on the condition that for those portions of the development that are deemed complete by Council, the Developer's rights hereunder are preserved and the Council shall apply appropriate zoning pursuant to the Municipal Planning Strategy and Land Use By-law for Beaver Bank, Hammonds Plains and Upper Sackville, as may be amended from time to time.

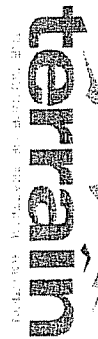
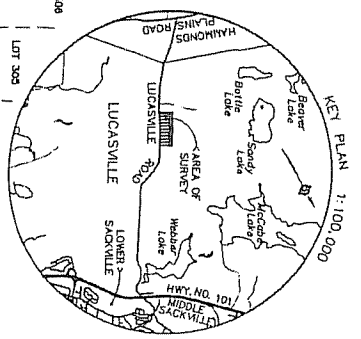
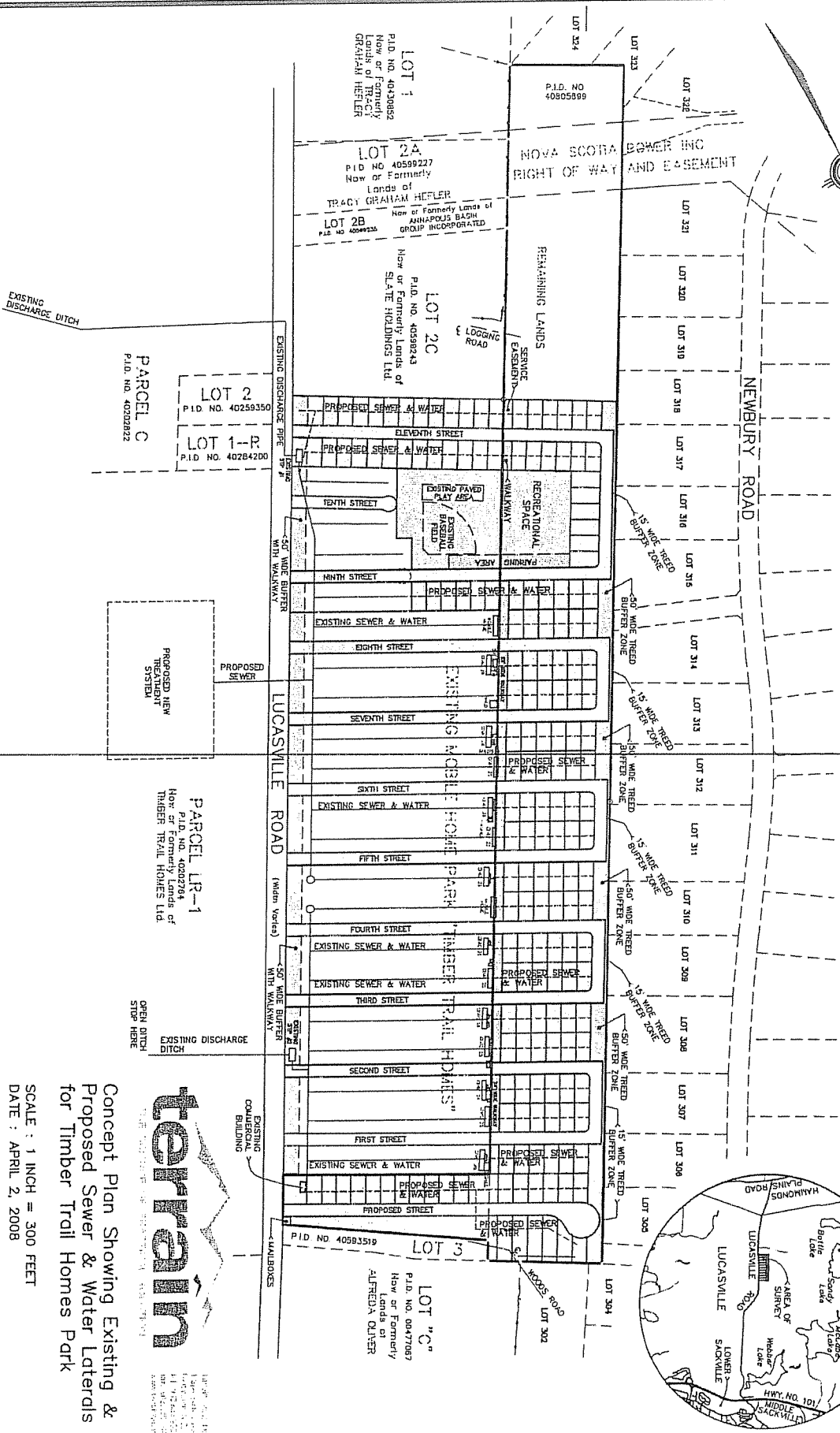
WITNESS that this Agreement, made in triplicate, was properly executed by the respective Parties on this _____ day of _____, A.D., 2008

SIGNED, SEALED AND DELIVERED)
in the presence of)
_____)

TIMBER TRAIL HOMES LIMITED
Per: _____

SEALED, DELIVERED AND)
ATTESTED to by the proper)
signing officers of Halifax Regional)
Municipality duly authorized)
in that behalf in the presence)
of)
_____)

HALIFAX REGIONAL MUNICIPALITY
Per: _____
MAYOR
Per: _____
MUNICIPAL CLERK



Concept Plan Showing Existing & Proposed Sewer & Water Laterals for Timber Trail Homes Park

SCALE : 1 INCH = 300 FEET
DATE : APRIL 2, 2008

Schedule B
Proposed Concept Plan

July 15, 2008

HRM does not guarantee the accuracy of any base map information on this map. T:\Work\Planning\Alden\Remaps\Res zoning\0908\ScheduleB.mxd (AKT)



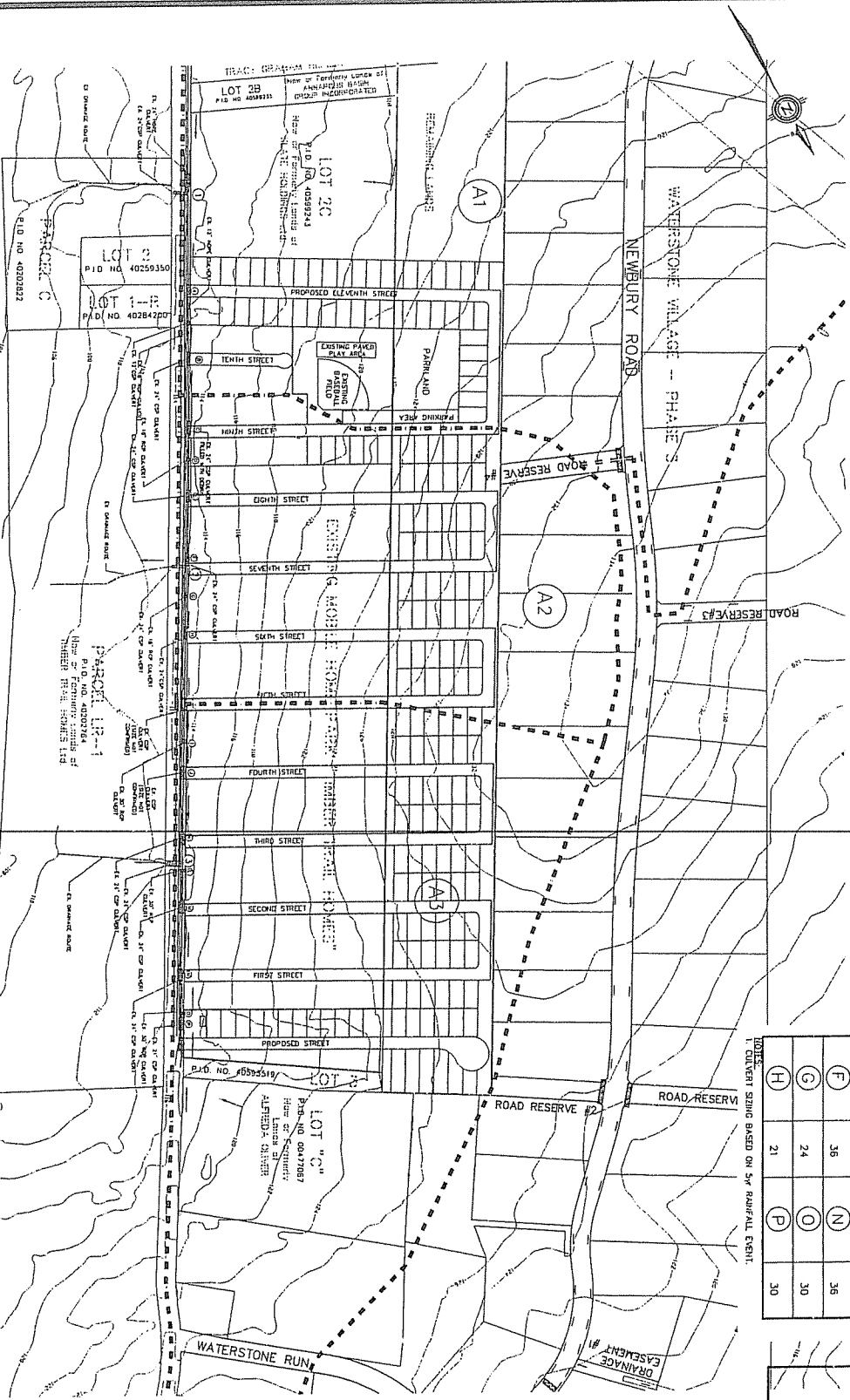
STORM DRAINAGE ANALYSIS

FLOW TO POINT	THIRTY YEAR FLOWS	TEN YEAR FLOWS	ONE YEAR FLOWS	EXISTING		PROPOSED SINCE BARREL		PROPOSED MULTI-BARREL		MAX VELOCITY ROAD CL. (ft)		
				CAVITY	DEPTH	CAVITY	DEPTH	CAVITY	DEPTH			
①	122	37	41	52	55	24	14	42	42	56	359.78	561.00
②	33	30	37	37	45	24	14	42	42	56	366.37	567.75
③	58	46	55	60	69	24	14	48	48	60	368.43	569.00

NOTE:
 1. PROPOSED FLOWS FROM EACH OF THE FLOWS ARE TO BE USED TO DETERMINE THE SIZE OF THE BARRELS.
 2. ALL CULVERTS ARE TO BE CONCRETE (CSA 4131.2) REINFORCED WITH #4 @ 18" ON CENTER.
 3. ALL CULVERTS ARE TO BE 15' HIGH AND 15' WIDE.
 4. ALL CULVERTS ARE TO BE 15' HIGH AND 15' WIDE.
 5. ALL CULVERTS ARE TO BE 15' HIGH AND 15' WIDE.
 6. ALL CULVERTS ARE TO BE 15' HIGH AND 15' WIDE.
 7. ALL CULVERTS ARE TO BE 15' HIGH AND 15' WIDE.
 8. ALL CULVERTS ARE TO BE 15' HIGH AND 15' WIDE.
 9. ALL CULVERTS ARE TO BE 15' HIGH AND 15' WIDE.

DRIVEWAY CULVERT TABLE

CULVERT ID	SIZE (feet)	CULVERT ID	SIZE (feet)
(A)	24	(I)	18
(B)	18	(J)	21
(C)	18	(K)	30
(D)	21	(L)	36
(E)	24	(M)	36
(F)	36	(N)	36
(G)	24	(O)	30
(H)	21	(P)	30



Schedule C
Storm Drainage Plan

July 15, 2008

HRM does not guarantee the accuracy of any base map information on this map. T:\Work\Planning\Alden\Repmaps\Rezon\ing\00908\SchedC.mxd (AKT)



Attachment B
Relevant MPS Policies

P-18 Within the Mixed Use A Designation, it shall be the intention of Council to establish a R-3a (Mobile Home Park) Zone, which permits Woodbine mobile home park. Within the mobile home park zone, Council may consider permitting an expansion of the existing mobile home park, by development agreement and according to the provisions of the Municipal Government Act and with regard to the following:

- (a) the adequacy of existing park services including sewer and water systems, recreation facilities, road and general park maintenance, garbage collection and street lighting;
- (b) the effect which any extension would have upon the level or quality of services in the existing park;
- (c) the ability of education facilities, protection services, and recreation facilities to adequately service the increased demands of the additional development, or to respond with the provision of additional services;
- (d) the provision of landscaping or buffering from adjacent land uses in order to protect the privacy, reasonable use and enjoyment of those properties;
- (e) the provision of landscaping or buffering from the public road to which it has access;
- (f) stormwater planning;
- (g) the impact of the extension on internal and external traffic circulation patterns;
- (h) ~~park layout and design including the design of the internal road network and~~
separation distances from maintenance buildings and sewage treatment plants;
- (i) where any new sewage treatment plant is proposed, the location and level of treatment of the sewage treatment plant;
- (j) the provisions of the Mobile Home Park By-law;
- (k) the provisions of Policies P-91 and P-137; and
- (l) that the total number of mobile dwellings permitted within the park shall not exceed the maximum number of units capable of being serviced by the sewage flows assigned to the park's sewage transfer system under the servicing agreement signed in 1994.

Mobile Home Parks - Mixed Use B and C Designations

Within the Mixed Use B and C Designations, expansion of existing parks or new mobile home park development is considered an appropriate land use where external effects are minimal and where a positive living environment is provided to tenants.

At the present time there are two mobile home parks within these Mixed Use Designations, Timber Trails on the Lucasville Road and Springfield Estates in Upper Sackville. Timber Trails, often praised as one of the best parks in Halifax Regional Municipality, has recently expanded and contains approximately 250 mobile homes. The Springfield Estates Mobile Home Park contains 160 mobile homes. The sewage treatment plant servicing this park is presently experiencing difficulties and there is some evidence to suggest that the capacity of the plant is insufficient to adequately treat the volume

of effluent it receives. There are also problems with the park's water distribution system, especially with regard to water quality.

Due to their relatively high density and the physical appearance of the units themselves, there is a desire to maintain an adequate separation distance between mobile home parks and more conventional residential development in order to encourage a harmonious relationship between the two. In addition, maintaining adequate separation from highway commercial and industrial uses to mobile home park development will help to ensure a higher quality residential environment for park residents.

P-19 Within the Mixed Use B and C Designations, it shall be the intention of Council to consider permitting new mobile home parks as well as expansions to existing parks, by development agreement and according to the provisions of the Municipal Government Act. In considering such uses Council shall, in addition to the considerations identified in Policy P-18, have regard to the following:

- (a) that the proposed development not be located within two hundred feet of a R-1(Single Unit Dwelling), C-4 (Highway Commercial), I-1 (Mixed Industrial) or I-4 (Sanitary Landfill Site) Zone;
- (b) that the mobile home park shall not require access through a R-1(Single Unit Dwelling) zone; and
- (c) the provisions of Policy P-137.

~~P-137 In considering development agreements and amendments to the land use by-law, in addition to all other criteria as set out in various policies of this Plan, Council shall have appropriate regard to the following matters:~~

- (a) that the proposal is in conformity with the intent of this Plan and with the requirements of all other municipal by-laws and regulations;
- (b) that the proposal is not premature or inappropriate by reason of:
 - (i) the financial capability of the Municipality to absorb any costs relating to the development;
 - (ii) the adequacy of central or on-site sewerage and water services;
 - (iii) the adequacy or proximity of school, recreation or other community facilities;
 - (iv) the adequacy of road networks leading or adjacent to or within the development; and
 - (v) the potential for damage to or for destruction of designated historic buildings and sites.
- (c) that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:
 - (i) type of use;
 - (ii) height, bulk and lot coverage of any proposed building;
 - (iii) traffic generation, access to and egress from the site, and parking;
 - (iv) open storage;
 - (v) signs; and
 - (vi) any other relevant matter of planning concern.

- (d) that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility to flooding.

 - (e) Within any designation, where a holding zone has been established pursuant to "Infrastructure Charges - Policy P-81", Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the "Infrastructure Charges" Policies of this MPS.
(RC-July 2/02; E-Aug 17/02)
-

Attachment C

Relevant Sections of HRM By-law 29- Mobile Home Parks

9.5 The mobile home park owner shall maintain the mobile home park, including all related facilities and services, in good repair and in a clean and sanitary condition.

9.9 The mobile home park owner shall maintain all park streets in good condition and shall plow all park streets within twenty-four (24) hours of the cessation of a snowfall.

12.2 Location or Relocation of a Mobile Home

- b) The mobile home being located shall have a minimum separation distance of at least:
 - i) fifteen (15) feet from any park street and twenty (20) feet from any public street or highway;
 - ii) fifteen (15) feet from the boundary of the mobile home park; and
 - iii) fifteen (15) feet from all adjacent mobile homes and additions thereto.

12.4 Construction and Location of Accessory Buildings

Accessory buildings shall be constructed in accordance with the provisions of the National Building Code and shall not be:

- a) ~~greater than one hundred and forty (140) square feet in gross floor area unless the accessory building is a garage or carport in which case the maximum gross floor area shall be five hundred (500) square feet;~~
- b) greater than fifteen (15) feet in height; and
- c) located closer to any park street or public street or highway than the minimum distance required for the mobile home; or
- d) located within:
 - i) four (4) feet of any other accessory building;
 - ii) four (4) feet of the mobile home on the same mobile home space;
 - iii) eight (8) feet of any other mobile home; or
 - iv) four (4) feet of the boundary of the mobile home park.

12.5 Construction and Location of Additions

Additions shall be constructed in accordance with the provisions of the National Building Code and shall not be:

- a) located within fifteen (15) feet of any other mobile home unless the addition is a wheelchair ramp or set of steps; or

- b) greater than fifteen (15) feet in height.

12.6 Business Uses in Mobile Homes

- a) Business uses in mobile homes shall:
 - i) be wholly contained within the mobile home which is the principle residence of the operator of the business;
 - ii) not occupy more than two hundred and fifty (250) square feet of the gross floor area of the mobile home;
 - iii) not be obnoxious nor create a nuisance, by nature or operation, in terms of noise, fumes or objectionable odour; and
 - iv) not make use of open storage nor outdoor display of any material, equipment or products.
 - b) Where a business use is located within a mobile home, one (1) parking space, other than that required for the mobile home, shall be provided in accordance with the provisions of Section 13.6.
 - c) No more than one (1) sign shall be permitted for any business use and no such sign shall exceed two (2) square feet in area.
-

13.4 Recreation Space

- a) A useable area of land, consisting of the greater of five (5) per cent of the total area of the proposed mobile home park development or four thousand (4,000) square feet, shall be reserved for recreation purposes in new mobile home parks and mobile home park expansions.

13.5 Mobile Home Spaces

Each mobile home space shall:

- a) have a minimum area of four thousand (4000) square feet;
- b) have a minimum frontage of forty (40) feet; and
- c) be provided with at least one (1) off-street parking space, in accordance with the provisions of Section 13.6.

Attachment D
HWAB Recommendations- November 8, 2008



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

North West Community Council

TO: Chair and Members, North West Community Council

SUBMITTED BY: _____
Wayne Stobo, Chair, Halifax Watershed Advisory Board

DATE: November 8, 2006

SUBJECT: Case 00908: Application by Timber Trail Homes Limited to enter into a Development Agreement to permit an expansion to the mobile home park on Lucasville Road

ORIGIN

On 12th September, 2006, an application by Timber Trail Homes Ltd. to enter into a Development Agreement to permit an expansion of its mobile home park was brought before the Halifax Watershed Advisory Board. The Board appreciates the opportunity to review this application and, in keeping with its concern for the protection of the watershed and the natural environment, is pleased to make the following recommendations.

RECOMMENDATIONS:

1. The Board understands that the owners of the Trailer Park have indicated a need to increase the number of units on the property in order to finance the construction of an improved sewage treatment facility. The Board feels that the new treatment facility should provide tertiary treatment and supports an increase in the number of units necessary to ensure the construction of a facility that will achieve tertiary treatment.
2. Because the effluent from the treatment facility will be discharged into an intermittent stream, it will be very difficult to achieve the NSDEL guidelines on dilution ratio when the

effluent enters the receiving watercourse. Thus no expansion of the mobile home park be permitted unless the sewage treatment proposed will achieve the tertiary level. The Board would like to be informed of the type and placement of the sewage treatment facility.

1. The new sewage treatment facility must be operational before any expansion of the park is allowed.
2. Because of the low absorption capacity of the receiving stream, effluent from the treatment facility should be directed to a sub-surface dispersal system to allow for polishing of the effluent.
3. If the treatment facility does not achieve the tertiary level, then the NSDEL dilution ratio guideline for effluent entering a stream, associated with the level of treatment achieved, should be met.
4. In view of the cumulative effect of development in this area, including Kingswood North, no matter what method is used to dispose of effluent from the new treatment facility, extreme care should be taken to monitor both the quality and quantity of water in the brook. A sampling site should be set up at the point where the brook flows into Sandy Lake.

Samples should be taken before the new sewage treatment facility is installed to establish baseline data; and then, following construction, samples should be taken in the Spring, Summer and Fall, for the next three years to monitor the efficiency of the facility.

Samples should be tested for:

- fecal coliforms
- phosphorous (to the microgram/litre level)
- nitrogen
- pH

The flow rate of the stream where it enters Sandy Lake should be monitored prior to construction and for the next three years on the same sampling schedule. This will help ensure there is no surging of the feeder brook due to the increase in surface runoff.

The Board would like to receive copies of all sample testing and monitoring results.

5. A storm-water management plan for the entire park, designed to retain storm-water on-site, should be prepared according to the HRM standard. The Board would appreciate an opportunity to review this plan.
6. All storm water should be collected at a single point and passed through an oil/grit separator (s) before being discharged into the environment.

7. If pyritic slate is discovered during excavation, the developer should be required to follow Provincial requirements for development involving the disturbance of this material.
8. Low flow sanitary fixtures should be installed in all units in the expansion of the mobile home park.
9. Where units are supplied with oil tanks, each tank should be placed in a containment pan to catch spills.
10. A 20 metre undisturbed buffer zone on either side of any water course, should be established to protect them from the direct discharge of storm water pipes, sewer pipes and ditching.

BACKGROUND/DISCUSSION:

The Timber Trails Mobile Home Park is situated on an attractive, treed, and well maintained site on Lucasville Road. The park is serviced by two old sewage treatment plants - providing a low level of treatment which does not meet today's standards. NSDEL has approached the park to upgrade the sewage treatment system and the owners have responded with a request for NSDEL's support for a park expansion from 234 units to 376 units to finance the STP installation.

The two sewage treatment plants operating at the moment discharge effluent, through culverts, into the rough ground on the other side of the Lucasville Road. This ground -slopes very gently down towards Sandy Lake which is bordered by an HRM park with a swimming beach. An intermittent stream, often dry in periods of low rainfall, runs down the slope into Sandy Lake. The proponent proposes to discharge the sewage effluent from the treatment plant into this intermittent stream. The whole area is underlain by pyritic slates.

The land between the Lucasville Road and Sandy Lake is being developed in large residential lots serviced by private wells and septic systems as Kingswood North.

BUDGET IMPLICATIONS

None associated with this report.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

N/A

ATTACHMENTS

None.

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Attachment E:
Minutes of Public Information Meeting

HALIFAX REGIONAL MUNICIPALITY
PUBLIC INFORMATION MEETING
CASE 00908 - TIMBER TRAIL HOMES LTD.

Wednesday, June 21, 2006
7:00 p.m.

Wallace Lucas Community Centre

STAFF: Andrew Bone, HRM Planner
Councillor Brad Johns, District 19
Cara McFarlane, Administrative Support

APPLICANT: Blaine Hefler, Timber Trail Homes Ltd.
Tracey Hefler, Timber Trail Homes Ltd.
Linda Hefler, Timber Trail Homes Ltd.

**MEMBERS OF
THE PUBLIC:** Approximately 70 people

The meeting commenced at approximately 7:04 p.m.

1. Opening Remarks/Introductions/Purpose of Meeting

Councillor Brad Johns introduced himself and thanked everyone for coming to the meeting and explained the purpose of a public information meeting. He introduced Andrew Bone, HRM planner, and Cara McFarlane, recording secretary.

Andrew Bone explained that an application was made by Timber Tail Homes Ltd., the operator of the Timber Trails Park, to enter into a development agreement to expand Timber Trails by 142 lots. He went over the agenda for the meeting.

Mr. Bone explained that the mail out did not include residents of Timber Trails Park as the notification list is based on HRM property owners.

2. Background

The site is three parcels of land on Lucasville Road (an existing trailer park). This was shown on overhead. The site is currently a mixed use zone which permits a variety of residential and small scale commercial uses. The request is to enter into a development agreement for the expansion of the mobile home park. This is enabled under Policy P-19 of the Municipal Planning Strategy for Beaver Bank, Hammonds Plains and Upper Sackville. A development agreement is a legal contract between the Municipality and the land owner to allow for a certain land use to happen. The

development agreement is attached to the deed of the property and continues on regardless of who owns the property.

Mr. Bone explained the development agreement process.

3. Presentation of Proposal

Blaine Hefler, Timber Trail Homes Ltd., explained that the reason for the extension is because in the past the water supply for Timber Trails was from our own wells and was always quite limited. The tenants were always asked to conserve their water usage. Since connecting to the County water supply, the daily use of water has almost doubled.

The waste water treatment plant was designed 35 years ago when it was estimated that a family used approximately 150 gallons of water per day. The Department of Environment (DOE) want the waste water treatment plant upgraded to meet to new current standards. The improvements they suggest could cost hundreds of thousands of dollars. DOE also suggested building one new larger system could be more cost effective and handle more homes which would ease the financial burden on the existing families currently living in the park. The cost of a new system is estimated between \$850 000 upwards to \$1 million.

They checked the various planning development within HRM and none of them foresee a county sewer line coming through Lucasville Road. It is for this reason that they have applied to HRM for a permit to expand the park. The plan is to expand streets One through Eight, the right-hand side of Ninth Street and build a new Eleventh Street for a total of 142 new lots.

During the same time that the expansion is under way they will be working on the new waste water treatment system. The new system would be located on the land on the other side of Lucasville Road across from the park. DOE is supporting this expansion as long as they have the original park on the new system prior to any new development. The completion time on the expansion and the new treatment plant is unknown at this time due to many variables.

Mr. Bone showed a concept plan of the site on overhead. The request is to extend each street and add eleven or twelve lots to the end of each street with a cul-de-sac for turning and add a street to the park. The proposal is for a new sewage treatment plant that would be on the opposite side of Lucasville Road. The Heflers would like to maintain the look and feel of the park.

4. Questions and Comments from Public

Colleen Gazeley, Timber Trails, asked how far the new treatment plant will be from the road. Mr. Bone said there is not design plan at this time. He will talk to DOE at a later date to determine what they feel will be an appropriate separation distance to ensure there is as little affect as possible as far as odour and anything like that. The development agreement will state that the plan has to be approved by the Province. HRM would control separation distances and things like that, but the detail design of the plant is the Province's responsibility.

Kent Thorne, Timber Trails, asked how many years the \$1 million will be ammortized. Mr. Bone said HRM is not involved in the financing.

Connie MacNeil, Timber Trails, asked if the new plant will be in place before any development starts. Mr. Bone said DOE indicated that without a new plant there will be no expansion. Mr. Hefler may be permitted to prepare the extension but not a single new mini home would be permitted until the new plant is on line. HRM would control that through the development agreement.

One resident asked if the walkway would remain. Mr. Hefler mentioned that the top half would remain. The walkways and the greenbelt would stay. Mr. Bone explained that the park would be expanded in addition to the ballfield and play area plus parking along the side of Ninth Street for the park area (shown on overhead).

Ms. MacNeil asked how close would the expansion be to Waterstone. Mr. Bone explained that Waterstone begins directly on the other side of the line. There is a proposal for a fifty foot buffer and then the back of the lots begin for the Armoyan development.

Pat Deschênes, Timber Trails, asked if the cul-de-sacs will actually remain as dead-end streets. Mr. Bone said that is the request. HRM has not reviewed the proposal. HRM Fire Services and Engineering need to comment. The model seems to be working and the community seems to be happy with the current situation. Ms. Deschênes mentioned that through streets bring more traffic and vandalism to the area.

Ken Nelson, Timber Trails, asked if the old treatment plant will be gone completely. Mr. Bone said they would certainly be decommissioned. Mr. Hefler mentioned that they probably will be turned into pumping stations to take the existing effluent from the existing park and boost it across the road to the new plant.

Brian Harvey, representative from Armoyan Group, asked if the cul-de-sacs encroach on the 50 foot buffer. Mr. Bone said currently they do. There are eleven streets that potentially come fairly close to the property line for the turning radius of the cul-de-sac. Mr. Harvey asked if they foresee any problems in snow removal or dumping. Mr. Bone said it is something to look. Snow removal is always a concern. There doesn't seem to be a problem with dumping in this area. Mr. Harvey asked if the property owners will be notified to which Mr. Bone said they were for tonight's meeting. He will suggest to Mr. Hefler to pull the cul-de-sacs back before the buffer zone. Mr. Bone mentioned that issue is being discussed and it would depend on the comments received from different agencies.

There was a discussion about transit routes through the Lucasville Road area.

One resident asked if there is enough capacity in the schools to accommodate the expansion. Mr. Bone said it is part of the review. A pre-application on this proposal was done a few years ago and a school review was done. There will be an updated comment from the school board. The resident asked if it would be without changing boundaries. Mr. Bone has to wait until he has their comments. The resident asked if the public would be notified of any boundary changes. Mr. Bone wouldn't know whether or not they need to change. He is only told if there is capacity in the schools or not; however, the school board's mandate is to provide education to HRM and they will do that. Councillor Johns asked if the request can go through to the school board to see whether or not there is adequate capability in this area specifically and not in the system as a whole. Mr. Bone explained that the review always does the immediate area and the comment is always added that the system will do whatever needs to be done.

Mr. Oliver asked about traffic. Mr. Bone said as part of the application HRM requested that the developer do a traffic study. This has been submitted with their application. The study has yet to be reviewed by HRM Traffic Services. They will look at the capacity of the adjacent road network and whether or not it can handle the extra traffic. Councillor Johns mentioned that there has been two public meetings held at this building regarding the extension of the Beaver Bank Collector Road. That road will run in the back parallel to Lucasville Road. It comes up in through Waterstone. The proposal mentions that the road will be equivalent to Glendale. It is a two-lane highway with double buffers on each side so that years down the road there will be potential to expand the road if need be. This proposed road will connect to Highway 101. It will come out just up the street from Timber Trails onto the Lucasville Road. As the road comes in from the Highway, it bottlenecks down into a tighter road. It is meant for residents of the Lucasville and Waterstone area to get to Highway 101 rather than for traffic to come through. He referred the resident to the HRM Website to see a map of the proposed road.

One resident asked what kind of guarantee will there be that the boundaries will not be changed for the schools. Mr. Bone said there is none. The school board assesses the boundaries on a regular basis.

The resident asked if there will be a greenbelt between Timber Trails and Waterstone. Mr. Bone said there is no required greenbelt between residential uses. The expansion will back on the backs of Waterstone properties not streets. One resident suggested a fence be built. Mr. Bone said that could be negotiated through the development agreement.

One resident wondered how much the residents would end up paying through taxes. Mr. Bone said HRM has no influence on that issue. He suggested the residents meet with Mr. Hefler. The resident wondered why the residents pay for everything. Mr. Hefler explained that the residents' money goes towards taxes on the land. The resident feels that services within the park have dwindled but yet the rates keep going up.

Councillor Johns explained that the proposal for the expansion is one alternative to pay for the costs of upgrading the waste water treatment plant.

Mr. Bone mentioned that the Park is governed by the Provincial Tenancy Board as far as rate increases and things like that.

One resident suggested taking part of the money paid by the residents and starting a capital fund.

There was a lengthy discussion about city sewer services not being available to residents on Lucasville Road. It was explained that with any new development the developer would pay for the pipes and the only thing HRM would pay for is the oversizing.

One resident asked if there was a time frame to have the system upgraded. Does the applicant plan to develop right away? Mr. Hefler explained that the upgrades or a new system have to be in place before expanding.

Martin Stevens, Timber Trails, asked if the applicant has to clear the upper property first and then the plant before permission can be granted to do the rest. Mr. Hefler said they can probably work at some of the clearing as it would be an advantage because it would not take as long to accumulate some money. He foresees the proposal taking up to four or five years.

One resident asked if the Heflers have an opportunity to meet up with the option of cost contribution. Would it not be less expensive for them? Mr. Bone suggested that the upgrade of the plant is probably the cheapest option because of the lack of an urban density. One acre lot developments are extremely expensive to install the services. When the services are installed they are billed back to the surrounding communities. HRM has just gone through a Regional Planning process which lays out the 25 year plan of where the service boundaries are going to be. This area is in the water boundary but not the sewer boundary.

One resident suggested Councillor Johns draw up a petition and have all the resident of Timber Trails sign it then present it to Council.

There was discussion about water and sewer services in the Beaver Bank area including mobile home parks.

David Barrett, Beaver Bank, owns land behind the Armoyan lands. He was on the Planning Participation Committee in the 1980's/90's for Sackville, Beaver Bank, Hammonds Plains and Lucasville. Everyone asked at that time why aren't mobile parks run like the Hefler one. The Heflers are very consciences the way things are. He admires the way the park is being run.

One resident asked if there will be any additional staff to help upkeep the park. Mr. Bone said it would be up to Mr. Hefler. The development agreement can only deal with the parameters of the physical building, road, layout, parks, sewage treatment plant, and the infrastructure.

Claire McFarlane, Timber Trails, asked when the residents would start paying the extra rent. Mr. Hefler said only when things start to take place. Ms. McFarlane is pleased with the snow removal and the way the park is run.

Councillor Johns explained that Mr. Hefler can apply for an infrastructure grant. An organized group of residents could make an application to that infrastructure grants project which would then allow Mr. Hefler to tap into Federal and Provincial money to help offset his costs.

One resident asked if HRM has any rules or regulations regarding safety on the playground. Mr. Bone said HRM Parks will look at the existing facility and provide recommendations. It can be specified in the development agreement as to how the expanded playground should be developed. Mr. Hefler mentioned that the existing playground will be expanded and some of the existing structures need to be replaced.

One resident asked if the land across the street from the park will be clear cut. Mr. Hefler said some trees would be left along the street to act as a buffer. Only approximately three or four acres would be cleared.

One resident said the sewer plant now is six feet from his door and it smells every time it rains. He doesn't think it is right to leave it there for pumping purposes. Mr. Bone said it would probably have less of an impact as a pumping station because it would be a sealed system.

One resident asked if any of the existing infrastructure would be torn up. Mr. Bone was not sure if the existing system would have to be disturbed as part of the upgrade but some of the street would have to be dug.

One resident asked if the water pressure on First, Second and Third Streets would be fixed from the upgrade. Mr. Hefler was not aware of the pressure problem.

One resident asked what the new plant will look like. Mr. Hefler said there would be three tanks, 200 x 400). They would be raised, open lagoons with trees and fencing around them.

Councillor Johns explained that the key thing to the public information meeting is to gain feedback from the residents. He asked the residents if they are generally okay with the concept plan to which the majority said they were. He encouraged any residents who have concerns to contact him directly.

5. Closing Comments

Councillor Johns thanked everyone for coming to the meeting and expressing their comments and concerns.

6. Adjournment

The meeting adjourned at approximately 8:32 p.m.

