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North West Community Council

~~October 23, 2008~~

November 27, 2008

TO: North West Community Council

SUBMITTED BY:

Paul J. Murphy
Paul Murphy, Director of Community Development

DATE: October 7, 2008

SUBJECT: Case 00908: Development Agreement - Expansion of Timber Trails
Mobile Home Park

SUPPLEMENTARY REPORT

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.
- Staff report dated September 11, 2008.
- North West Planning Advisory Committee meeting on October 1, 2008.

BACKGROUND

The staff report dated September 11, 2008 was presented to the North West Planning Advisory Committee (NWPAC) on October 1, 2008. This supplementary report is in response to the recommendations from NWPAC.

DISCUSSION

In response to the recommendations from NWPAC, staff advise as follows:

Water Sampling at brook

Staff does not recommend additional testing upstream based on discussions with Nova Scotia Department of Environment (NSDE). Sampling upstream at Sandy Lake is not necessary as NSDE's approval of the sewage treatment system will require sampling at the facility. Careful monitoring at the source is considered to be the most effective means of ensuring the system is fully functional and presenting no potential threat to the environment.

Buffering of Sewage Treatment Plant

The proposed Agreement for the expansion requires the development conform to By-law 29, the "Mobile Home Park By-Law" of the former Halifax County Municipality. Clause 13.1 (d) of the By-law requires that:

“Sewage treatment plants in the proposed mobile home park development shall be properly protected and landscaped and have a minimum separation distance of one hundred (100) feet from any mobile home”.

Additional landscaping provisions in the agreement are not necessary. It is the opinion of Staff that Clause 13.1 (d) of By-law 29 adequately addresses this concern. In addition, the final design of the sewage treatment system may not include a sewage treatment plant (an engineered wetland system may be possible) and the landscaping requirements would be irrelevant.

Prevention of Leakage from Sewer Pipes

By-Law 29 and the Agreement both require the entire sanitary sewage system, including all pipes, be certified by an Engineer and be approved by NSDE. The regulatory body responsible for private sanitary sewage systems is NSDE and, as such, is responsible for ensuring that approved systems are appropriately designed and maintained. Therefore, the Municipality has no authority to assume this responsibility.

Bonding for completion of Development Agreement

Under the terms of the Agreement, the Developer is not able to receive permits for construction or placement of any new mobile homes until the conditions of the Agreement are met. Therefore, requiring bonding to ensure all terms of the Agreement are met is not necessary. In addition, the Agreement and By-law 29 contain sufficient remedies to ensure the development meets the requirements.

BUDGET IMPLICATIONS

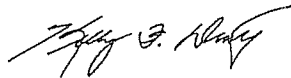
There are no budget implications. The Developer will be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this Agreement. The administration of the Agreement can be carried out within the approved budget with existing resources.

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.

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

Report Prepared by: Leticia Smillie, Planner 1- Planning Applications: Community Development 869-4747



Report Approved by: Kelly Denty, Acting Manager of Planning Services, 490-6011


Council Report Sign-Off Sheet

Subject: Case 00908: Development Agreement to enable expansion of Timber Trails Mobile Home Park

Meeting Date: October 23, 2008

Regular Council In Camera Information Report
 Community Council Board/Committee

Prepared by: Leticia Smillie, Planning Applications Date: October 7, 2008
 Name and Business Unit

√	Stakeholder - Internal	Reviewed By	Date/Time	Time Spent on Report	Initial/Signature
	Not Required (unique to originating BU)				
	BPIM				
	CD	Thea Langille	Sept 08/08		
	Finance - FinTrack - Accounts - Financial Consultants - Procurement - Manager				
	Fire				
	HR				
	IAM				
	Legal - By-Laws - Admin Orders - Other				
	Police				
	TPW				
	Library				
	Halifax Water				
	Councillor(s)				
	Regional Youth Advisory Committee (RYAC)				
	Stakeholder - External				

Revised: March 2008