

**NORTH WEST COMMUNITY COUNCIL**

**MINUTES**

**FEBRUARY 28, 2002**

THOSE PRESENT: Deputy Mayor Robert P. Harvey  
Councillor Brad Johns  
Councillor Len Goucher

ALSO PRESENT: Angus Schaffenburg, Planner  
Andrew Bone, Planner  
John Sheppard, Manager, Environmental Services  
Naipal Tomar, Senior Environmental Engineer  
Jamie Hannam, Halifax Regional Water Commission  
Reg Ridgeley, Manager, Revenue & Process Audit, Finance  
Sandra Shute, Assistant Municipal Clerk

**TABLE OF CONTENTS**

1.	Call to Order .....	4
2.	Approval of Minutes - January 24, 2002 .....	4
3.	Approval of the Order of Business and Approval of Additions and Deletions ..	4
4.	Business Arising Out of the Minutes .....	4
5.	Motions of Reconsideration - None .....	4
6.	Motions of Rescission - None .....	4
7.	Consideration of Deferred Business - None .....	4
8.	Public Hearings - None .....	4
9.	Correspondence, Petitions and Delegations	
9.1	Presentation - Youth Council for Sackville/Beaver Bank .....	4
10.	Reports	
10.1	Resignations/Appointments - Bedford Waters Advisory Committee ...	5
10.2	Case 00331 - Supplementary Report - Approval of Development Agreement - 25, 27 and 35 Dartmouth Road .....	5
10.3	Case 00446 - Area Advisory Committee for Lands Abutting the Bicentennial Highway generally between Rutledge Street and Nottingham Drive, Bedford .....	6
10.4	North West Planning Advisory Committee	
10.4.1	Case 00404 - Application by Steve Fairbairn to Amend the Municipal Planning Strategy for Beaver Bank, Hammonds Plains and Upper Sackville to allow a Commercial Entertainment Use at 991 Beaverbank Windsor Junction Cross Road .....	7
11.	Motions - None .....	8
12.	Added Items - None .....	8

13.	Notices of Motion - None .....	9
14.	Public Participation	
14.1	Other Items .....	9
14.2	Beaver Bank Water and Sewer - Community Information Item/ Question Period .....	9
15.	Next Meeting Date .....	21
16.	Adjournment .....	22

1. **CALL TO ORDER**

The meeting was called to order at 7:00 p.m. at Harold T. Barrett Junior High School, 862 Beaverbank Road, Beaver Bank. At a later point in the meeting, Deputy Mayor Harvey recognized Barry Barnet, MLA for Sackville/Beaver Bank.

2. **APPROVAL OF MINUTES - JANUARY 24, 2002**

**MOVED by Councillor Goucher, seconded by Councillor Johns to approve the Minutes of meeting held on January 24, 2002 as circulated. MOTION PUT AND PASSED.**

3. **APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

There were no additions or deletions.

**MOVED by Councillor Johns, seconded by Councillor Goucher to approve the Order of Business as presented. MOTION PUT AND PASSED.**

4. **BUSINESS ARISING OUT OF THE MINUTES** - None

5. **MOTIONS OF RECONSIDERATION** - None

6. **MOTIONS OF RESCISSION** - None

7. **CONSIDERATION OF DEFERRED BUSINESS** - None

8. **PUBLIC HEARINGS** - None

9. **CORRESPONDENCE, PETITIONS AND DELEGATIONS**

9.1 **Youth Council for Sackville/Beaver Bank**

Deputy Mayor Harvey welcomed Rachael Craig and Roland Janes, representing the new Youth Council for Sackville/Beaver Bank. Ms. Craig and Mr. Janes provided information on the Youth Council as follows:

- The age group of the Youth Council
- Growth rates in the community
- Where youth are located
- Concerns discussed such as transportation, health, no place to go
- Development of a website

- Future of the Council
- A safe location for a skateboard park

After the presentation, Deputy Mayor Harvey thanked Ms. Craig and Mr. Janes for providing the information and advised he looked forward to hearing from this new group again and working with them in the future.

## 10. **REPORTS**

### 10.1 **Resignations and Appointments - Bedford Waters Advisory Committee**

Resignations from Betty Tucker and Dr. Don Fox were before Community Council.

**MOVED by Councillor Goucher, seconded by Councillor Johns to accept the resignations from Betty Tucker and Dr. Don Fox with regret. MOTION PUT AND PASSED.**

A letter will be sent to both individuals thanking them for their service while members of Bedford Waters Advisory Committee.

**MOVED by Councillor Goucher, seconded by Councillor Johns to appoint the following to Bedford Waters Advisory Committee for a term to end November, 2004:**

**Lem Murphy - non-technical  
Deborah Gillis - technical  
Cedric Pilkington - technical**

**MOTION PUT AND PASSED.**

### 10.2 **Case 00331 - Supplementary Report - Approval of Development Agreement - 25, 27 and 35 Dartmouth Road**

A Supplementary Report dated February 15, 2002 was before Community Council. Angus Schaffenburg, Planner provided an overview of the report which provided additional information on the provision for land dedication. Because changes were considered during the Public Hearing held at Regional Council on January 15, 2002, an amended Development Agreement was necessary.

Councillor Goucher asked if HRM By-laws required a metal chain link fence, as referenced in the proposed Development Agreement, or could it be a wooden fence instead. In response, Mr. Schaffenburg advised that the community was interested in a chain link fence as a means of stopping people from going through the property to Brook Street.

With regard to site disturbance areas, Councillor Goucher asked, since the majority of the trees on the lot would be saved except for those in the middle of the lot, would there be any delineation through snow fencing put along the back of the property. In response, Mr. Schaffenburg advised that this was a request of Bedford Waters Advisory Committee to clearly delineate the areas which are not to be touched and then, as development proceeds, to delineate areas that have been restabilised.

Councillor Goucher requested that site delineation be added to the Development Agreement. In response, Mr. Schaffenburg advised he would check to see if it is was included and if it was not, it could be done.

Councillor Goucher referred to the water program in place during construction and asked what would happen if it exceeds maximum turbidity in the water. In response, Mr. Schaffenburg advised that the consultants would take action to immediately either fix the silt fencing or determine why it has occurred. It would be something they should do immediately. There is a bond so that if it is not done, it could be cashed. Mr. Schaffenburg added it would be within the power of the Development Officer to address the issue as recommended by the Development Engineer. Department of Environment might also be involved at that point.

**MOVED by Councillor Goucher, seconded by Councillor Johns to approve the amended Development Agreement as set out in Attachment A of the Supplementary Report dated February 15, 2002 for a 64-unit apartment building with an amendment to the Development Agreement to include site disturbance delineation.**

**Further, to require the Development Agreement be signed within 120 days, or any extension thereof granted by Community Council on request of the applicant, from the date of final approval by Community Council and any other bodies as necessary, whichever is later; otherwise, this approval will be void and obligations arising hereunder shall be at an end.**

**MOTION PUT AND PASSED.**

**10.3 Case 00446 - Area Advisory Committee for Lands Abutting the Bicentennial Highway Generally Between Rutledge Street and Nottingham Drive, Bedford**

A Staff Report dated February 15, 2002 was before Community Council. Angus Schaffenburg, Planner provided an overview of the report.

Councillor Goucher referred to a motion put forward at Regional Council on February 26, 2002. He asked for support from Community Council with regard to the recommendations and advised that Regional Council was addressing questions to the province relative to the

land on the site. He requested that staff defer any advertising for the Committee to allow time for a response from the province.

**MOVED by Councillor Goucher, seconded by Councillor Johns to:**

1. **Approve the formation of a Public Participation Committee (called an Area Advisory Committee under the Municipal Government Act) of the North West Planning Advisory Committee for the Brison Developments Limited application for lands abutting the Bicentennial Highway generally between Rutledge Street and Nottingham Drive, Bedford as shown on Map 1 attached to the Staff Report dated February 15, 2002; and**
2. **Approve the Terms of Reference as found in Attachment A of the Staff Report dated February 15, 2002.**

**MOTION PUT AND PASSED.**

Councillor Goucher left it to the discretion of Planning Staff to check to see if there has been an answer from the province and then act accordingly. It was hoped to be able to make appointments at the next meeting of Community Council.

#### 10.4 North West Planning Advisory Committee

##### 10.4.1 Case 00404 - Application by Steve Fairbairn to Amend the Municipal Planning Strategy for Beaver Bank, Hammonds Plains and Upper Sackville to allow a Commercial Entertainment Use at 991 Beaverbank Windsor Junction Cross Road

Councillor Johns read into the record a Petition with 400 names in support of the application.

A Staff Report dated January 7, 2002 was before Community Council along with a recommendation from North West Planning Advisory Committee dated February 14, 2002 recommending approval.

Andrew Bone, Planner provided an overview of the application. The property is a heritage property. This application also came before Heritage Advisory Committee and Western Region Community Council as the Plan area crosses electoral districts. Favourable response has been received from these two bodies.

Councillor Johns also provided information on the application for the benefit of the public present.

**MOVED by Councillor Johns, seconded by Councillor Goucher to recommend to Regional Council that:**

- 1. Regional Council give First Reading to the proposed amendments to the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-law as contained in Attachment "A" of the Staff Report dated January 7, 2002 and schedule a Public Hearing for March 26, 2002.**
- 2. Regional Council adopt the amendments to the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-law as contained in Attachment "A" of the Staff Report dated January 7, 2002.**
- 3. Regional Council and North West Community Council move Notice of Motion for the proposed Development Agreement, attached as Attachment "B" of the Staff Report dated January 7, 2002 to permit a commercial entertainment use, and schedule a Joint Public Hearing on March 26, 2002.**

**MOTION PUT AND PASSED.**

Contingent upon the adoption by Regional Council of the above Municipal Planning Strategy and Land Use By-law amendments and becoming effective under the Municipal Government Act, North West Community Council will consider:

- (a) Approval of the proposed Development Agreement (staff will bring this matter back to Community Council for a decision at the appropriate time); and
- (b) Require that the Development Agreement be signed within 120 days, or any extension thereof granted by Community Council on request of the applicant, from the date of final approval by Community Council and any other bodies as necessary, whichever is later; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

Deputy Mayor Harvey asked for confirmation that if the application is approved following a Public Hearing, then an application would have to go forward to the Liquor Licencing Board. In response, Mr. Bone advised that just because the Municipality allows the use does not mean it is automatic. There will be a public hearing put on by the provincial Alcohol and Gaming Authority as part of the regular licencing process.

11. **MOTIONS** - None
12. **ADDED ITEMS** - None
13. **NOTICES OF MOTION** - None
14. **PUBLIC PARTICIPATION**

14.1 **Other**

Walter Regan, Sackville Rivers Association asked the status of the 60 acres at Second Lake. In response, Deputy Mayor Harvey advised that he understood that Councillors could have a briefing by staff as early as next Thursday.

14.2 **Beaver Bank Water and Sewer - Community Information Item/Question Period**

Councillor Johns introduced staff members who were present for this item:

John Sheppard, Manager, Environmental Services  
Naipal Tomar, Senior Environmental Engineer  
Reg Ridgeley, Finance  
Jamie Hannam, Halifax Regional Water Commission

John Sheppard, Manager, Environmental Services first referred to the fact that staff had sent a flyer out about two weeks ago which would have been hand delivered to all people who live in Beaver Bank Phase 4 area but he understood that some people may not have gotten it. He indicated he had some available with him and would pass them around.

With the aid of overheads, Mr. Sheppard then provided a presentation on the project. Directly below is a copy of the overhead presentation.

**BACKGROUND**

- UMA Engineering Study - 1990 for Halifax County.
- Identified properties with on-site sewage disposal system malfunctions and water contamination.
- Recommended extension of central sewer and water on a phased basis.
- Established priority areas for implementation.
- Total projected costs - \$20,000,000 for both sewer and water, including a new trunk sewer from Glendale Drive to Stokil Drive.

**PHASES 1 TO III**

- Phase I - sewer and water on Beaver Bank Road from Stokil Drive (Millwood) to Woodbine Trailer Park - 1994 - \$1,466,000.
- Phase II - sewer and water from Woodbine Trailer Park to Majestic Avenue - 1995 - \$800,000.
- Phase III - sewer and water from Majestic Avenue to Tucker Lake Road - 1997-98 - \$5.6 million.
- All phases received Federal and Provincial funding.

**CURRENT PROJECT  
PHASES IV A, B, C, D AND E**

- Phase IV A Tucker Lake Road
- Phase IV B Galloway Drive, Grove Avenue, Frederick Lane, Mayflower Avenue, Earnest Avenue, Daisy Drive, Pennington Drive and a portion of Trinity Lane
- Phase IV C Danny Drive, Barrett Road, Elaine Drive, MacPhee Court, Meadow Drive and Carrie Crescent
- Phase IV D Pinehaven Drive, Sherri Lane, Franklyn Drive, Debbie Drive, Lakeland Street, Gilbert Street and Jefferson Lane
- Phase IV E Majestic Avenue, Trinity Lane and Wood Court

Estimated cost - \$16.3 million, including water reservoir.

**BEAVER BANK ROAD TRUNK SEWER**

- Installation of a new trunk sewer from Stokil Drive to the Little Sackville River trunk sewer.
- Being designed - estimated cost \$750,000, 2/3 cost share under Infrastructure Program.

**INFRASTRUCTURE FUNDING**

- HRM has sewer funding approved for \$6.0 million project cost - Phases IV A, B and C, and perhaps part of D.
- HRWC has funding approved for the water component for Phase IV A, and has applied for funding for Phases IV B and C.
- Applications for funding requests under the Infrastructure Program for Phases IV D and E are to be filed soon.
- Council approved priority list.

**FRONTAGE CHARGES**

- \$70 per lineal foot if 2/3 infrastructure funding.
- \$130 per lineal foot if no additional infrastructure funding.
- Based on preliminary design estimates.
- Actual prices may vary.
- Contingent on approval by Regional Council.

**OTHER CHARGES AND COSTS**

- \$100.00 Sewer Connection Permit Fee.

- \$500.00 per unit Trunk Sewer Charge for existing residential buildings.
- \$0.30 per square foot Sewer Redevelopment Charge for other existing buildings payable at the time of sewer connection.
- \$0.30 per square foot Sewer Redevelopment Charge for all new buildings.
- Area rate - \$0.0777 per \$100.00 of assessment annually.
- Cost of service lateral from the main to the property line included in Local Improvement Charges (LIC).
- Cost of service lateral from property line to the building at property owners' cost.
- \$30.00 Water Service Inspection Fee.
- Average "water" bill \$93.00± per quarter, includes Pollution Control Charge, if connected to the sewer (\$0.4604/cubic metre EPC and \$0.2224/cubic metre WWMC).
- Wastewater and Stormwater Management Charge if not connected to sewer (\$0.2224/cubic metre).
- Vacant lots have to pay LIC.
- Also a flat rate for Wastewater and Stormwater Management Charge for vacant lots - \$56.14/year (\$0.1538/day).

#### **NEXT STEPS**

- By-law - March 19<sup>th</sup> tentative date.
- Public Hearing.
- Award Phase IV A.
- Again, contingent on Regional Council.

Mr. Sheppard advised the following while reviewing the overhead presentation:

#### Background

Mr. Sheppard advised that the UMA Engineering Study identified the problems with on site systems and wells in the area. As a result of the report, a plan was developed to provide water and sewer to the community. The sewer was to connect to the central system in Sackville and off to the Treatment Plant in Bedford. The water was an extension of the Pockwock water system. The study recommended priority areas in terms of the work to be carried out. Those areas were prioritized based on the number of problems in certain areas as well as the severity of the problem. The overall cost at that time was projected to be about \$20 million to provide water and sewer throughout the whole community as well as some work that had to be done with the existing system in Sackville.

#### Phases I to III

Mr. Sheppard advised that based on the recommendations in the UMA Engineering Study, three phases of work have been completed already in the Beaver Bank area. There are now services out to Tucker Lake Road along Beaver Bank Road. The remaining components of the project will involve servicing into the subdivisions off Beaver Bank Road. All of the work completed was carried out with financial support from the federal and provincial governments.

#### Current Project - Phases IV A, B, C, D and E

Mr. Sheppard advised that the priority list was developed originally by the consultant when the study was done in 1990. A more recent cost estimate to provide service in these areas is about \$16.3 million, which includes the cost of a reservoir which the Water Commission is proposing to be constructed, probably after Phase C. A map was provided showing the various phases.

#### Beaver Bank Road Trunk Sewer

Mr. Sheppard advised that another component of work required to be done at this time is the upgrading of the existing services in Sackville in order to accommodate the additional sewage flow from the Beaver Bank area. This project has been approved as part of the Capital Works Program and being done with funding assistance from the federal and provincial governments. This is currently being designed.

#### Infrastructure Funding

Mr. Sheppard advised that this work was very expensive and most projects which involve servicing to a previously unserved area have typically not been done in the past without the benefit of financial assistance from the federal and provincial governments. In accordance with that, HRM has applied for funding and received some funding under the Infrastructure Program. HRM currently has sewer funding approved for a \$6 million project which will enable HRM to do Phase IV, A B and C and perhaps part of D for sewer alone. The Water Commission applied for, and has had approved, funding for the water component of Phase IV A and has applied for funding for Phases IV B and C. It was hoped this would receive federal and provincial funding required. The remaining phases have been identified as a priority by Regional Council. Staff recommended to Regional Council, a couple months ago, a priority list of other projects for infrastructure funding. Priority No. 2 is Beaver Bank water Phase IV, B and C. Priority No. 4 is Beaver Bank sewer, Phase IV D and E. Priority 5 is Beaver Bank water Phase IV D and E. Priority No. 6 is Beaver Bank water reservoir. It appeared that the District Councillor has done a good job of promoting the need for services in the Beaver Bank area because four of the top six are for the Beaver Bank area.

#### Frontage Charges

Keeping in mind the \$16.3 million and if the infrastructure funding applied for is approved, Mr. Sheppard advised that staff determined the frontage charges for all the Phase IV areas in the range of \$70 per lineal foot. If someone has a lot 100' in width, the frontage charge would be \$7000 based on the estimates done to date and the preliminary design. The reality is that actual prices may vary depending on market conditions and design details, etc. It is also contingent on approval of Regional Council.

Mr. Sheppard advised further that what is being talked about this evening is a plan, and he hoped that it will go that way, but at the end of the day Regional Council makes the final decision. If, however, there is no further infrastructure funding other than what is approved now, the frontage charge is estimated to go up to \$130 per lineal foot. There is no way to guarantee that the funding will be obtained; therefore, the \$70 and \$130 represent the range of possibilities depending upon the approval under the Infrastructure Program, and subject to tender process.

Mr. Sheppard also pointed out that in terms of the list, even though the Beaver Bank projects are high on the list, there is no guarantee the federal or provincial governments will approve the projects in the order listed. They may choose, for some reason, to approve something that is further down the list.

#### Other Charges and Costs

Mr. Sheppard outlined the other charges, in addition to the frontage charge, which are associated with providing sewer to any lot in the Beaver Bank area or to any lot in HRM for that matter. These various charges result from By-laws and Regulations in HRM. These are standard charges associated with any sewer and water project. With regard to the area rate special to Beaver Bank, the rate would mean that if someone owns a house assessed at \$100,000, the annual charge would be \$77.70.

Mr. Sheppard also indicated during this section that when the mains are put in the street for water and sewer, the project also involves the provision of sewer laterals to the front property line for the individual lot - included in project costs. The cost of the service lateral from the property line to the building is at the owner's cost. This cost would depend on conditions such as how far back the house is, the depth of sewer required, how much rock and various other conditions. The range could be from \$1500 to \$4-5000 depending on the circumstances.

#### Next Steps

Mr. Sheppard advised that the plan is to go to Regional Council with a By-law, which is required to set the frontage charges for this type of project. Tentatively, it was hoped to come to Regional Council on March 19, 2002. As part of the process of approving a By-

law, there is a Public Hearing which will allow input from the residents at that time. The tenders for Phase IV A have closed. The intent is, assuming that Council approves the By-law mentioned, to go to Regional Council with a recommendation to award the contract for Phase IV A Tucker Lake Road.

Mr. Sheppard stressed that staff was describing a plan - what staff has in mind - but, at the end of the day, it is Regional Council who makes the final decision. The members of North West Community Council will be part of that process.

#### Question Period

Mr. Alan Smith, 35 Frederick Lane referred to the proposed By-law and asked how you could introduce a By-law for costing of an area when it is not known that infrastructure funding will be there for all of the project.

In response, Mr. Sheppard advised the intent is to go to Regional Council with a frontage charge rate of \$70 per foot based on best design estimates at this time and making certain assumptions about funding from the federal and provincial governments. The By-law is set up so that if the rate needs to be changed, for whatever reason, staff can and will go back to Council at a later date with a recommendation to change the rate, either higher or lower, depending upon how the project proceeds.

Mr. Alan Smith acknowledged that at present there was not enough money to do all the areas. He asked what would happen if no more infrastructure money was received. He understood the money was broken up now so that there was enough money for sewer and water for Tucker Lake Road and IV B and C for the sewer but not necessarily water. He asked if the remaining monies would be used up in one or two areas giving them all the water and sewer services they need until the money is used up, while keeping the frontage charges at \$70 per foot or just not do other areas like Phase IV B which does not have money for water. Effectively, without the money for water, it would raise the frontage charges to about \$130 per foot.

In response, Mr. Sheppard advised that there are different possibilities. First of all, it was hoped to get the water funding for Phase IV B and C. If not, it was possible that the sewer money might be used to do the water. If there is more infrastructure funding, it could mean doing more phases but that decision has not been made; the By-law simply gives the flexibility to make that decision at some point in the future and the opportunity to change the frontage rate depending on circumstances. The rate cannot be changed on a whim; it has to go to Regional Council and there is a Public Hearing process associated with that. There is an opportunity for people to provide input during the process.

Mr. Tom MacDonald, 171 Danny Drive asked if there was a timetable for Phases B and C and does anyone know when the infrastructure funding will be approved.

In response, Barry Barnet, MLA for Sackville Beaver Bank advised that the Municipality was lucky to get the \$6 million on July 16, 2001. Before that, the Municipality submitted its list and it went through a process for approval by the federal and provincial governments. The list was actually approved exactly as submitted; they simply moved down the list until they ran out of money. That was how the Beaver Bank sewer project was approved and it was the same way last time. He expected it would be the same way again for future phases. He understood there was sufficient funding in place for the upcoming approvals to do from 1 to 6, excluding 1 which was omitted last time and likely this time - the Harbour Solutions project which is a huge project and would consume every cent of infrastructure money for many years. It would not be fair to Beaver Bank or other communities to be omitted because of a project of the scale of Harbour Solutions. He had every expectation that within the next month or two, following the same time process as last year, that there would be favourable consideration for the project.

Councillor Johns acknowledged that there have been a number of residents working on the Beaver Bank Water and Sewer Committee since the inception of the project, 12-14 years ago. Even though a number of people have received water and sewer for themselves, they still represent the community of Beaver Bank as a whole.

With regard to when B and C would start, Mr. Sheppard advised that design has started in anticipation of getting funding.

Mr. Dan Ricketts, Pennington Avenue asked what would be the calculation of the frontage on a cul de sac.

In response, Mr. Naipal Tomar, Senior Environmental Engineer advised that a cul de sac would still be assessed on the basis of 60'.

Mr. Ricketts asked for information on servicing of a vacant lot. He was told that staff would have to look at it. Right now the aim was to service existing homes.

Mr. Kevin McNeil, Greenforest asked for the definition of frontage.

In response, Mr. Ridgeley, Finance quoted a definition and provided examples.

A gentleman from Greenforest Subdivision referred to corner lots and said that question was posed about two years ago at which time a property owner was assured that frontage costs would be frontage on the main road where the door is and not on both sides. This would have been for beyond Majestic. He stated it had been a panel of engineers from HRM who gave that assurance.

Mr. Ridgeley advised that the By-law has been in effect since 1996/97. He would have to look at it.

Mr. Alan Smith asked, once the charges have been applied to a property, how will the charge be handled. He knew that it could be amortized over 20 years and pay through taxes but what would happen if the owner sold the property.

In response, Mr. Ridgeley advised that the charge can be levied over 20 years and paid off at any time without penalty. Once the By-law is approved by Regional Council, a note goes on the property file indicating there is a pending charge. When the property is sold, it has to be transferred free of liens. The vendor, therefore, is usually responsible for taking care of it and it becomes part of the negotiation of the purchase price. If you do the sale/purchase and there is a pending amount, and if the solicitor agrees, the charges can be transferred to the new owner but it would be part of the purchase and sale agreement.

Mr. Rod Burgess, Tucker Lake Road said that there are a number of lots at the beginning of Tucker Lake Road which are subdividable but some will not be. He asked how the frontage charge would be determined in this case as the road actually runs through the middle of the lot.

In response, Mr. Ridgeley stated this was a unique situation and he was not aware of it. Mr. Tomar added that the two properties would be considered separate. Some lots do not have the depth to be developed. The lots would have to be looked at.

Mr. Ridgeley, in consultation with Councillor Johns, indicated that Mr. Burgess' lot was on lakefront and it could not be subdivided. Assessment would be for the serviceable side.

Mr. Alan Smith referred to the cost of laterals. There may be a number of lots in Beaver Bank, based on the new minimum size, that could not be divided up. If there were additional laterals being run for additional lots, would one homeowner have to pay for all three or would just one lateral be put in right now because there is one house.

Mr. Ridgeley advised that there would be one lot and there would be no anticipation to subdivide. The only time to anticipate subdivision is when you get into a corner lot situation. With respect to the lot in question, Mr. Ridgeley advised that the lot has a 200' frontage which would mean a charge of \$14,000 which would give the ability to subdivide the lot. This was fair to the community.

Mr. Sheppard stated that if anyone has a property large enough to be subdivided and intends to do so, then it is desirable to have a lateral in at the time the main goes in so that the road does not have to be dug up again. If anyone is in that circumstance, they should contact Design staff. He indicated the contact person is Greg Rice 490-6872.

Mr. Greg Thibault asked what would happen to property assessments when water and sewer go in. In response, Mr. Ridgeley advised that people are expecting servicing to happen. The Assessment people feel that this has been factored into the market value;

therefore, there should not be a dramatic increase. If it becomes a chosen area in the future, however, and individuals are willing to pay the price, then the assessment will go up.

Mr. Dave Sharp, 102 MacPhee Crescent noted that some properties are below road grade. He asked what would be the options in this case.

Mr. Sheppard, in response, stated that if you want to connect to the sewer, the only option is pump the sewage from the house up into the sewer. As part of the overall project, a sewer lateral will be put in to the front property line. If you are below the elevation of the lateral, the owner will have to put in a pump and pump up into the lateral.

Mr. Sharp asked for clarification on the feasibility of gravity feed instead as an option. In response, Mr. Sheppard advised this could be looked at. He suggested calling Mr. Rice.

Mr. Sharp asked what would be the approximate cost of a pump. In response, Mr. Sheppard advised it could be a couple thousand dollars.

Mr. Sharp asked what protection would there be in the sewer line to stop the sewer from coming back into the house. In response, Mr. Sheppard advised you would be much less likely to have that problem if you had a pump. There could be a storage area associated with the pump or a backup battery. Staff would look at any reasonable option provided it would not cost much more money.

Mr. Bill Whitefield, Tucker Lake Road asked when they put in a sewer line, would they not put in a non-return valve at the end to prevent the sewer from backing up. He would have a valve at his house but not at the sewer.

In response, Mr. Sheppard advised that if Mr. Whitefield has to pump, the opportunity for back flow into his property was less if there is a brand new sewer. Any sewer system has the potential to back up into people's property; it was a fact of life. There is no valve at the property line. It is not part of the standard servicing approach for any sewer system that he is aware of.

Mr. Kevin McNeil, Greenforest asked, assuming the funding comes through, what would be the rough idea of the time frame for the whole thing.

Mr. Sheppard advised that his best guess would be about three years if HRM got all the money it asked for.

Mr. Dan Marble, Pinehaven Drive referred to the approval process and asked for clarification that the federal and provincial governments might not approve the list in the order of priority.

Mr. Sheppard advised that the list is a list of projects approved by Regional Council that Regional Council is asking for funding in that priority order. The list has been sent to the provincial and federal governments but they are not obligated to approve projects in that order. Barry Barnett, MLA indicated that last time the order approved was as submitted by HRM, with the exception of Harbour Solutions.

Mr. Alan Smith stated there are properties in the community that abut the serviceable boundary but are not included. He asked if it would be reasonable for those properties to hook up to sewer and water if they could afford to run the lines. He was talking in terms of yards. There were also a few properties that could be subdivided but are outside the serviceable boundary.

In response, Mr. Sheppard advised that the serviceable boundary is a firm legislated regulated line. Everybody inside the boundary can connect to the sewer and those outside cannot, according to written legislation. However, in the former County of Halifax there was a practice where the first property outside the boundary was allowed to connect to the sewer. This practice will continue to be honoured. The answer is that, notwithstanding that line, if there is a residential property just by the line, the person will be allowed to connect.

Ms. Myrna MacPhee asked if it was possible to amend the boundary. In response, Mr. Sheppard advised there is a process that allows the boundary to be amended. It is an amendment to the Municipal Planning Strategy with a defined process involved. The boundary has strong meaning in engineering terms. The meaning is that when the sewer system is designed, it is designed to handle the sewage from a certain finite area, defined by the serviceable boundary. They size pipes, pumping stations and allow for capacity based on a certain amount of sewage inside the line. It could not be amended unless it was certain that at the end of the day, all the land inside the boundary could develop and there was enough capacity to allow that development as well as the area to come in from outside. There would have to be certainty that there was adequate capacity before approving an amendment to the serviceable boundary.

Ms. MacPhee then asked if there would be an upgrade to Kinsac School. In response, Mr. Sheppard advised that the boundary was put in place by the former County as a consequence of the UMA study in 1990. The services installed in I, II, III and eventually IV were all premised on that serviceable boundary. There has not been an in-depth study done of Kinsac and bringing in other areas. There are no immediate plans, therefore, to amend the boundary.

Mr. Dennis Gudger, Tucker Lake Road asked when all construction is done for Tucker Lake Road, what would be the time frame for hookup. Once it gets past your house, is there a time frame for hookup after that.

In response, Mr. Sheppard advised that the plan is to go to Regional Council on March 19. If the tender is awarded at that time, it is likely the contractor could start on Tucker Lake Road when ground and weather conditions are good. It might be May or June. The estimated time to complete the work is 10-12 weeks. There is no automatic requirement that people connect to the sewer. People can choose not to connect if they have an on-site septic system that is working properly but you would still have to pay the frontage charges and a charge for vacant land that does not connect to the sewer. The Municipal Government Act is the legislation that governs sewers in HRM and it requires that if a property owner has an on-site system that is not functioning properly, the owner will be required to either fix it or be required to connect to the sewer.

Mr. Jamie Hannam, Halifax Regional Water Commission added that the same applies to water. If there are no problems with the well, you are not obligated to hook up to water services but you would still pay frontage charges.

Mr. Delphis Roy, Beaver Bank noted that before water and sewer, lots sizes had to be a certain size. He asked with water and sewer, would you automatically go to a 6,000 sq. ft. lot (60' frontage). He also took the opportunity at this time to express appreciation to staff for all their work on the project.

Mr. Angus Schaffenburg, Planner advised that there are different requirements. He would have to look at individual lots. Generally, the requirements are less if you are hooked up to water and sewer. If people are thinking their lot could be subdivided and might want an extra lot, they should come to the HRM Sackville Office.

Mr. Alan Smith asked if HRM was seriously considering going ahead with the project on the basis that the money will be available. It would be nice to get services as far as possible as he was sure the money would come for sure, but maybe later than planned.

In response, Mr. Sheppard advised that the reality is that there are problems here and if they are not fixed, Nova Scotia Department of Environment will be coming saying you have to fix your on-site system and there is a cost associated with this. The province is concerned with the problems in this area. That would motivate the province to provide funding. Staff has worked hard on the project and looked for opportunities. If there is a way it can be done, they will do it but it is a money thing. He was unable to answer otherwise but was hoping for the best.

Mr. Dan Marble asked if it would be possible to pick up additional information.

Mr. Ridgeley advised staff could validate a summary and make it available but because of the complexities with certain lots, it would all have to be sorted out.

Mr. Sheppard agreed to look into this possibility.

Mr. Harold McLellan, Tucker Lake Road asked, with regard to pumping or not pumping, what was the depth of the sewer line under normal circumstances.

Mr. Sheppard advised, in response, that the depth of sewer is 8-10' but that could vary considerably. On Tucker Lake Road it does vary considerably. You could not assume anything on Tucker Lake Road. He suggested Mr. McLellan contact Greg Rice as mentioned previously.

A gentleman asked where the Beaver Bank reservoir would be located and what will be the impact on adjacent land uses, particularly recreation uses.

Mr. Hannam responded that the proposed reservoir would be a steel tank much like that seen in Sackville but a little smaller and above ground. There is no real land use impact other than aesthetics. The height of land between Majestic and up around by the Elementary School and behind the school was being considered. It will have direct connection to Beaver Bank Road.

The same gentleman asked if the reservoir was connected in that area, when would Monarch Estates connect.

In response, Mr. Hannam advised he was not sure where Monarch Estates was outside the serviceable boundary and there was no plan to connect them to sewer and water. It would be subject to long term capacity requirements and the public process for the Municipal Planning Strategy.

Mr. Reg Fenerty, Tucker Lake Road asked, when the Tucker Lake Road contract is let and the road is dug up, will the road be put back again in the centre of the right of way because it is currently off centre.

Mr. Sheppard advised he was unaware it was not in the centre of the road now. He suggested looking at the plans after the meeting.

A gentleman asked if the road frontage is determined after each phase. In response, Mr. Sheppard advised that staff intends to go to Regional Council with a frontage charge of \$70 for the entire area. This amount is variable, however, and can change as the project goes ahead depending on design, tender prices, market conditions and funding provided.

The same gentleman asked what would happen if the charge changed. In response, Mr. Sheppard advised that the way it would work is that if they got part way through and found they did not need \$70 per foot, Regional Council could decide to amend the By-law to rebate the property owner.

A gentleman expressed concern that his street was within the shaded area but the street was not on the list. In response, Mr. Sheppard asked him to see him after the meeting.

Ms. Wanda Smith, Mayflower Avenue, Chair of the Beaver Bank Sewer and Water Committee recognized with thanks the other members of the Committee for their work for the community.

Deputy Mayor Harvey thanked all those community members for attending and asking their questions. He recognized his involvement as a County Councillor since 1989. He stated the project is moving ahead. He indicated that Regional Council is focussed on having the Beaver Bank project done and he hoped it would be done in the short term.

Councillor Johns also thanked the community members for attending. He indicated that the Minutes, once approved, would be posted on the Web site. If anyone wanted further information, they could contact him at HRM-1234. He extended thanks to Barry Barnet, MLA for his support as well.

15. **NEXT MEETING DATE**

Wednesday, March 27, 2002 in Bedford.

16. **ADJOURNMENT**

On a motion from Councillor Goucher, the meeting adjourned at 8:50 p.m.

Sandra M. Shute  
Assistant Municipal Clerk