



PO Box 1749
Halifax, Nova Scotia
B3J 3A5, Canada

Item No. 10.1.3
Halifax Regional Council
August 3, 2010

TO: Mayor Kelly and Members of Halifax Regional Council

Original Signed by

A handwritten signature in black ink, appearing to be "Wayne Anstey".

SUBMITTED BY:

Wayne Anstey, Acting Chief Administrative Officer

Original Signed by

A handwritten signature in black ink, appearing to be "Mike Labrecque".

Mike Labrecque, Deputy Chief Administrative Officer

DATE: June 18, 2010

SUBJECT: Case 15964: Bedford South Capital Cost Contribution

ORIGIN

- Case 00762, an application to amend the Bedford South Secondary Planning Strategy (SPS), was approved by Council on March 4, 2008;
- A development agreement for a residential and commercial development was subsequently approved by North West Community Council on May 22, 2008; and
- Continuation of Case 00762 to amend Regional Subdivision By-Law (Infrastructure Charges within Bedford South).

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Give First Reading to the proposed amendments to the Regional Subdivision By-Law, as presented in Attachment A, and schedule a Public Hearing.
2. Approve the proposed amendments to the Regional Subdivision By-law presented as Attachment A and outlined in the budget implications section of this report.

BACKGROUND

On March 4, 2008 Regional Council approved amendments to the Bedford South Secondary Planning Strategy (SPS) to include lands located on the Bedford Highway between Glenmont Drive and Southgate Drive within the SPS. This change enabled the negotiation of a development agreement to permit the construction of a commercial building, a 44 unit multi unit dwelling, twelve townhouses, and a single family home (Maps 1 and 2).

At that time, it was identified that the Schedule G, the Bedford South Charge Area under the Regional Subdivision By-law, would have to be amended to include a portion of the subject lands. This charge area collects money to fund a portion of regional transportation infrastructure in the area such as the construction of the interchange at Larry Uteck Boulevard and Highway 102. A regional solid waste charge has been established by Council and will apply automatically to this project. Sewer and water infrastructure charges are the responsibility of Halifax Water. The ability and method of collecting these charges is regulated under the NSUARB and will be recovered at the time of application for subdivision or building permits.

The subject property is approximately 155,974 ft² (14,490 m²) in size (Parcel A, B and C - Map 3). Approximately 45,141 ft² (4193 m²) (Parcel A - Map 3) would be exempt from infrastructure charges. This exemption was agreed to at the time of the approval of the development agreement and was deemed appropriate as the rights on these lands (13 residential units), equaled the as-of-right development rights prior to the negotiation of the development agreement. Another portion, approximately 78,472 ft² (7290 m²)(Parcel C - Map 3) acres, is already within the existing Bedford South Infrastructure Charge Area and already subject to charges.

In order to collect the appropriate charges, a portion of the site 32,361 ft² (3006 m²) (Parcel B - Map 3) needs to be brought in to the Bedford South Infrastructure Charge Area and Schedule G, Figure B-2 of the Regional Subdivision By-law would need to be amended.

DISCUSSION

Staff discussions have determined that because the parcel, to be included, is of a limited size that the extension of the existing rate is appropriate. Based on these discussions, calculations are based on the formula below which would yield a charge of approximately \$31,862 for Parcel B.

$$\text{Infrastructure Charge} = \$10,893 / \text{per acre} \times \text{acres} \times \frac{\text{population density}}{20 \text{ persons per acre}}$$

Staff are recommending that the Regional Subdivision By-law be amended to include the subject property in the Bedford South Charge area as identified in the recommendation section of this report and shown on the proposed Schedule G, Figure B-2 of Attachment A.

BUDGET IMPLICATIONS

The amendment to the charge area will recover a charge of approximately \$31,862. The recovery will partially offset capital costs already incurred by HRM in the charge area. The recovery will be deposited in balance sheet account HRCP - 2561, Capital Cost Contributions, and then applied against CCC funding to Project No. CDS00274 Wentworth Estates/Bedford South.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

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

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was information sharing, achieved through the HRM Website and responses to inquiries. The local councillor for the area waived the need for a public information meeting, however, the proposed changes were previously discussed by staff in the staff report and Public Hearing for Case 00762 in March 2008.

Should Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, property owners within the notification area will be notified as shown on Map 2.

The proposed amendment to the Regional Subdivision By-Law (Schedule G, Figure B-2) will potentially impact the following stakeholders: the property owners, Halifax Water and other HRM business units or divisions.

ALTERNATIVES

1. Council could approve the amendments presented as Attachment A to this report and adjust Schedule G, Figure B-2 of the Regional Subdivision By-Law as presented in this report. This is the course of action recommended by staff.
2. Council could decline to approve the amendments to the Regional Subdivision By-Law (Schedule G, Figure B-2). If this course of action is taken, the developer would not be able to develop the subject lands as the existing development agreement prohibit the issuance of permits until a CCC charge is in place. In addition, not approving the CCC will have a minor impact on the funding for the Larry Uteck interchange, which also impacts development in Bedford West.
- 3.

ATTACHMENTS

Map 1	Location Map and Notification Area
Map 2	Concept Plan - Southgate Village
Map 3	Southgate Village - CCC Distribution
Map 4	Area Added to Bedford South Infrastructure Charge Area
Attachment A	Proposed Changes to the Regional Subdivision By-law
Attachment B	Relevant MPS Policy

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: Andrew Bone, Senior Planner, 869-4226

Report Approved by:

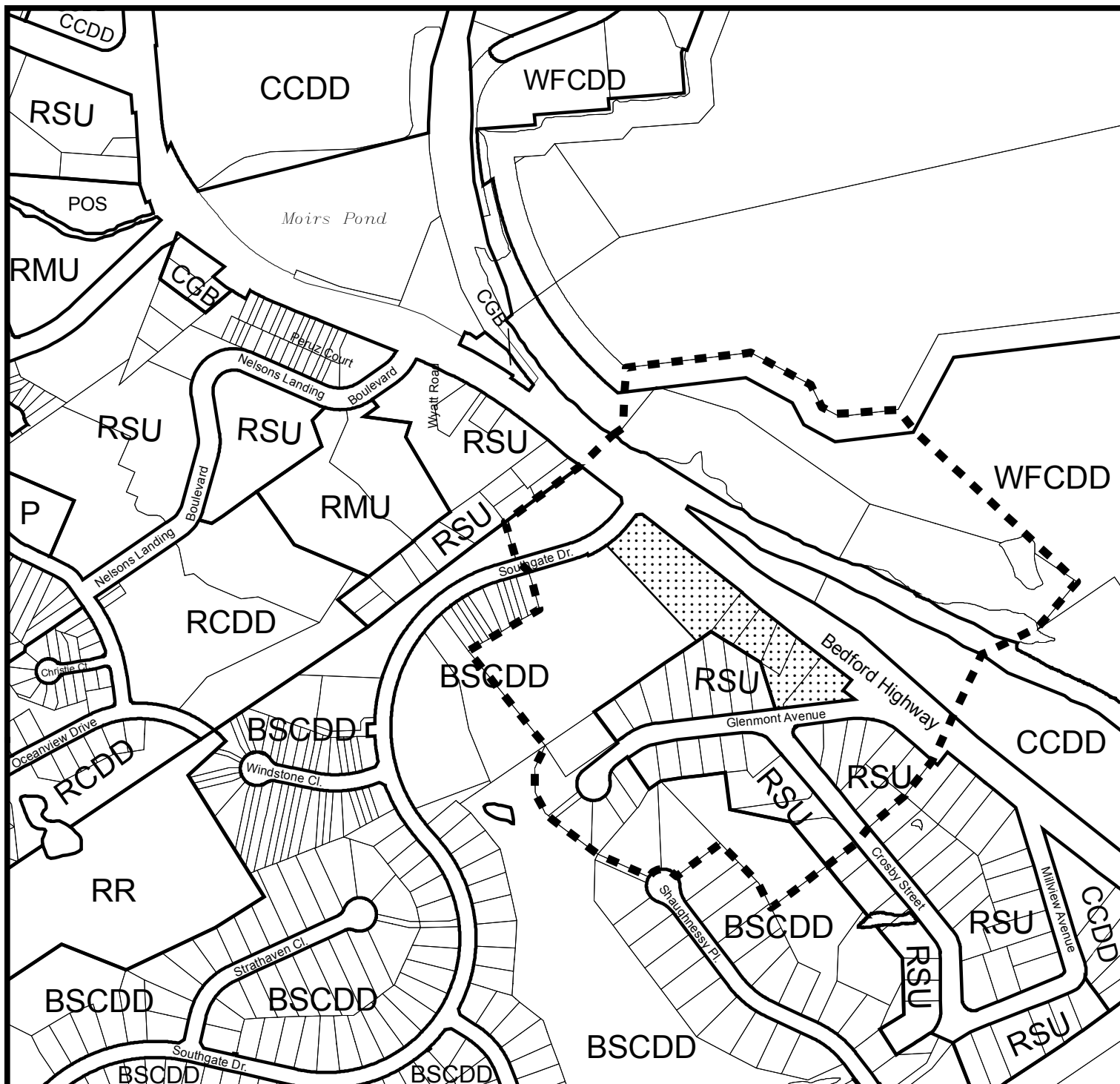
Austin French, Manager, Planning Services, 490-6717

Peter Duncan, Manager, Infrastructure Planning, 490-5449

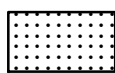
Paul Dunphy, Director of Community Development

Financial Approval by:

Cathie O'Toole, CGA, Director of Finance, 490-6308



Map 1
Zoning and Notification



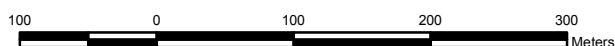
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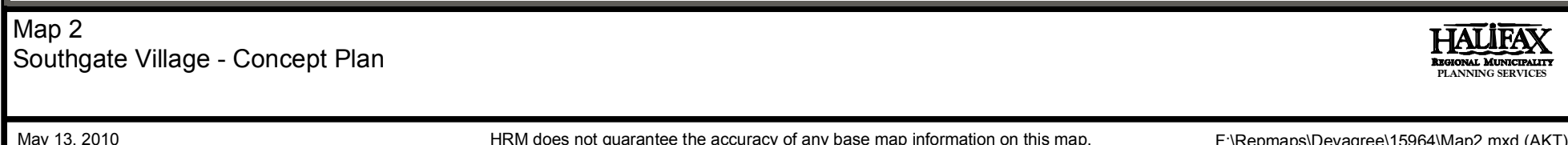
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RSU Single Dwelling Unit Zone
RMU Multiple Unit Dwelling Zone
RR Residential Reserve Zone
POS Park Open Space Zone
P Park Zone

CGB General Business District Zone
CCDD Commercial Comprehensive Development District
RCDD Residential Comprehensive Development District
BSCDD Bedford South Comprehensive Development District
WFCDD Waterfront Comprehensive Development District

--- Notification Area

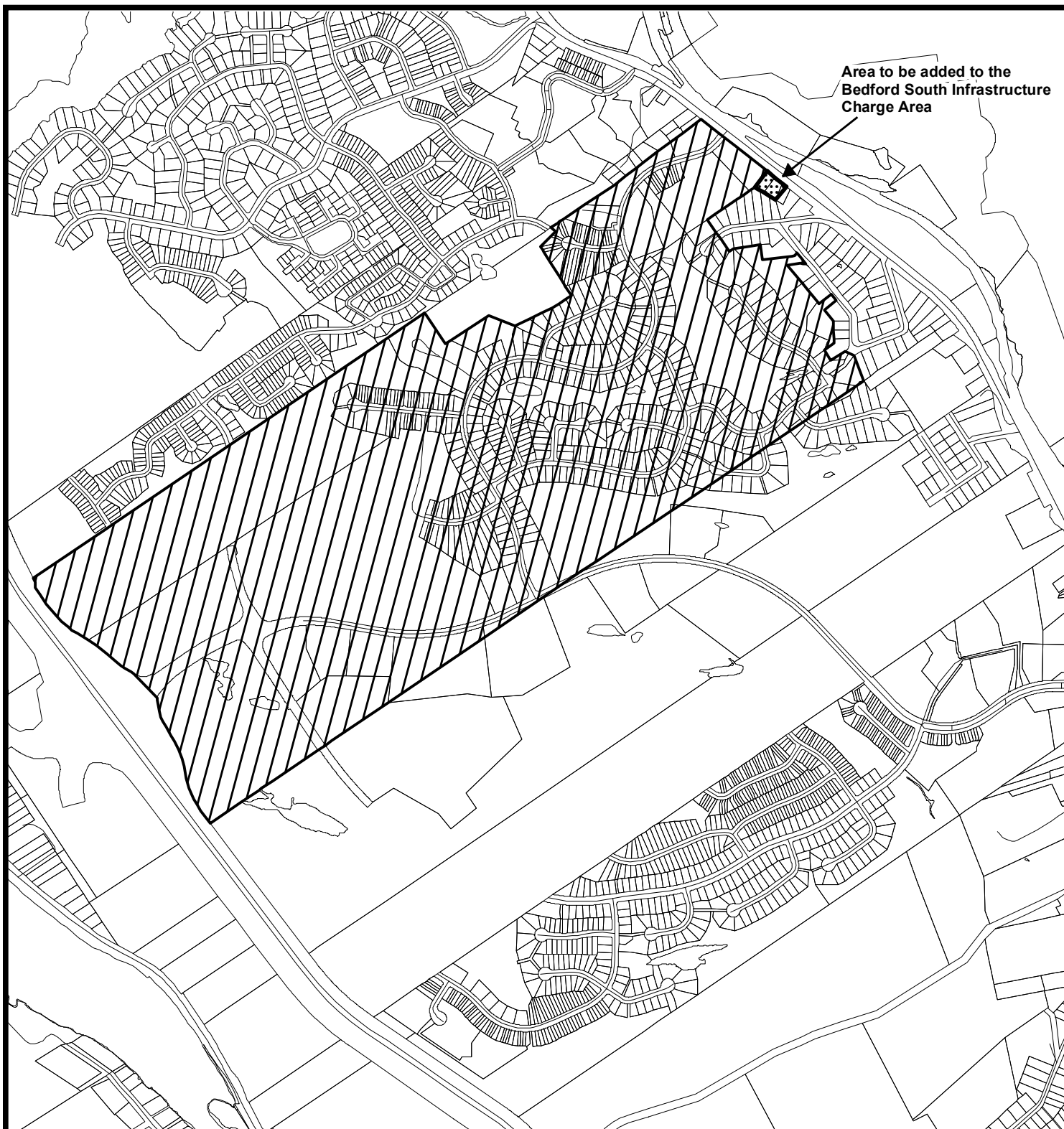




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Map 3
Southgate Village - CCC Distribution



Map 4



Existing Bedford South Infrastructure Charge Area



Area to be added to the Bedford South Infrastructure Charge Area



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Attachment “A”
Proposed Changes to the Regional Subdivision By-law

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Regional Subdivision By-law as enacted by Halifax Regional Municipality on the 27th day of June, 2006 and approved by the Minister of Municipal Affairs on the 26th day of August, 2006 as amended, is hereby further amended as follows:

1. The existing Schedule “G”, Figure B-2 shall be deleted and replaced with the attached Schedule “G”, Figure B-2.

I HEREBY CERTIFY that the amendment to the Regional Subdivision By-law as set out above, was passed by a majority vote of the Halifax Regional Council of the Halifax Regional Municipality at a meeting held on the ____ day of _____, 2010

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this ____ day of _____, 2010

Cathy Mellett
Municipal Clerk

Schedule G

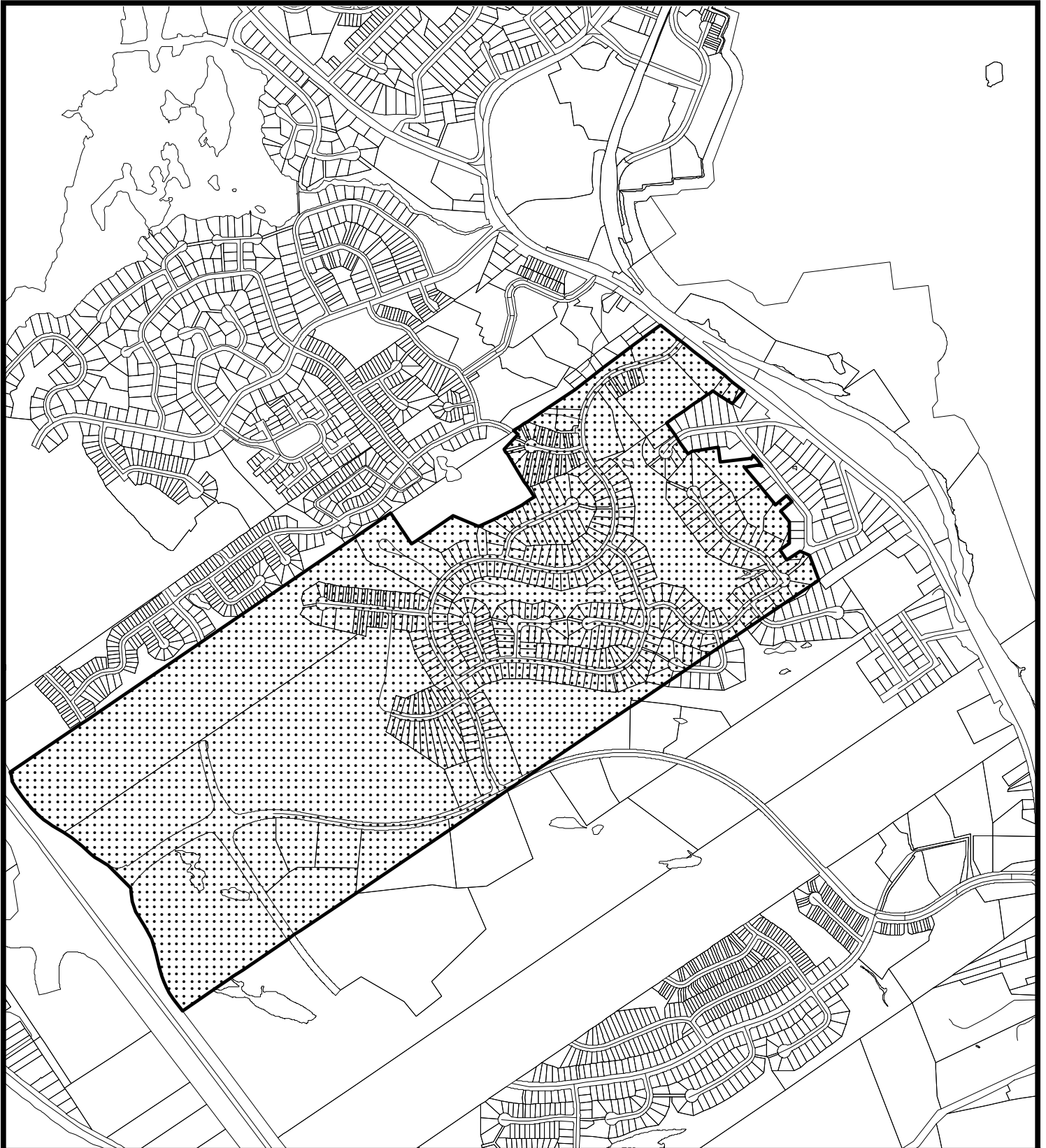
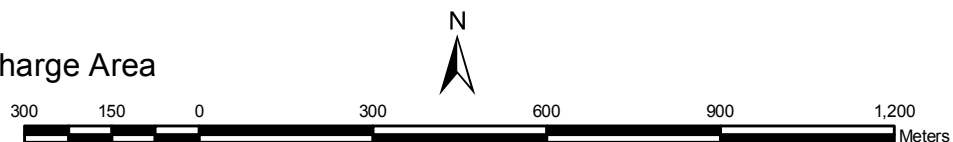


Figure B-2
Bedford South
Infrastructure Charge Area



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Attachment B
Relevant Bedford South SPS Policy

Policy MS-9:

In accordance with the provisions and requirements of the Municipality's Infrastructure Charges Best Practice Guide and Part II of this Municipal Planning Strategy, an infrastructure charge area shall be established under the Subdivision By-law over the area governed by this Secondary Planning Strategy and no development agreement shall be entered until infrastructure charges are in effect. (RC-July 9/02; E-Aug 31/02)