

**North West Community Council  
May 13, 2013**

**TO:** Chair and Members of North West Community Council

Original Signed

**SUBMITTED BY:** \_\_\_\_\_  
Jane Fraser, Director, Planning & Infrastructure

**DATE:** March 11, 2013

**SUBJECT:** Extension of Water Service District Boundary to McCabe's Lake  
North Lands

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### INFORMATION REPORT

#### ORIGIN

- August 9, 2012, motion of North West Community Council (NWCC):  
*“MOVED by Councillor Johns, seconded by Councillor Lund that North West Community Council request a staff report initiating the extension of the Municipal water service boundary to Macabes North and initiate the process to amend the Municipal Planning Strategy for Beaverbank, Hammonds Plains and Upper Sackville (Planning Districts 15, 18, 19). MOTION PUT AND PASSED.”*
- December 13, 2012, approval of the addition of the NWCC August 9, 2012, motion to the community council status sheet.

#### LEGISLATIVE AUTHORITY

- Halifax Charter Section 229 (1)(i)
- Regional Plan policies SU-14 and SU-15 (Attachment A)

## **BACKGROUND**

The NWCC has directed that a process be initiated to consider including an area known as "McCabe's Lake North" within HRM's service boundary. This would allow lots, which were approved prior to the adoption of the 2006 Regional Plan, with on-site services (septic and well) to connect to municipal water (central). The rationale for this request can be found in the NWCC's August 9, 2012, minutes and is paraphrased as follows:

- the lands are being considered for development and concerns have been raised regarding water quality and proximity of the former Sackville Landfill;
- Halifax Water is favourable to reviewing the extension of Margeson Drive across the Sackville River to connect to the current system (Map 1).

**NOTE:** The NWCC does not have the authority to initiate amendments to service boundaries; such amendments may only be made by Regional Council. Therefore, rather than address the initiation of amendments, this report provides an overview of how this matter is being considered in light of recent visioning for the Middle-Upper Sackville and Lucasville area and in the context of the current Regional Plan Review (RP+5). On October 4, 2011, Regional Council initiated the RP+5 project and the staff report committed to suspending new community visioning and comprehensive community planning projects, for the duration of the project.

### ***Middle-Upper Sackville and Lucasville Visioning:***

The McCabe's Lake North lands were included in the community visioning for Middle-Upper Sackville and Lucasville. A Draft Vision and Action Plan for the area was issued in December of 2009, based on the principle of, "...semi-rural diversity. Potential for development pressure is counterbalanced with the demand to retain the semi-rural character of the area." It identified the McCabe's Lake North lands as part of "Area A and B" (Map 1.) A goal for these areas was to explore the potential for water and sewer servicing options, possibly including new technologies. However, the Vision is unclear with regard to the impact of development of the McCabe's Lake North lands with a sizable residential subdivision, and impacts of providing central water service to this proposed development. This is a matter that should be more clearly considered through updating the secondary municipal planning strategy, which will implement the draft community vision. The timing of this is to be prioritized through RP+5, which is currently underway.

### ***Subject Properties:***

While the August 9, 2012, NWCC motion only referenced the McCabe's Lake North lands, extension of the water service boundary could also have implications for other lands in proximity to the proposed water transmission main. These lands are broken into a number of smaller parcels and are owned by a variety of property owners (Map 1).

### ***Zoning, Designation and Development Rights:***

The majority of the McCabe Lake North lands are zoned MR-1 (Mixed Resource) with a small cluster of MU-2 (Mixed Use 2) zoned properties around the extension of Margeson Drive (Map 2). The lands below McCabe Lake are zoned MU-1 (Mixed Use 1) and MR-1 (Mixed Resource). The lands have a mix of designations, MU-B (Mixed Use B), MU-C (Mixed Use C) and RR (Rural Resource) under the Beaverbank, Hammonds Plains and Upper Sackville Municipal

Planning Strategy (Map 3). They are designated Rural Commuter under the Regional Municipal Planning Strategy (Regional Plan).

Based on the planning regulations established through the 2006 Regional Plan, subdivisions larger than eight lots on new roads are only considered through an open space subdivision development agreement. This approval process requires, among other matters, hydrogeological and septic assessments to determine the maximum number of lots a property can sustain. Once the capacity of a site and the area of least disturbance are identified, appropriate road and lot layout are then established. This development pattern was adopted to encourage sustainable growth as the clustering of lots, roads and services reduces environmental and servicing costs.

Prior to the adoption of the 2006 Regional Plan, owners of the McCabe's Lake North lands and surrounding lands, made applications for subdivision approval. This "grandfathered" a number of residential subdivisions with on-site services (septic and well). These subdivisions would create a more traditional development pattern with a series of large, individual lots radiating from community streets, comparable to larger rural subdivisions in HRM such as Kingswood and Glen Arbour.

The total lot yield of these subdivisions is estimated at 767 lots (Attachment B). The "McCabe's Lake" lands have approval for six phases of subdivision, estimated at 440 lots of the 767 total. The ability to grandfather lots in this area was established through the Regional Subdivision By-Law, predominantly clauses 11(1)-11(5) (Attachment A). Lot yield could conceivably be increased if the lands were to be re-zoned. Development Services (Planning Applications) has received inquiries regarding rezoning properties in this area from the current MR-1 (Mixed Resource) to R-6 (Rural Residential) Zone. This re-zoning could potentially increase the allowable number of lots and density, as the R-6 zone has half the minimum lot and frontage requirements of the MR-1 zone and permits two unit dwellings.

## **DISCUSSION**

Access to municipal water could be important for future development in this area as there are potential issues with both the quantity and quality of available ground water. Halifax Water has identified a future need to increase the high pressure transmission main capacity for the Sackville service area. The Sackville and Bedford areas (including Waverley, Fall River and Beaverbank) are currently supplied by an existing 750mm diameter transmission supply main connected to the 1200mm diameter Pockwock transmission main in Hammonds Plains (Map 1). There is also an existing 400mm diameter waterline on Lucasville Road that can supply a limited amount of flow to the Sackville area; in the event of a shutdown however, it is not large enough to provide full supply redundancy.

In recent years, Halifax Water has been working with HRM to identify a transmission main corridor through areas of planned development, generally parallel and north of the Lucasville Road (Map 1). Halifax Water has identified the following benefits of the proposed transmission main:

- provides the necessary supply redundancy for the Bedford Sackville area;
- strengthens the water system through Lucasville and improves fire-flow capacity to existing customers on Sackville Drive;
- enables future extension to Beaverbank and would allow for the area to be supplied by gravity rather than by a booster station;
- supplies additional capacity for contemplated service extensions in Springfield Lake, Fall River and other adjacent areas (a booster station will still be necessary); and
- presents opportunities for cost-sharing in construction of the pipe by routing the main through planned developments.

While there may be benefits to installing the water service, Clause SU-14 and SU-15 of the Regional Plan only permits Regional Council to consider expanding the water service boundary to existing communities in this area to improve the performance of Halifax Water's transmission system (Attachment A). These policies do not speak to granting access to the proposed transmission line through extending water mains to undeveloped lands.

In addition, the intensity and impact of development permitted by the expansion of water services and the potential density increase associated with rezoning the lands need to be confirmed to determine if it is consistent with the community vision.

***Conclusion:***

The Regional Plan envisioned more compact and sustainable growth in this area to protect the natural resources and characteristics of a rural community. Extending services to a traditional subdivision development would not support the Regional Plan vision. The "grandfathered" development ability does not warrant extending water to the lands and potentially increasing development capacity, in the absence of a community wide discussion of the implications. Regional Planning objectives would be better supported by community planning that encourages more sustainable and compact development. The property owners can choose to pursue the "grandfathered" traditional form of development with on-site services, or to participate in developing a community plan for Middle-Upper Sackville & Lucasville that is based on the sustainable growth principles of the Regional Plan.

Appropriate servicing and development patterns for the subject properties will be addressed in the development of the Middle-Upper Sackville & Lucasville community plan. Considering one segment of the plan area in isolation could negate the community effort that went into developing the overall vision. As implementation of the Middle-Upper Sackville & Lucasville Vision will be prioritized through RP+5. There is no need for further action at this time.

**FINANCIAL IMPLICATIONS**

This report does not have direct financial implications as the decision on extending the water service boundary is to be deferred until RP+5 is completed. The estimated cost to Halifax Water (in 2012 dollars) to install the transmission main is estimated at \$300 per metre. This does not include land costs, if the corridor cannot be achieved through the HRM right-of-way.

Should the water service boundary be extended, Halifax Water could mitigate some costs by partnering with the developer(s). Halifax Water is currently determining the overall economic benefit of this cost sharing; this information will be made available to Regional Council for their consideration of the extension.

### **COMMUNITY ENGAGEMENT**

There was no community engagement included in the development of this report. The timing of a community plan to implement the Middle-Upper Sackville & Lucasville Vision will be considered as part of a prioritization of planning projects. Regional Council will undertake such prioritization when considering the amended Regional Plan.

### **ATTACHMENTS**

Map 1:	Subject Properties
Map 2:	Zoning
Map 3:	Designation
Attachment A:	Regional Plan Context
Attachment B:	Grandfathered Subdivisions

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

Report Prepared by: Leticia Smillie, Cultural Planner, 490-4083

Original Signed \_\_\_\_\_

Report Approved by: Austin French, Manager of Planning,

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**Attachment A**  
**Regional Plan Context**

**Regional Plan:**

SU-14 HRM may consider expanding existing Water Service Areas to existing communities, subject to the financial ability of HRM to absorb any costs related to the expansion, if:

- (a) the lands are in proximity to a trunk water main planned or constructed by the Water Commission to improve the performance of the water distribution system;
- (b) a study has been prepared by a qualified person verifying that there is a water quality or quantity problem that cannot reasonably be rectified by an alternative means; or
- (c) there are environmental concerns related to the long-term integrity of on-site sewage disposal systems and a wastewater management plan is also considered in accordance with Policy SU-20.

SU-15 Further to clause (a) of Policy SU-14, where the Water Commission has identified a need for trunk water mains, to enhance the reliability of existing water distribution systems, HRM shall consider amending the Water Service Area to include lands around the following mains upon determining their alignment and width:

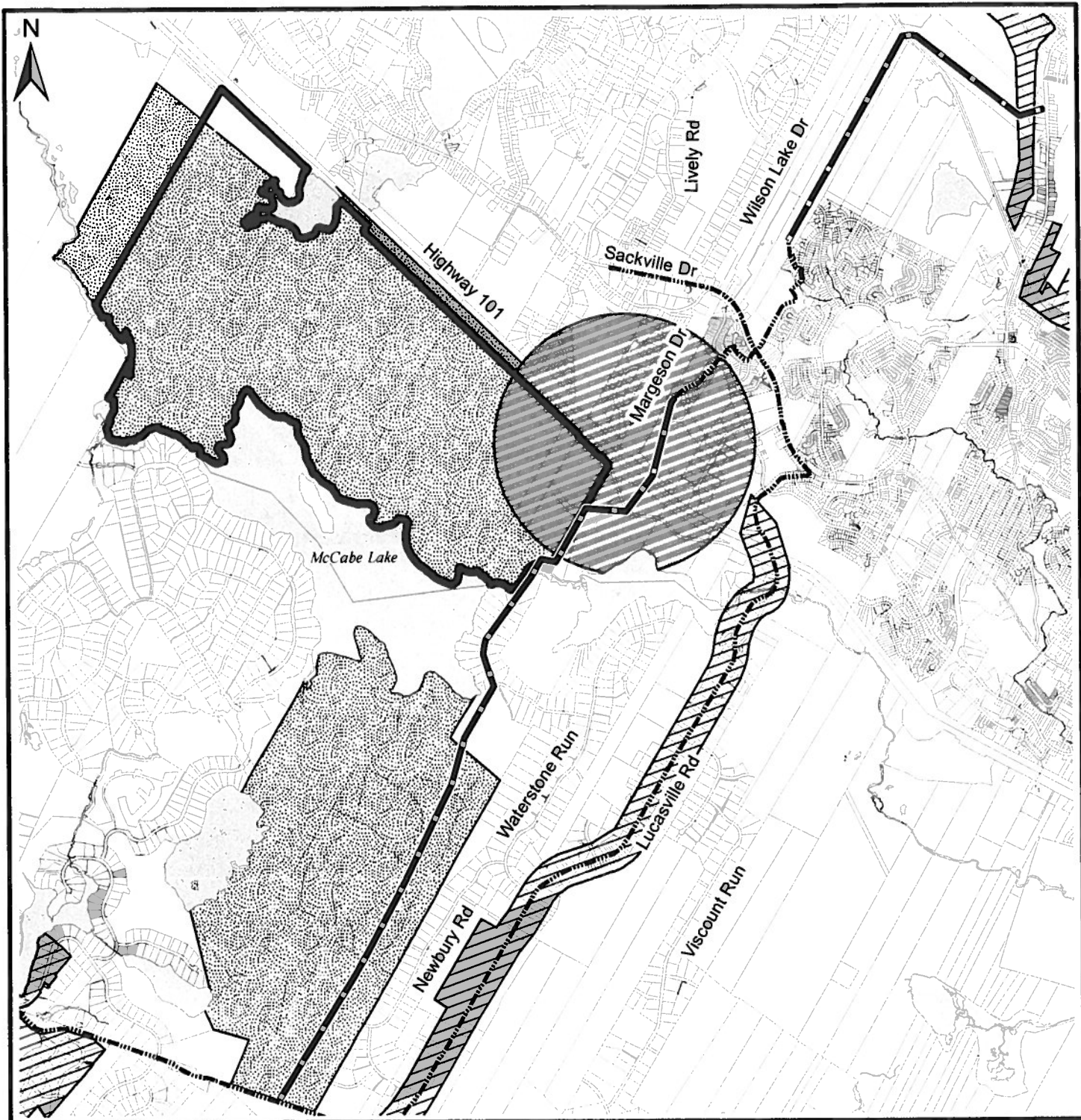
- (a) between Middle Sackville and Beaverbank; and
- (b) between Hammonds Plains Road and Sackville Drive east of Lucasville Road.

**Regional Subdivision Bylaw:**

- 11 (1) As provided for in the Regional Municipal Planning Strategy, within the Beaver Bank and Hammonds Plains Growth Control Areas identified on Schedule "J", and notwithstanding section 12, no subdivision which creates lots for residential uses shall be approved which includes a new public street or highway.
- (2) Notwithstanding subsection (1), within the areas identified on Schedule "J", a subdivision which creates lots for residential uses involving new public streets or highways may be approved where the new streets or highways serve to enhance traffic safety in this area, as determined by the Engineer. The subdivision may be permitted subject to meeting the requirements of subsection (3).
- (3) Notwithstanding section 9, within the portions of the Beaverbank, Hammonds Plains and Upper Sackville Plan Area outside of the areas identified on Schedule "J", a subdivision which creates lots for residential uses involving new public streets or highways shown on completed concept plan applications on file prior to Council's first notice of its intention to adopt the Regional Municipal Planning Strategy, shall be permitted subject to meeting the following requirements:
- (a) no more than 25 lots plus a remainder lot shall be approved per one year period; and
  - (b) the proposed lots must be contiguous and be designed to maximize the lot frontage of the street based on the applicable minimum required lot frontage.

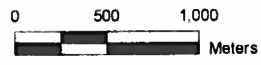
**Attachment B**  
**Grandfathered Subdivisions**

<b>SUBDIVISION NAME</b>	<b>NUMBER OF LOTS</b>
McCabe Lake North	328 lots
McCabe Lake East	115 lots
Valleyfield Farms	70 lots
Glen Arbour Phase 8	250 lots
Glen Arbour Phase 7	4 lots (37 proposed – 33 approved)
<b>Number of lots proposed &amp; potentially impacted by water extension</b>	<b>767 lots</b>



**Map 1 - Subject Properties**

- Potential 600mm Water Transmission Main
- Existing Water Transmission Main
- Existing Water Service Area
- Area A
- Area B
- McCabe Lake lands



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Beaver Bank, Hammonds Plains and Upper Sackville / Sackville Plan Areas

The information contained on this map may not be complete and/or accurate in all areas. Should accurate information or confirmation of completeness be required, please contact the Engineering Department of Halifax Water. Halifax Water will not be held liable for misuse of this information.





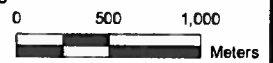
**Map 2 - Zoning**

-  Zoning
-  Area A
-  Area B
-  McCabe Lake lands

- CDD Comprehensive Development District
- FP Floodplain
- MR-1 Mixed Resource
- MU-1 Mixed Use 1
- MU-2 Mixed Use 2
- P Park
- P-1 Open Space
- P-2 Community Facility
- P-3 Floodplain

- PWS Protected Water Supply
- R-1 Single Unit Dwelling
- R-2 Two Unit Dwelling
- R-6 Rural Residential
- R-6A Rural Residential Single Unit Dwelling
- RPK Regional Park
- RR Residential Reserve
- TR Transportation Reserve
- US Urban Settlement

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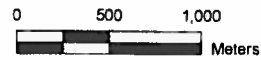
**Map 3 - Designation**

- Generalized Future Land Use
- Area A
- Area B
- McCabe Lake lands

- CF Community Facility
- FP Floodplain
- LF Former Sanitary Landfill Site
- MUB Mixed Use B
- MUC Mixed Use C

- PP Provincial Park
- R Residential
- RR Rural Resource
- S Springfield
- UR Urban Residential

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