

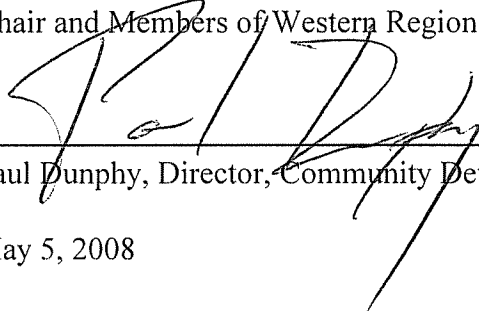
Information
Item 1



PO Box 1749
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Western Region Community Council
May 26, 2008

TO: Chair and Members of Western Region Community Council

SUBMITTED BY: 
Paul Dunphy, Director, Community Development

DATE: May 5, 2008

SUBJECT: Extending Water Services in Kingswood and Maplewood Subdivisions

INFORMATION REPORT

ORIGIN

1. At its August 24, 2004 meeting, Western Region Community Council requested a staff report on the merits of proceeding with a feasibility study in the St. Georges Blvd area of Kingswood to ascertain water quality and quantity problems.
2. At its March 26, 2007, Community Council further requested that the area to be considered also include Maplewood-on-the-Lakes.
3. Petition dated November 13, 2007 from sixteen property owners within Maplewood-on-the-Lakes subdivision.

BACKGROUND

Subject Sites and History

1. Kingswood

The subject area in Kingswood is located in the southwest portion of Kingswood Subdivision, off the Hammonds Plains Rd. There are about 250 lots outside the Water Service District in this portion of Kingswood, most with single unit dwellings and serviced with individual wells and on-site sewage systems. To the north, most other lots in the Kingswood Subdivision are located within the Water Service District and are serviced with central water supply from the Pockwock system. All residential lots have on-site septic systems (see Map 1).

The initial phases of Kingswood were serviced with central water service at the request of the developer, as a marketing opportunity. The services were installed at the developer's cost during the early 1990's. At that time there were no known issues related to ground water quantity or quality, and there were no policies in the Municipal Planning Strategy (MPS) or regulations under the Subdivision By-law that provided Council or the Halifax Regional Water Commission (HRWC) with guidance regarding where water services should be extended to subdivisions outside municipal services boundaries.

To address this matter, in 1994 Halifax County Council adopted a "Water Service District Boundary" policy approach, to limit the extension of future water services to designated areas under its MPSs and Subdivision By-law. Under this legislation (Policy P-86), extensions of water service districts are evaluated using the following criteria: (1) areas that are experiencing water quality and/or quality problems; (2) areas that are within a reasonable distance from the central water supply where there is a demonstrated need; and (3) areas which would provide for the looping of existing water lines. Further, Council must have regard to: (a) the engineering and financial implications of such extensions....; (b) the potential scale of such development and the effects which this may have on existing and future levels of services, as well as the development pattern which is desired and deemed appropriate: and (c) environmental considerations related to the long term integrity of on-site sewage disposal systems and natural water drainage systems. These policies remain in effect.

At the August 23, 2004 meeting of Community Council, a resident expressed concern with the lack of water in the St. George Boulevard area beyond the existing service boundary and inquired as to when water service may be extended to this section of the subdivision (see Map 1). This led to Council's motion (Origin section of this report).

2. Maplewood-on-the-Lakes (Maplewood)

In the Maplewood area, near Pockwock Road, there are about 280 lots within the Water Service District of which about 120 are presently serviced with central water. All lots are serviced by on-site septic systems. In the surrounding area, there are about 1000 residential lots all serviced with on-site wells and septic systems.

Central water service was extended to a portion of Maplewood in two phases between 2003 and 2005, after a lengthy process involving residents of the subdivision, HRM, HRWC and the NS Department of Environment (DOE). The primary issue in this process was determining the extent of water quantity and quality problems in the subdivision, and who's mandate it was to determine this information. Council was advised that neither HRM nor HRWC had the responsibility or resources (staff/financial) to undertake hydro geological studies and rather, that it was the provincial government that was responsible for on-site potable water supply (well water). However, DOE indicated that it had no resources to undertake such hydro geological studies and suggested the municipality retain consultants for this work. In the end, based on information provided by residents, a petition from property owners, and a 'screening-level' assessment conducted by a staff member of DOE, Halifax Regional Council determined that the request for water service extension met the policy of the MPS and approved the extension of the water service district boundary (see Map 2).

On November 13, 2007, HRM received a petition from 16 home owners within Maplewood requesting connection to central water services. Five of those petitioners are outside the Water Service District and the remainder are within the District. Also, staff has directly received a request from another property owner in Maplewood wanting to be connected to water service. This property is inside the Water Service District (see Map 2).

Regional Municipal Planning Strategy

Under the Regional Plan, HRM recognizes the existing Water Service Areas within the municipality, including Kingswood and Maplewood. Policy SU-12 establishes, through the Regional Subdivision By-law, existing water service areas within which development shall be permitted which is serviced by a public water distribution system without a municipal wastewater system. It further indicates that no water distribution system shall be permitted to extend outside a water service area.

However, under Policy SU-14, HRM may consider expanding water service areas to existing communities, subject to the financial ability of HRM to absorb any costs related to the expansion. Criteria Council would consider include: (a) that 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; (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 (which addresses issues related to proper long term maintenance of on-site sewage systems).

Lastly, Policy IM 9 of the Regional Plan indicates that as part of the five-year review of the Plan, amendments to Water Service Areas can be considered.

DISCUSSION

The requests that Community Council has received with respect to the provision of central water service for the Kingswood area and Maplewood area fall into two categories: (1) extension of water service *within* an existing Water Service Area; (2) extension of water service for areas *outside* an existing Water Service Area.

1. Extension of water service *within* an existing Water Service Area

Under this category, areas within an existing Water Service Area, such is the case with the Maplewood request (portion), can be serviced by extension of existing mains. This would entail a Local Improvement Charge (LIC) process, whereby property owners would organize a petition to determine the level of interest in proceeding to determine costs associated with the extension of service. The results of the petition would be forwarded to Council for a decision. If it's decided to proceed with the LIC process, staff of Halifax Water and HRM would complete the technical analysis and cost estimates and consult with property owners. The conclusion of the LIC process would be a public hearing before Regional Council. Council is aware that any costs associated with the water service extension will be borne solely by the property owners receiving the service unless the expenditure of municipal funds for such services is approved by Council or external funding is obtained.

Council is further informed that staff of HRM and Halifax Water is developing a more formalized process to administer requests regarding extensions to water and sewer services, including the process for instituting Local Improvement Charges. A report on this matter will be brought forward in the near future.

2. Extension of water service *outside* an existing Water Service Area

Extension to a water service area boundary pertains to the Kingswood inquiry and a portion of the Maplewood request. The process is comprehensive, and entails amendments to the Regional Subdivision By-law and the MPS. The requirements of Policy SU-14 of the Regional Plan would need to be met along with Policy P-86 of the MPS (policies are described in Background section).

Of significance is that Council requires information prepared by a qualified person verifying that water quality and/or quantity problems exist in the area to be serviced and that such problems cannot be suitably rectified by other means. Although the NS Department of Environment is responsible for on-site water supply (wells), they have indicated it is not possible for the department to undertake hydro geological studies of this nature. Further, neither Halifax Water nor HRM have the mandate or approved budgets to assume this work. It is therefore the responsibility of the residents to demonstrate (through well water testing and septic system functionality) that water issues exist, and to present this information to Council.

Council would then decide whether to initiate the process to amend the Subdivision By-law and MPS, including an LIC process. Staff of Halifax Water and HRM would complete the technical analysis and cost estimates and consult with property owners. Any costs associated with the water service extension would be borne solely by the property owners receiving the service unless the expenditure of municipal funds for such services is approved by Council or external funding is obtained.

Public meetings would also be held with respect to the proposed water service area boundary extensions, and public hearings would be required regarding the proposed amendments to the Subdivision By-law, MPS and LIC.

As noted earlier, Council may also consider adjustments to water service area boundaries in the context of the Regional Plan's five-year review process.

BUDGET IMPLICATIONS

There are no budget implications associated with this report.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

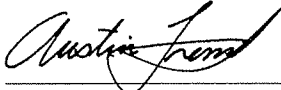
This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

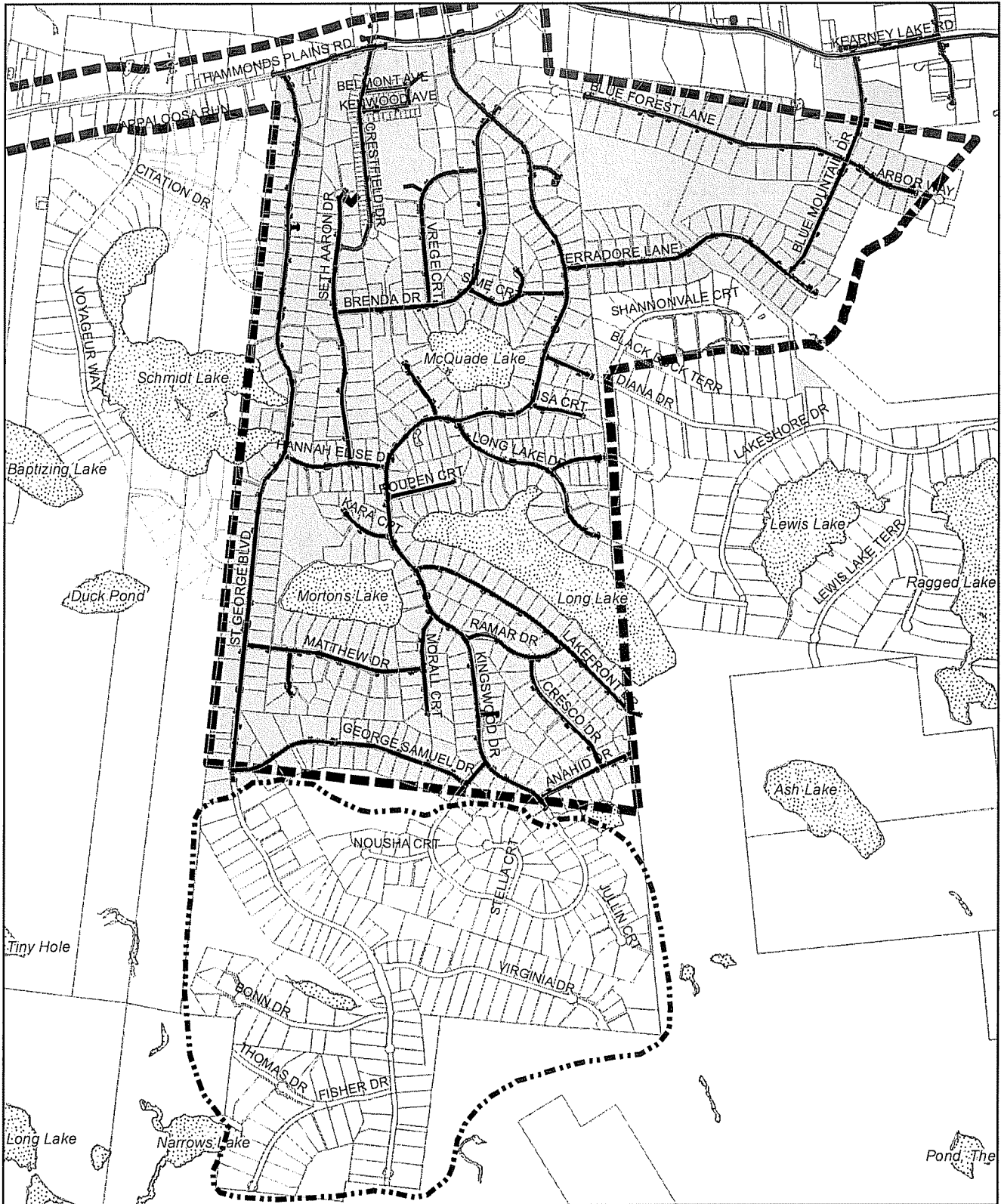
ATTACHMENTS





- Attachment 1 - Map 1 Water Service Boundary Kingswood Subdivision
- Attachment 2 - Map 2 Water Service Boundary Maplewood Subdivision

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.

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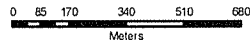


-  General Area of Service Extension Request
-  Lots Abutting Existing Waterlines
-  Existing Waterlines
-  HRM Water Service Boundary

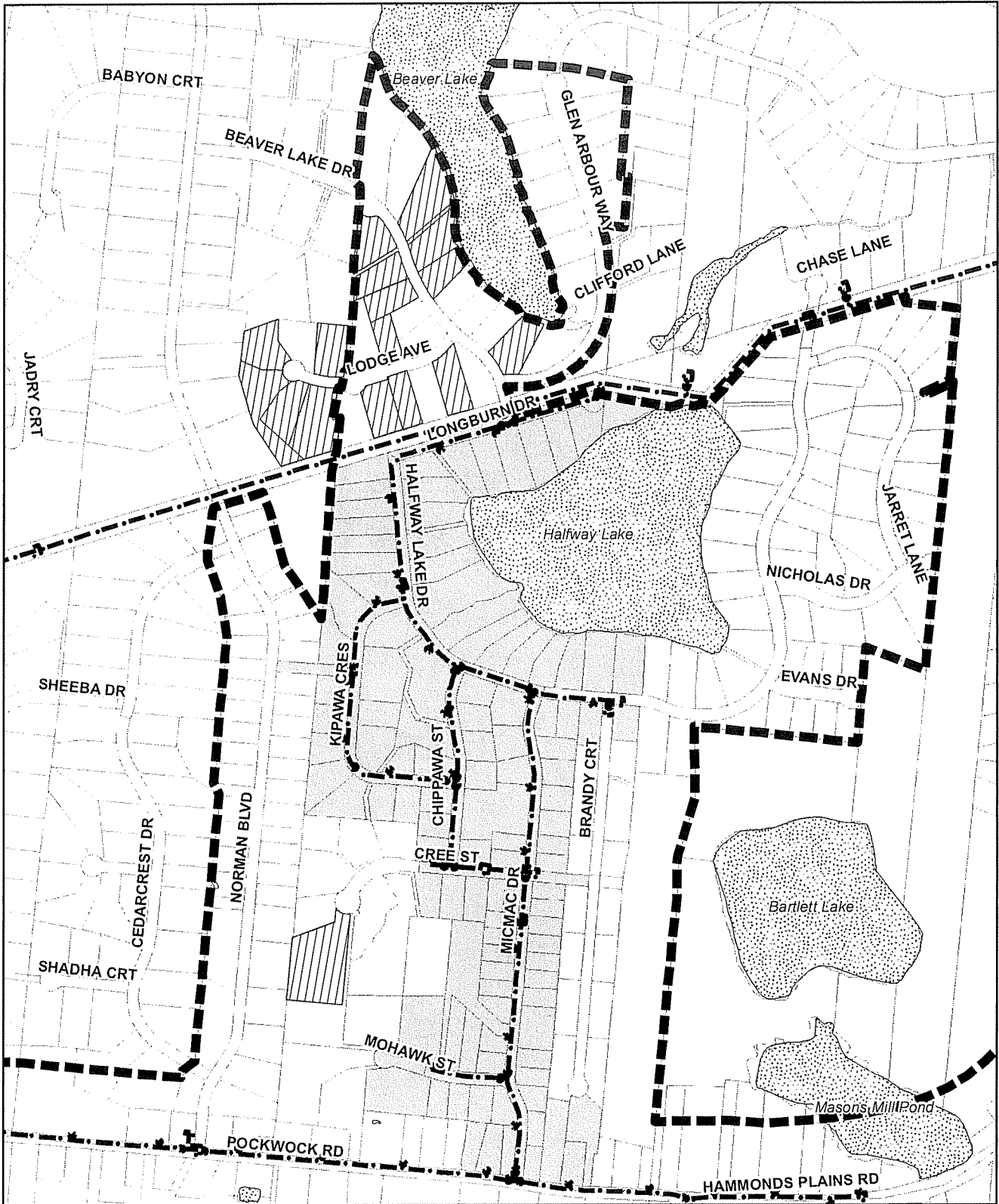
Map 1

Water Service Boundary

Kingswood Subdivision
Hammonds Plains







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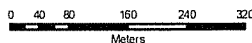


Map 2

Water Service Boundary

Maplewood Subdivision
Hammonds Plains

-  Residents Interested in Water Service
-  Lots Abutting Existing Waterlines
-  Existing Waterlines
-  HRM Water Service Boundary



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