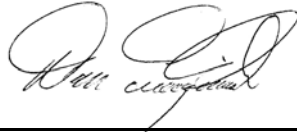



TO: Mayor Kelly and Members of Halifax Regional Council



SUBMITTED BY:

Dan English, Chief Administrative Officer



Wayne Anstey, Deputy Chief Administrative Officer - Operations

DATE: April 24, 2008

SUBJECT: **Case 01148 - Amendments to the Bedford West Secondary Planning Strategy and Regional Subdivision By-law**

ORIGIN

Initiated by staff

RECOMMENDATION

It is recommended that Council:

1. Initiate the process to consider amendments to the Bedford West Secondary Planning Strategy sanitary sewer servicing policies and to consider amendments to the Regional Subdivision By-law regarding adoption of capital cost contribution charges:
2. Adopt the public participation program outlined in Attachment A.

BACKGROUND

In 2006, Regional Council approved the Bedford West Secondary Planning Strategy (“the Secondary Plan”) which provided guidance for the development of a new community on the west side of the Bicentennial Highway in the vicinity of Hammonds Plains and Kearney Lake Roads. The Secondary Plan Area was divided into twelve sub-areas which are illustrated on Attachment A.

Subdivision By-law Amendments:

Prior to any development approvals being granted, the Secondary Plan requires the Regional Subdivision By-law to be amended by (1) extending the Urban Service Area boundary to allow for development on central sewer and water services and; (2) concurrently adopting capital cost contribution charges (CCC charges) to pay for the developer’s share of future infrastructure upgrades needed to service the development.

With the transfer of responsibilities for stormwater and wastewater services to Halifax Water, approvals of CCC charges under the Regional Subdivision By-law will be limited to transportation services requirements. The charge is determined in accordance with a capital cost contribution policy adopted by Council and is normally collected at the time subdivision approval is sought¹. Any proposed expenditures for water and wastewater upgrades to be assumed by Halifax Water will have to be approved by the Halifax Water Commission and the Utility and Review Board.

A staff team led by Infrastructure and Asset Management, with the assistance of a consultant, have been working with interested property owners to determine an appropriate infrastructure charge. Preliminary estimates have been presented to Halifax Water staff. Staff are of the opinion that the draft is now ready for consultation with all affected property owners.

Regional Council has previously approved two applications to allow serviced development to proceed within the Secondary Plan Area. In both cases, the Urban Service Area boundary was extended over lands designated for a business campus on the south side of the Hammonds Plains Road. Interim CCC charges have been applied pending approval of a final charge.

Secondary Plan Amendments:

The Secondary Plan includes municipal servicing policies for stormwater, water, wastewater and transportation services. Wastewater policies provide direction as to which treatment plant (Mill Cove or Halifax) sewage is to be directed to and the components and location of the trunk sewer system. A schematic, adopted under the Secondary Plan, illustrates sanitary sewer servicing for Bedford West which is presented as Attachment B.

¹ Charges for regional infrastructure are imposed through separate by-laws and collected with a construction permit.

DISCUSSION

During the capital cost contribution charge analysis, it was determined that two amendments to the Secondary Plan's wastewater servicing policies would be beneficial to the parties. The first would be to redirect sewage from Sub-area 12 (Map 1) to the Halifax sewage treatment plant. The second would be to relocate a trunk sewer main. The proposals are illustrated on Map 2.

Wastewater Servicing Amendments:

Staff are recommending wastewater from Sub-area 12 be re-directed to the Halifax treatment plant for the following reasons:

- A more detailed examination determined that it is expected to be less costly. It was originally thought that sewage from this sub-area could be conveyed by gravity to an existing pumping station on the north side of the Hammonds Plains Road which then sends sewage through a force main and gravity sewer to the Mill Cove treatment plant. A new pumping station and force main would have to be constructed as there is insufficient capacity in the existing system.
- More capacity would be available at the Mill Cove treatment plant to service other developments contemplated within its sewer shed. Areas designated by the Regional Plan for further serviced development include the Bedford Waterfront, Sunnyside Mall area, Lower and Middle Sackville and potentially the Sandy Lake area.
- More sewage would be transferred away from the Bedford Basin where the assimilative capacity is limited by low flushing rates.

The force main and gravity main which would convey sewage back to the Halifax system is currently proposed to be located within the Kearney Lake Road right-of-way. Halifax Water has expressed concern that the blasting required for the trench poses risk to damaging the trunk water main within the right-of-way which conveys water from the Pockwock reservoir into the metro area. The new location is intended to reduce this risk.

This route has several other benefits. A proposal has been made to divert sewage from Bedford South to this main which could eliminate a pumping station in Bedford South and preserve capacity in the Bedford Highway sewer main. Sub-areas 9 and 10 of Bedford West could commence development earlier than would otherwise occur under the current servicing policies which would allow the Municipality could recover CCC charges earlier.

The Proposed Public Participation Program:

Under the Municipal Government Act, a municipal planning strategy and subdivision by-law are considered "planning documents". Before any amendments can be considered, Council is required to adopt a public participation program and hold a public hearing.

The Act states that a council may adopt different public participation programs for different types

of planning documents and the content is at the discretion of a council provided it identifies opportunities and establishes ways and means of seeking the opinions of the public.

Under the 1997 Council resolution regarding public participation programs for plan amendments, a determination is first made whether the issue is of regional or local significance. If the amendments are determined local, the North West Planning Advisory Committee would be requested to hold a public meeting and the amendments would be presented to the three affected community councils (North West, Chebucto and Western Region) for recommendation before being forwarded to Regional Council for consideration of approval at a public hearing.

In the opinion of staff, neither the proposed amendments to the Secondary Plan or the Regional Subdivision By-law are matters of local significance. Adoption of infrastructure charges and the reallocation of sewage flows between treatment facilities are regional matters and the rerouting of the sewage main is largely a technical issue. While these are matters which are not anticipated to affect surrounding property owners, they will directly affect land owners within the Bedford West Secondary Plan Area - particularly the infrastructure charges to be imposed.

Staff are recommending that the proposed amendments to the Secondary Plan and Regional Subdivision By-law be considered concurrently in accordance with the proposed public participation program is outlined in Attachment A. A public meeting would be scheduled and all property owners within the Secondary Plan Area would receive a written invitation to attend. Notification would also be placed in a local newspaper and the Community Development web site.

The proposed policy amendments and capital cost contribution charges would be presented by staff followed by an opportunity for questions and comments. Staff would also be available to discuss the proposals with individual owners, as requested. A second public meeting could be scheduled should property owners or staff feel that it is necessary. The proposed amendments would be brought back directly to Regional Council for first reading.

Approval procedures established by the Utility and Review Board for the sewer and water CCC charges will also require Halifax Water to hold consultations with affected property owners and allow for representations to the Board before approvals are granted.

BUDGET IMPLICATIONS

The Municipality will assume financial commitments for transportation related expenditures made in accordance with the capital cost contribution policy and Halifax Water will assume financial commitments made for water and wastewater infrastructure. No expenditures for stormwater services are contemplated for Bedford West.

Adoption of CCC charges is subject to developing a financial model that is acceptable to both Council and Halifax Water. Details will be made available in a report to Council after concluding the public participation program.

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.

ALTERNATIVES

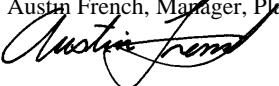
1. Proceed to consider the MPS and Subdivision By-law amendments and adopt the public participation program recommended by staff.
2. Instruct staff not to consider one or both of the servicing policy amendments recommended by staff.
3. Instruct staff to modify or undertake a different public participation program.
4. Defer undertaking a public participation program at this time. Staff have recommended initiating a program at this time to align the municipal adoption process with that of Halifax Water.


ATTACHMENTS

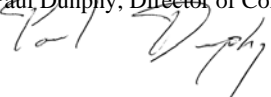
- Map 1: Bedford West Sub-areas
- Map 2: Bedford West Sanitary Servicing Schematics with Proposed Changes
- A Proposed Public Participation Program

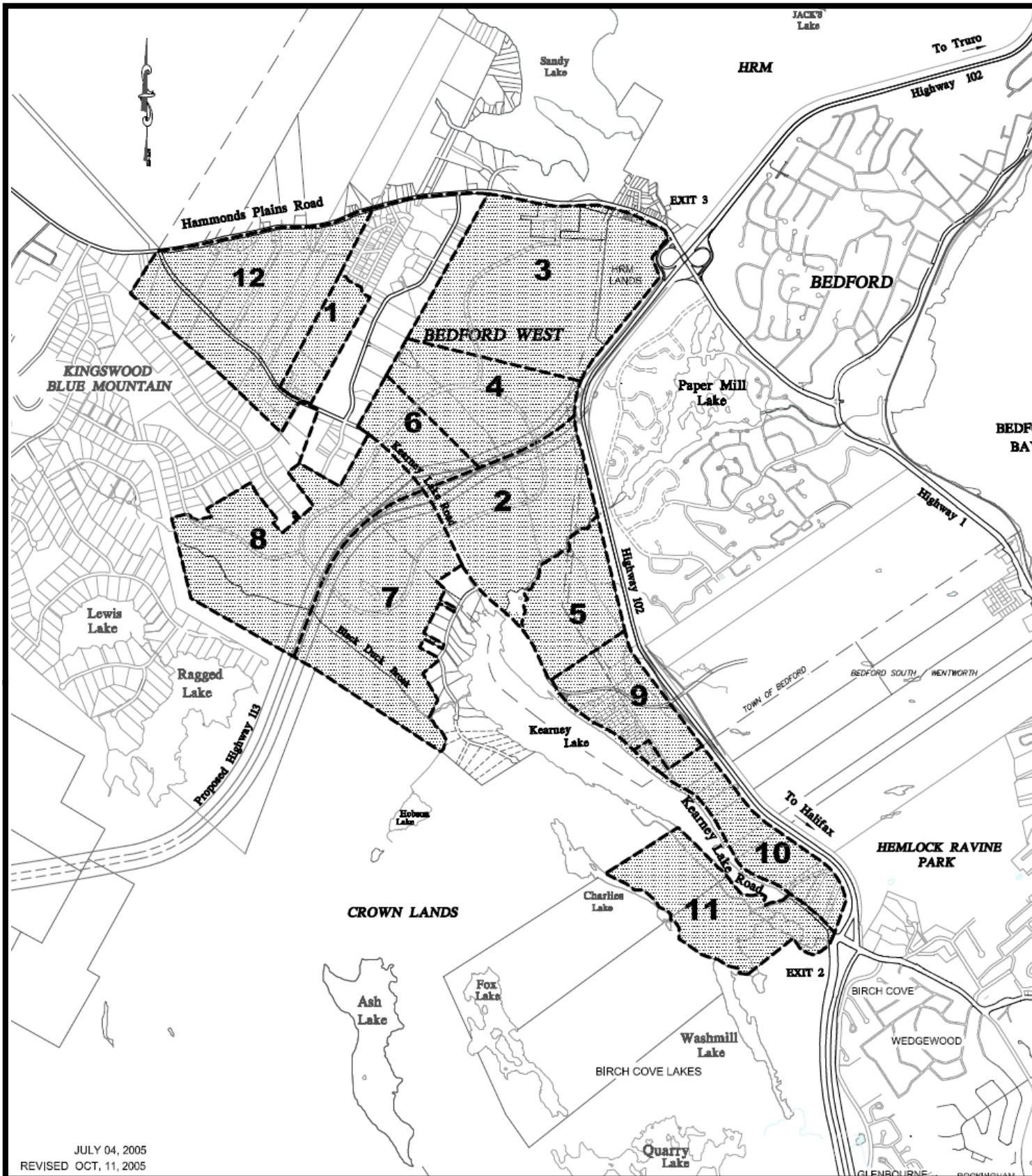
A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Paul Morgan, Planner, Community & Regional Planning, 490-4482

Report Approved by: _____
Austin French, Manager, Planning Services, 490-6717


Financial Approval by: _____
Catherine Sanderson, Senior Manager, Financial Services, 490-1562


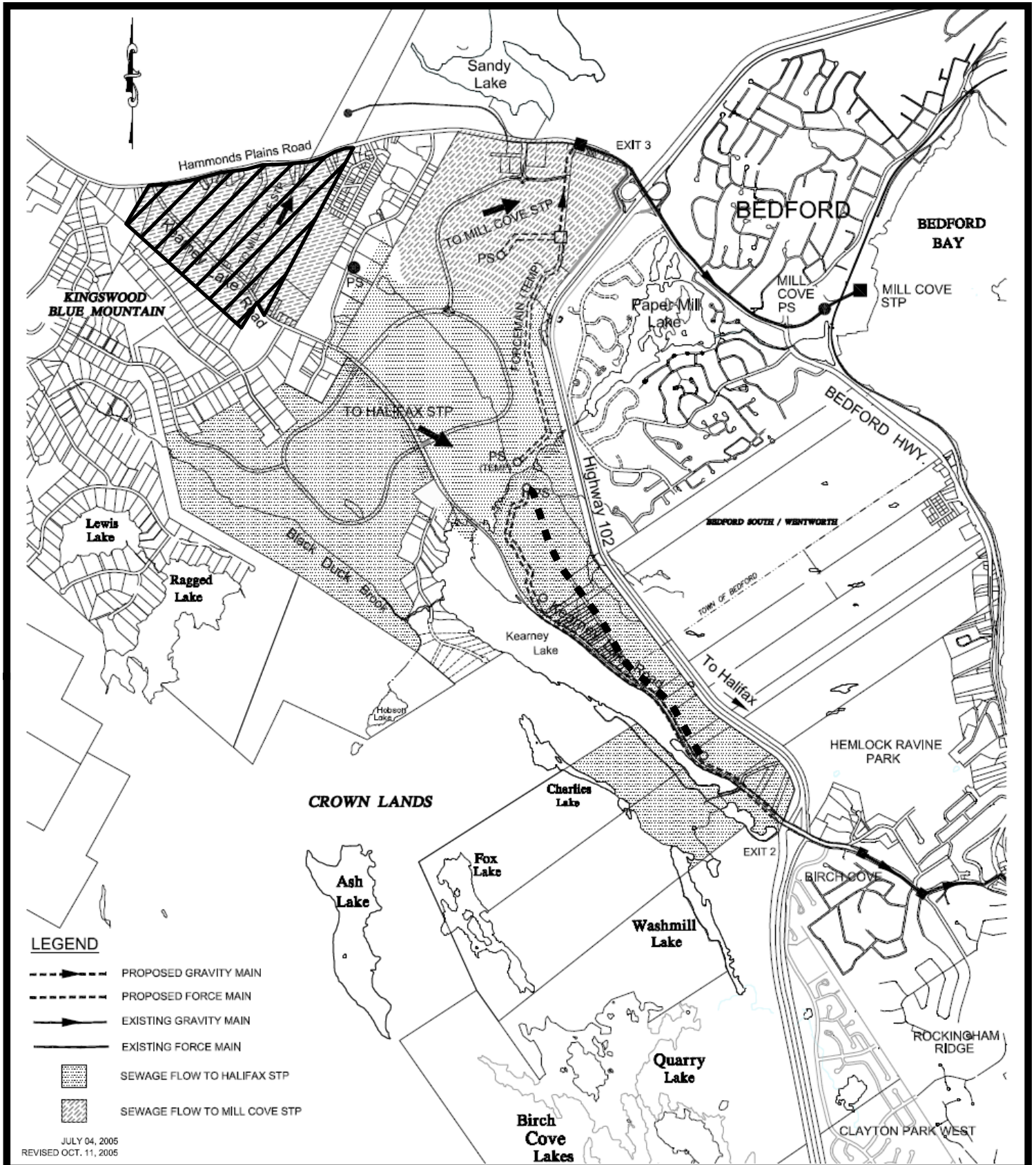
Report Approved by: _____
Paul Dunphy, Director of Community Development




JULY 04, 2005
 REVISED OCT. 11, 2005

Map 1
Development Sub-Areas Bedford West

HALIFAX
 REGIONAL MUNICIPALITY
 Planning Services



LEGEND

- PROPOSED GRAVITY MAIN
- PROPOSED FORCE MAIN
- EXISTING GRAVITY MAIN
- EXISTING FORCE MAIN
- SEWAGE FLOW TO HALIFAX STP
- SEWAGE FLOW TO MILL COVE STP

JULY 04, 2005
 REVISED OCT. 11, 2005

Map 2 : Sanitary Sewer Servicing

- Proposed Sewage Flow to Halifax S.T.P (Sub-area 12)**
- Proposed location of Trunk Sewer Line**



Attachment A: Proposed Public Participation Program

1. Staff to schedule a public information meeting.
2. All property owners within the Bedford West Secondary Plan Area to receive written notification of the meeting. Notification will also be placed in the newspaper and on the Community Development web site. Members of the North West Planning Advisory Committee and the three affected community councils would also receive written notification.
3. A written summary of the proposed plan amendments and infrastructure charges to be prepared by staff and distributed at the meeting. The meeting to be chaired by staff. A staff presentation to be made followed by an opportunity for public comment and questions.
4. Staff to be available to discuss individual concerns or questions following the meeting.
5. If deemed necessary, a follow up meeting to be scheduled.
6. Staff to report to Regional Council with proposed amendments to the Regional Subdivision By-law and the Bedford West Secondary Planning Strategy.
7. Council to schedule a public hearing to consider amendments to the Bedford West Secondary Planning Strategy and the Regional Subdivision By-law, including proposed capital cost contribution charges for transportation services requirements.