

**TO:** Mayor Kelly and Members of Halifax Regional Council



**SUBMITTED BY:**

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Dan English, Chief Administrative Officer



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Wayne Anstey, Deputy Chief Administrative Officer - Operations

**DATE:** July 22, 2009

**SUBJECT:** Case 01298: Extension of Central Water Services to Giles Drive, Bedford

**ORIGIN**

June 29, 2009 Regional Council meeting (item 13.5):

MOVED BY Councillor Outhit, seconded by Councillor Lund that Halifax Regional Council request a staff report on the possibility of initiating a process to allow for extending central water services to the residents of Giles Road, Bedford. MOTION PUT AND PASSED.

**RECOMMENDATION**

It is recommended that Regional Council:

1. Initiate the process to consider amending the Regional Subdivision By-law to include six properties on Giles Road, illustrated on Map 2, within the Water Service Area; and
2. Direct staff to follow the public participation program approved by Council in February 1997.

## **BACKGROUND**

Giles Drive is located on the north side of Hammonds Plains Road, across from Gary Martin Drive - the new entrance to Bedford West (see Map 1). Considerable excavation and fill work is currently being done in the area to upgrade Hammonds Plains Road, construct Gary Martin Drive and prepare the site for the four-plex arena. Giles Drive is being used as a detour route for the Hammonds Plains Road upgrade.

Residents on Giles Drive have complained to staff and the area Councillor that their well water has been adversely affected by blasting activities. There are five existing residential properties which are illustrated on Map 2.

No determination has been made to date as to whether blasting activities caused or exacerbated well water problems. In accordance with the requirements of the Municipality's Blasting By-law, pre-blast well water assessments were undertaken for residents of Giles Drive in association with work on Gary Martin Drive and for upgrades to the Hammonds Plains Road. These tests analysed water quality.

## **DISCUSSION**

Supplying central water is a technically viable option as the trunk water main from the Pockwock water supply is located within the Giles Drive right-of-way. Municipal regulations would require that the properties be within a Water Service Area, established under the Regional Subdivision By-law, to be serviced with municipal water and on-site waste disposal systems. The Regional Planning Strategy provides specific direction in this situation. Policy SU-13 states:

*HRM may consider establishing new Water Service Areas, subject to the financial ability of HRM to absorb any related costs, provided a wastewater management plan is also considered in accordance with Policy SU-20, if:*

- (d) a study has been prepared by a qualified person verifying that there is a water quality or quantity problem in an existing community that cannot reasonably be rectified by an alternative means.*

Policy SU-20 states:

*To protect public health and the environment, HRM shall investigate a means to ensure that on-site sewage disposal systems are maintained. Without limiting the generality of the foregoing, consideration shall be given to adopting a maintenance by-law, establishing Wastewater Management Districts and establishing a funding mechanism with the Water Commission administering a waste water management fee as approved by HRM.*

The requirement to assess on-site waste water systems stems from a concern, expressed in the Regional Plan, that provision of central water could cause hydraulic overloading, particularly if wastewater systems are not properly maintained. This concern is particularly relevant in situations where the septic systems have been in place for many years, as opposed to those in newer subdivisions. Establishment of a waste water management district is identified as a potential solution.

Staff are proposing the following two stage work plan:

1. A qualified person will be retained by the Municipality to undertake the study required by policy SU-13 over the summer. Any outstanding actions warranted under the provisions of the Blasting By-law would also be determined in this phase of work.
2. A public meeting would then be scheduled in early fall in the event that it is determined that establishing a Water Service Area over these properties is an appropriate solution.

The amendment recommended by staff would only allow Council to consider approval of extending the Water Service Area to the five existing residential properties and the one vacant property. This approach has been taken to allow for an expedient response in the event that the study concludes that there is a serious water quality or quantity problem that should be addressed immediately and that extension of central water to these residents is an appropriate solution.

Staff are aware that other property owners in the area have requested municipal water or both municipal sewer and water services with requests for both developed and undeveloped lands. Any decision to broaden the scope of the amendments to surrounding lands could result in considerable delays to responding to the request by the Giles Drive residents as the study time would inevitably be longer and a different planning process may be required.

The one vacant property has been included in the application because it is an infill opportunity in which water service could be provided by connecting a lateral to an existing water main. The property also has sufficient area to install an on-site wastewater system.

#### Ground Water Assessment Initiative

Council is aware that at its April 28, 2009 meeting, approval was given for HRM staff to undertake a collaborative initiative with the Province to conduct a comprehensive ground water assessment for the suburban and rural areas of HRM. The purpose of this work is to determine a clearer picture of where development opportunities and constraints exist, both in developed and undeveloped areas, relative to ground water sustainability (quantity/quality). The study is estimated to take at least one year to complete. While the study is likely to include the Giles Drive area, the timing for completion of the initiative may be too distant, given present circumstances.

### **BUDGET IMPLICATIONS**

The study required to satisfy policy SU-12 is estimated to cost less than \$10,000 plus applicable HST. Funds are available in Capital Account No. CDV00721. The budget availability has been confirmed by Financial Services.

<b>Budget Summary:</b>	Capital Account No. CDV00721- Watershed Environmental Studies	
	Cumulative unspent Budget	\$ 529,704
	Less: Estimated Cost (net HST included)	<u>\$ 10,343</u>
	Balance	\$ 519,361

Halifax Water has provided a preliminary estimate of the cost of installing the water mains and laterals needed to service these five properties at over \$200,000. During the course of processing this application, staff will investigate potential means of financing this work.

### **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**

Council could:

1. Initiate the process to consider amending the Regional Subdivision By-law and adopt the public participation program recommended by staff.
2. Instruct staff to modify or undertake a different public participation program. Unless this matter could be considered regional in nature, the program adopted under the February 25, 1997 Council resolution is appropriate. In accordance with the resolution, the North West Planning Advisory Committee would host a public meeting and recommendations from this committee and the North West Community Council would be made before being forwarded back to Regional Council.
3. Defer initiating the amendment process until an engineer's report has been received. From staff perspective, this action is not necessary. In the event that the report concludes that extension of a Water Service Area to these properties is not appropriate, Council will be advised accordingly in a staff report before a public meeting is held and Council could instruct staff to discontinue the processing of the application.
4. Amend the staff recommendation to allow for consideration of extending water service to other properties in the area. Staff would recommend against this action as the response to the Giles Drive residents could be delayed significantly.
- 5.

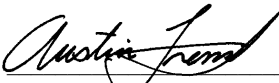
**ATTACHMENTS**


Map 1: Location Map

Map 2: Properties to be Considered for Water Service Area

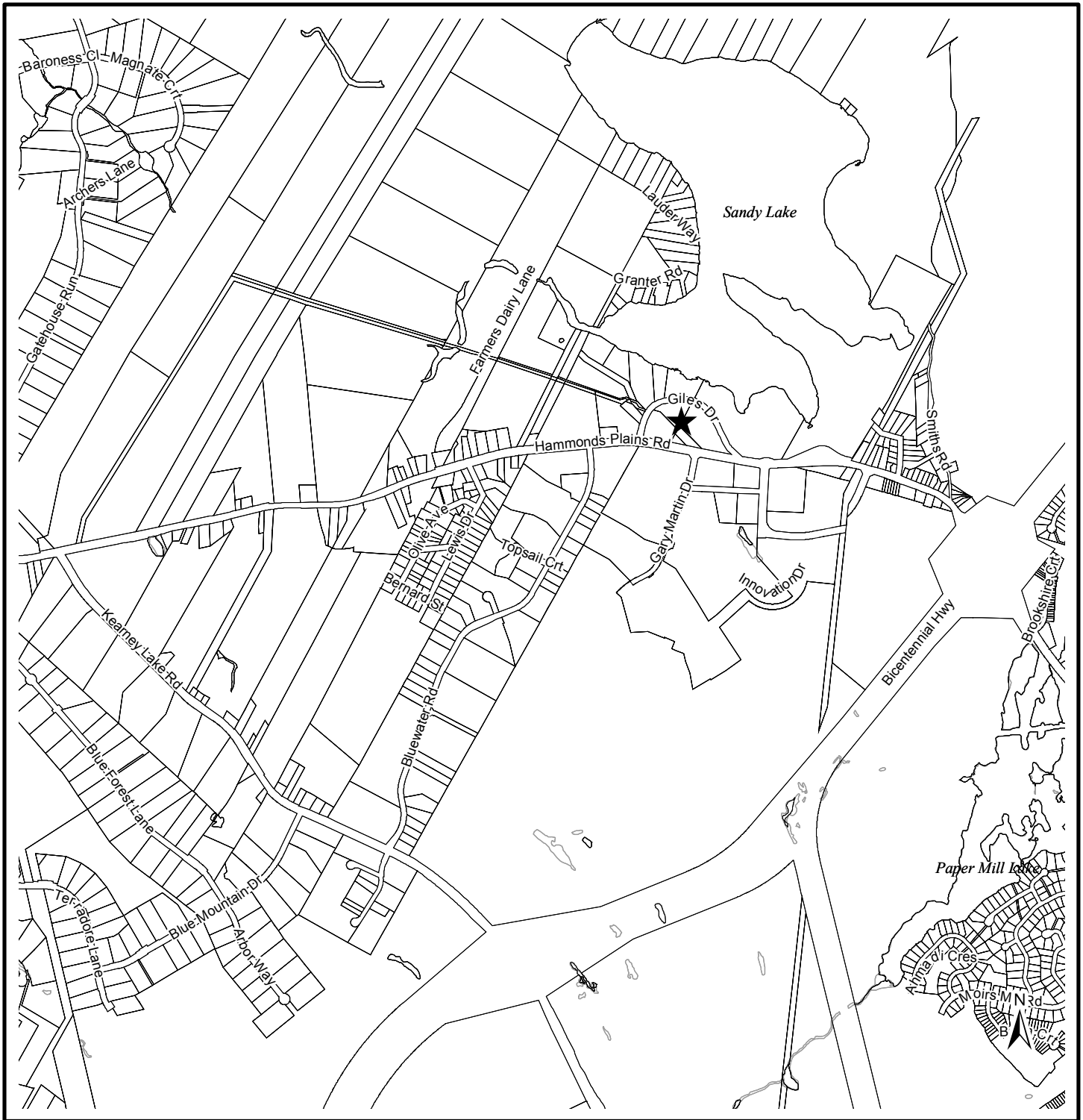
A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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

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

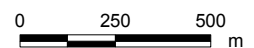
Financial Approval by:   
Catherine Sanderson, Senior Manager, Financial Services, 490-1562

Report Approved by:   
Paul Dunphy, Director, Community Development



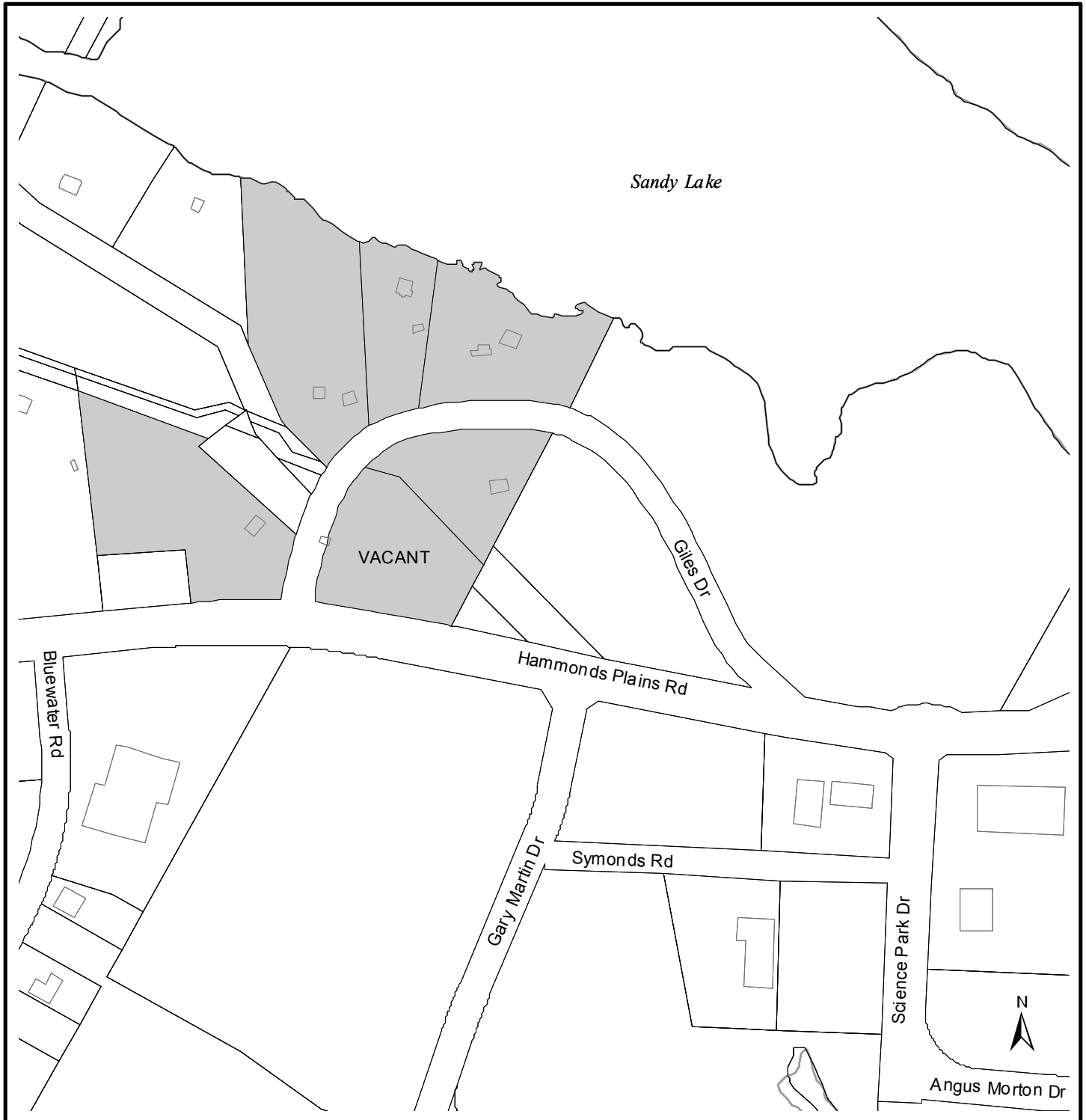
Map 1 - Location Map  
**Giles Drive, Bedford**

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 PLANNING SERVICES



Bedford Plan Area

HRM does not guarantee the accuracy of any representation on this plan.



Map 2 - Properties to be Considered for Water Service Area

**Giles Drive, Bedford**

 Subject properties

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