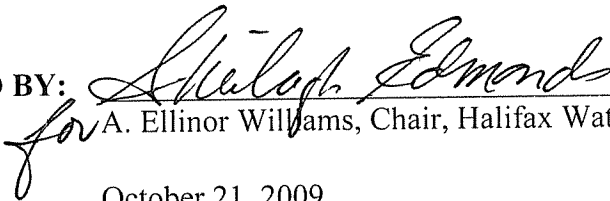


Halifax Regional Council
December 15, 2009
January 12, 2010

TO: Mayor Kelly and Members of Halifax Regional Council **February 9, 2010**

SUBMITTED BY: 
for A. Ellinor Williams, Chair, Halifax Watershed Advisory Board

DATE: October 21, 2009

SUBJECT: Case 01186 :Amendments to the Beaver Bank, Hammonds Plains and
Upper Sackville MPS and LUB – Kingswood Commercial Zone

ORIGIN

On 16th September, 2009, an application by 3227459 Nova Scotia Limited to amend the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-law to enable commercial development at Hammonds Plains Road and Kingswood was presented to the Halifax Watershed Advisory Board (HWAB) by Miles Agar, Planner.

RECOMMENDATION

The Halifax Watershed Advisory Board recommends that the approval of these Amendments to the Beaver Bank, Hammonds Plains and Upper Sackville MPS and LUB – Kingswood Commercial Zone be made subject to the following conditions:

1. Wastewater from development in this area be directed to the trunk sewer proposed for the Kearney Lake Road as soon as this is brought into operation.
2. Until this time, the current Uplands Treatment Facility be brought into full compliance with CCME guidelines under which no further hydraulic overloading be permitted to occur. The sewage plant be upgraded to tertiary level discharge standard.
3. The existing wetland below the Uplands Treatment Facility be developed as a fully engineered wetland by a professional engineer to allow for more complete cleansing of the effluent entering the intermittent stream that flows into Sandy Lake.
4. A Master Storm Water Management Plan be prepared for the ten properties in question. In order not to increase run-off, storm water retention be maintained or improved in the new sites. A copy of this plan be provided to the HWAB for review.

5. Other municipal servicing options be reviewed for this development area.
6. Because of the large number of parking places associated with commercial development - and the likelihood of hydrocarbons in the stormwater run off - stormwater be directed into oil grit separators for each site.
7. If one of the sites is to be a gas station, then a gas alarm be installed in the oil grit separators to warn of oil or gas leaks.
8. A copy of the sedimentation and erosion control plans be sent to the Board for review and comment.
9. All new buildings incorporate LEED standards in regard to water conservation and protection.
10. The unnamed brook be tested at least quarterly for water quality and fish presence.

BACKGROUND

In recent years, Planning Services has received several inquiries regarding the expansion of commercial land use in the vicinity of this intersection in response to changes in the area. It is felt that any alterations to the MPS and LUB should be dealt with in a comprehensive way to ensure that future development is well planned. The proposed zone, covering ten properties, is designed to encourage safe, appropriate development in a new commercial zone. Applications will be considered through the Site Plan Approval Process which includes provisions for stormwater management

DISCUSSION

The primary concern of the Watershed Advisory Board is the protection of the water resource and the natural environment. The stream that emerges from the wetland below the Uplands Treatment Facility flows eventually into Sandy Lake. This lake is a source of drinking water and also contains a public supervised swimming beach. It is thus particularly important to ensure the high quality of any stream or run-off water entering Sandy Lake.

BUDGET IMPLICATIONS

Budget Implications associated with the recommendations have not been identified. Any associated budget implications would need to be determined by HRM staff and disclosed to Regional Council in a subsequent 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.

ALTERNATIVES

None suggested

ATTACHMENTS

Staff Memorandum dated August 7, 2009.

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: A. Ellinor Williams, Chair, Halifax Watershed Advisory Board

MEMORANDUM

TO: Chair and Members of Halifax Watershed Advisory Board

FROM: Miles Agar, Planner 1

DATE: Thursday, August 7, 2009

SUBJECT: Case 01186: Amendments to the Beaver Bank, Hammonds Plains and Upper Sackville MPS and LUB - Kingswood Commercial Zone

Application

HRM is processing an application from 3227459 Nova Scotia Limited to amend the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy (MPS) and Land Use By-law (LUB) to enable commercial development at Hammonds Plains Road and Kingswood Drive (PID #'s 00422493 and 41185539), Hammonds Plains (Map 1).

Initial Proposal

The applicant is seeking the redesignation and rezoning of two properties at the southwest intersection of Hammonds Plains Road and Kingswood Drive (Attachment A). In the end, the applicant would like to rezone the two subject properties from MU-1 (Mixed Use 1) and R-1 (Residential Single Dwelling) to C-4 (Highway Commercial) to enable the construction of up to three (3) 10,000 square foot (footprint) commercial buildings. Policies in the text of the MPS would have to be amended, with the Generalized Future Land Use Map and the Zoning Map also requiring amendments, in order to implement the proposed change (Attachment A).

Direction from Regional Council

As the proposal requires amendments to the MPS, consideration of this application required the approval of Regional Council. In addition to the two subject properties, Regional Council directed staff to consider amending the MPS and LUB to change the existing designation and zoning on lands around the intersection of Hammonds Plains Road and Kingswood Drive/Gatehouse Run (Attachment A).

Location

Through public consultation and staff review, a proposed study area has been created, which includes ten properties surrounding the intersection of Hammonds Plains Road and Kingswood Drive/Gatehouse Run (Map 2).

Site Features

The proposed study area is made up of ten separate parcels of land. Currently, five of the ten parcels are undeveloped. Of the developed five, one is a single unit dwelling, one is a church and

daycare, one is a commercial strip mall (which includes Tim Horton's), one is a service station and convenience store, and one is used for municipal public works (Uplands Park Treatment Facility).

Current Zoning

Within the proposed study area, five properties are zoned MU-1 (Mixed Use 1), three are zoned C-4 (Highway Commercial), one is zoned C-2 (General Business), and one is zoned R-1 (Single Unit Dwelling) (Attachment A).

Background

Since the adoption of the MPS, there has been significant residential growth in the Hammonds Plains area, especially in the area around the intersection of Kingswood Drive and Hammonds Plains Road. To date, most of the Kingswood subdivision south of Hammonds Plains Road has been built out to full development rights, however, the Kingswood subdivision to the north of Hammonds Plains Road is in the early stages of growth, with the ability to expand under existing development rights.

In recent years, Planning Services has received several inquiries regarding the possible expansion of commercial land use rights in the Hammonds Plains area, specifically in the vicinity of the Hammonds Plains Road and Kingswood Drive. This proposal appears to be a logical request based on changes in the area. Staff are of the opinion that the subject properties, as well as the area around the intersection of Hammonds Plains Road and Kingswood Drive has developed into a location worthy of comprehensive commercial opportunities.

Public Workshop

At a public workshop held on March 12, 2009, both the applicant's proposal and the lands around the intersection were discussed. At the workshop, the public worked towards identifying an area they felt staff should focus attention on when considering future commercial opportunities. The public also felt that any changes to the MPS and LUB should be dealt with in a comprehensive fashion to ensure future development is cohesive and well thought out.

Staff Proposal

As previously mentioned, public and staff consultation has resulted in a proposed study area where amendments to the MPS and LUB related to future commercial opportunities are considered reasonable. At this time, Staff are proposing to redesignate the ten properties within the proposed study area, and in turn, create and apply a new commercial zone.

This zone, proposed as the Kingswood Commercial (KC) Zone, is designed to encourage a comprehensive, functional, safe, and complimentary form of development around the Hammonds Plains Road and Kingswood Drive/Gatehouse Run intersection. Applications for new development will be considered through the Site Plan Approval process, which is similar to the variance approval process. Included within the Site Plan Approval conditions of the proposed Kingswood Commercial (KC) Zone are provisions for stormwater management (Attachment B).

Small Watercourse

The Halifax Watershed Advisory Board should be advised that a small watercourse has been identified within the proposed study area. Halifax Water has indicated this watercourse is associated with the Uplands Park Treatment Facility (Map 2). Recent pictures of the treatment facility and watercourse are provided as Attachment D.

The proposed Kingswood Commercial (KC) Zone acknowledges existing public works uses, which would allow the Uplands Treatment Facility to upgrade/expand, however, private redevelopment of the site would not permit the facility (Attachment B). Further, any development near the watercourse is subject to the watercourse setback and buffer provisions of the LUB (Attachment C). The following is a general background summary of the Uplands Treatment Facility:

- *The Uplands Park facility was constructed in 1969 and has a capacity of 20,000 Usgal/day.*
- *The original design was to service approximately 170 people (50 homes).*
- *It is presently servicing approximately 150 people (+/-).*
- *Flow entering the plant is manually screened before entering a primary clarifier where 40%-60% of the suspended solids and BOD are removed.*
- *Primary clarifier effluent then continues to the trickling filter, this is essentially a bed of specifically selected rocks onto which a biological growth attaches, this growth contains organisms which further break down the remaining organics in the primary effluent.*
- *Effluent from the trickling filter proceeds to secondary clarification then to disinfection.*
- *The current method of disinfection is injection of sodium hypochlorite, we are currently in the design phase of an upgrade to ultraviolet disinfection, it is expected that construction will be complete mid 2010.*
- *After disinfection the flow then proceeds to a wetland for effluent polishing (tertiary treatment), we incorporated the wetland into the treatment system in 2003.*
- *The effluent from the wetland is a small stream which ultimately flows to Sandy Lake.*
- *The facility functions quite well given its age and is generally in compliance, though it experiences frequent hydraulic overloading.*
- *The addition of the wetland has resulted in a better quality effluent which is not as affected by the hydraulic surges.*

Watershed Advisory Board:

Staff are forwarding this proposal along to the Halifax Watershed Advisory Board for information. Staff welcome comments and input from the Board related to the proposal. Further, Staff wish to advise that any comments and input provided by the Board during a convened meeting will be taken into consideration.