

Item No. 2
Halifax Regional Council
April 24, 2012

TO: Mayor Kelly and Members of Halifax Regional Council

Original Signed by Director

SUBMITTED BY: _____
Peter Stickings, Acting Director, Planning and Infrastructure

DATE: April 16, 2012

SUBJECT: Purcell's Cove Area: Central Servicing Feasibility Study

INFORMATION REPORT

ORIGIN

1. Motion of Council, February 8, 2011:
MOVED by Councillor Adams, SECONDED by Councillor Walker that Halifax Regional Council request staff to initiate a Planning and Engineering Study to determine the feasibility and costs associated with extending central sewer and water services along Purcell's Cove Road up to and including the community Purcell's Cove, as discussed and as per the Budget Implications section of this report.
MOTION PUT AND PASSED
2. Letter and Petition tabled at Halifax Regional Council on February 28, 2012, opposing the extension of central sewer and water services along Purcell's Cove Road and to have Purcell's Cove (Area 2) excluded from the proposed feasibility study.
3. Recent correspondence to Members of Halifax Regional Council from a concerned resident regarding the Petitions for a servicing feasibility study that were submitted to HRM subsequent to the original Petition tabled in October, 2006.

BACKGROUND AND DISCUSSION

Council's direction, in approving the staff recommendation by motion of February 8, 2011, was to retain consultants to determine the *feasibility* of extending central services along Purcell's Cove. A consultant contract has been awarded and the team is now undertaking background document review, study area site analyses and a review of existing engineering systems and traffic information. A Community Steering Committee, comprising property owners representing both Areas 1 and 2, has been appointed by the Chebucto Community Council. The Committee has not as yet convened.

In approving the Feasibility Study, Council was made aware, through the staff report, of the 2006/2007 petitions results in which 65% of Area 1 respondents were in favour of proceeding with the study, compared to 25% of Area 2 respondents. Because of these results, staff advised that Area 1 would be studied in more detail than Area 2, but any servicing scheme for Area 1, if feasible, should take into account the potential long term servicing of Area 2.

For Council's clarification, the reference to "Area 2" is essentially the community of Purcell's Cove, extending from Oceanview Drive to Ferguson's Cove Road. "Area 1" is the area from the limit of existing services at Wenlock Grove to Oceanview Drive. A Map of the two study areas is included in the staff report dated January 24, 2011, Appendix A of this report.

As noted in the original staff report, inclusion of Area 1 and 2 in the study is prudent for several reasons. The community of Purcell's Cove is typified by many older homes constructed on smaller lots – lots that would not meet today's standards vis-à-vis on-site well and septic disposal systems. Soil characteristics are poor, being thin sandy silt, and there are many areas of exposed bedrock. Staff has no empirical information on the condition or efficiency of individual on-site disposal systems or how these systems have been maintained/upgraded over the years, or on the quality/quantity of potable water. The Province (NS Environment and Department of Natural Resources) may have some data in this regard. So while it appears that the community is not experiencing any environmental or public health related issues at the present time, given the above factors, it was felt that this area be included in the Feasibility study as a precautionary measure, such that if issues arise in future years a potential servicing scheme has been contemplated.

1. Letter Dated February 22, 2012, and Accompanying Petition

In February 2012, Council received a letter and petition on behalf of the Purcell's Cove Neighbourhood Committee requesting that Area 2 be excluded from the Feasibility Study and not be considered for potential future central servicing.

The Petitions submitted by property owners within Area 2 provide a clear indication to staff, the consultants the Community Steering Committee and the Chebucto Community Council, that the Purcell's Cove community (Area 2) is not receptive to future development. This is valuable information for the Servicing Feasibility study and the consultant will prepare more specific information in this regard through the public consultation process and the Steering Committee, and incorporate this input into the recommendations that come forward.

Regarding Area 1, where most of the interest lies in determining the feasibility of central services, the consultant will work with the public and the Steering Committee to determine:

- (a) the amount and form of growth that is acceptable to the community, in addition to the servicing of existing development and associated infill, and in acknowledging that this area is *not* to become a “growth centre” as per the policies of the Regional Plan and the environmental and traffic constraints of the area;
- (b) the schematic design of a central sewer and water system, and its costs, to accommodate the desired community form.

The results of the Feasibility Study will be presented to Chebucto Community Council and Regional Council prior to any further action being taken. Regional Council will then determine if this matter proceeds to a next phase.

2. Correspondence from Concerned Resident(s) Regarding Original Petition (2006)

Several residents of the Purcell's Cove area have expressed concern and confusion regarding the Petition process that took place in 2006 and 2007. This has been brought to Council's attention through recent e-mail correspondence.

The following summarizes the process that occurred:

- October 2006 – Petition tabled at Regional Council, regarding a request that HRM undertake a feasibility study to determine the costs associated with extending sewer and water services along Purcell's Cove Road. The petition was organized by a property owner in the area and member of the Royal Nova Scotia Yacht Squadron (RNSYS). The petition included signatures largely confined to the area now identified as “Area 1”.
- January, 2007 – Information Report to Regional Council indicating that the results of the petition were inconclusive and that additional discussions with petition organizers was warranted in advance of taking the matter further. Staff, petition organizers and District Councillor determined that a public information meeting should be scheduled
- May, 2007 – Public Information meeting held to describe the servicing feasibility study initiative, the proposed re-petition process and related planning, development, traffic matters.
- Subsequent Months of 2007/08 – Petition re-canvassing, in attempt to reach all properties along Purcell's Cove Road and Purcell's Cove. The canvassing was led by the original petition organizer along with other members of the community (Purcell's Cove) and other RNSYS members. As petitions were completed, they were provided directly to staff of Environmental Management Services (EMS) rather than distributed through Regional Council. The petitions were analyzed, consolidated with the 2006 petitions, tabulated and verified by the EMS staff person and the Local Improvement Charge By-Law Coordinator in Design and Construction Services. The tabular summary of the petition results was presented in the staff report to Regional Council of February 8, 2011. Upon

review the tabular summary accurately reflect the results of the submissions received at that date.

- Until present day, the public had been privy only to the original (partial) petitions that were presented to Council in October 2006, and hence their review of the results was inconsistent with the February 2011 staff report.

The full consolidated petitions, with signatures redacted, along with the staff working papers are available for public review at the office of the Municipal Clerk, and residents will be advised of such.

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, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

No community engagement is required as this report is providing Council with information only and does not require direction of Council.

ATTACHMENTS

Appendix A Staff Report: Purcell's Cove Servicing, January 24, 2001

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: Roger Wells, Planning Supervisor, 490-4373

Original Signed

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



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Halifax Regional Council
February 8, 2011

TO: Mayor Kelly and Members of Halifax Regional Council
Original Signed by 

SUBMITTED BY: _____
Wayne Anstey, Acting Chief Administrative Officer

Original Signed by 

Mike Labrecque, Deputy Chief Administrative Officer

DATE: January 24, 2011

SUBJECT: Purcell's Cove Road Servicing

ORIGIN

1. August, 2006: Regional Municipal Planning Strategy - Halifax Harbour Plan.
2. October 10, 2006 meeting of Halifax Regional Council: Petition tabled.
3. January 30, 2007 meeting of Halifax Regional Council: Information Report from staff indicating that further consultation with petition organizers would take place.
3. Public Information Meeting held on May 16, 2007.
4. Additional property owner canvassing by Petition Organizing Committee and subsequent provision of additional petitions.

RECOMMENDATION

It is recommended that Halifax Regional Council request staff to initiate a Planning and Engineering Study to determine the feasibility and costs associated with extending central sewer and water services along the Purcell's Cove Road to and including the community of Purcell's Cove, as discussed and per the Budget Implications section of this report.

BACKGROUND

Central sewer and water service in the Purcell's Cove Road area currently terminates at Wenlock Grove in Boulderwood, a short distance from Williams Lake Road (see Map 1). Beyond Wenlock Grove, properties along Purcell's Cove Road and the community of Purcell's Cove itself are serviced by means of wells and septic tanks.

The Issue:

Over the past decade or so, numerous property owners in this area have expressed concerns over the quality and quantity of their potable water supply. Correspondence has been received regarding periodic water shortages, salt water intrusion, and concern over the adequacy of sufficient supply for fire protection purposes.

The Royal Nova Scotia Yacht Squadron (RNSYS) and adjacent Saraguay Club are quasi-public facilities, both having restaurant services and the former being a renown sailing club that hosts many visiting sailors on yearly basis. These facilities obtain their potable water from Williams Lake, and although it is treated with chloride and UV-protected, there are numerous occasions during summer months when the drinking water is rendered unsafe due to high contaminant levels (fecal coliform). On a related note, it was recently announced that the RNSYS will be hosting the world disabled sailing championships in 2014.

The community of Purcell's Cove is a traditional historic seaside village. The older parts of the community are typified by small lots which would not meet today's on-site waste disposal system requirements, and there is concern that at some point in time, groundwater contamination may necessitate remedial measures to ensure a safe and sustainable potable water supply.

Petition Process:

With some preliminary assistance from the District Councillor and staff, residents along Purcell's Cove Road and representatives of the RSNYS canvassed property owners during 2006, and on October 10th the petition was tabled at Regional Council and forwarded to staff. The petition was worded as follows:

"We, the undersigned residents of Purcell's Cove Road, request that Halifax Regional Municipality (HRM) initiate a study to determine the total costs associated with extending central water and sewer services along Purcell's Cove Road, from Wenlock Grove to Purcell's Cove, and take action as soon as possible to supply these fundamental services."

Upon staff's review of the petition, it was determined that the results were inconclusive. An Information Report was provided to Regional Council on January 30, 2007, indicating that further discussion with petition organizers should be undertaken to determine whether or not additional canvassing was warranted.

This led to the preparation of an explanatory letter from HRM staff to property owners and the scheduling of a public information meeting, held on May 16, 2007. The purpose of the meeting was to exchange information and help gauge the community interest in the potential servicing study. This meeting was informative but unfortunately did not provide staff with a clear indication as to whether area residents were agreeable to proceeding with the study. In order to help provide clarity, the organizers of the petition canvassed the area again. The results of that effort are included in the Discussion Section of this report.

Planning Context:

As part of the Regional Plan's Halifax Harbour Functional Plan (Section 5.5.2), the North West Arm area is to be the subject of a detailed planning process. This process is to address, among other components, the potential extension of central water and sewer services along the Purcell's Cove Road. It is also of note that the Regional Plan envisions, over the longer term, the potential for a fast ferry service connecting Purcell's Cove with downtown Halifax.

Under the Regional Plan, the Purcell's Cove Road area, beyond the service boundary at Wenlock Road, contains two future land use designations. Between Purcell's Cove Road and the waters of North West Arm, lands are under the "Harbour" designation. On the inland side of Purcell's Cove Road, lands are designated "Urban Reserve". The Harbour designation allows single unit development to occur based on on-site services. The Urban Reserve designation are lands that are set aside for potential long term future development.

In order to consider the servicing of portions of these lands with piped services, amendments to the Regional Plan and Regional Subdivision By-law will be required. However, as a first step, should Council wish staff to proceed on investigating this matter further, it is necessary to undertake a study entailing engineering and planning analyses, cost estimates, and consultation with property owners and the general public.

DISCUSSION

Petition Results:

Canvassing of property owners took place in 2006 and 2007, with follow-up inquiries by staff for certain major property owners in the area occurring over the subsequent period.

The following public roads were included in the area petitioned - Battery Drive, Oceanview Drive, Purcell's Cove Road and part of Rocklyn Road. The following private roads were included in the area petitioned - Boskebel Road, Boulderwood Road, Halls Road, Melvin Road, part of Rocklyn Road, Bluestone Drive, Keefe Road, and Umlahs Drive.

The outcome of the petition is different depending on the area canvassed. In order to provide Council with a better understanding of the outcome, staff have divided this area petitioned into

two smaller areas, as shown on Map 1. Area 1 includes the area adjacent to Purcell's Cove Road between Wenlock Grove and Oceanview Drive. Area 2 includes the area adjacent to Purcell's Cove Road between Oceanview Drive and Ferguson's Cove Road. The results were as follows:

Purcell's Cove Road Petition Results

	By Property		By Scaled	Frontage
	Yes	No*	Yes	No*
Area 1 (Wenlock Grove to Oceanview Drive)	71 (65%)	38 (35%)	8030 (71%)	3240 (29%)
Area 2 (Oceanview Drive to Ferguson's Cove Road)	27 (25%)	82 (75%)	1510 (18%)	7110 (82%)
Total: Areas 1 and 2	98 (45%)	120 (55%)	9540 (48%)	10350 (52%)

* No includes property owners that stated 'no', those that did not reply and those who could not be reached.

For Area 1, 65 % of respondents are in favour of HRM undertaking the study to determine the costs of extending services along Purcell's Cove Road. However, for Area 2, 75 % of respondents are not in favour of proceeding with the study. The overall result for the two areas combined indicates that 45 % are in favour of the study while 55 % are against proceeding.

Staff of HRM and Halifax Water have discussed the results of the petition with respect to how best to proceed. Discussions have also occurred with the petition organizing committee and the District Councillor. Based on this analysis, staff is recommending that Council undertake the Engineering and Planning Study for the entire area, but that it be broken down into two components or phases. The first priority/phase would entail a land use planning exercise, servicing scheme and associated cost estimates for Area 1 (lands along Purcell's Cove Road as far as Oceanview Drive). Area 2 would be studied in a similar manner but as a second phase, in that it may be quite some time before municipal servicing is extended to this area. Staff feel it is prudent for both areas to be studied concurrently so that any servicing system design for Area 1 takes into account the servicing implications for Area 2.

Staff also suggest that the proposed Engineering and Planning Study will *not* propose that the Purcell's Cove Road area become a major new growth area for the municipality as this would be inconsistent with the policies and intent of the Regional Plan. Issues such as extensive environmentally sensitive lands, steep topography, existing community form and road network

capacity issues are reasons why the area should be maintained for relatively low growth. Thus, the lands for potential central servicing should be kept relatively confined.

From a servicing perspective there are a number of possible ways to service this area, which the study will explore. Any servicing scenario that utilizes existing sewer infrastructure will need to identify the costs (if any) to upgrade existing infrastructure in order to accommodate flows from the study area.

With regard to process, should Council authorize the Engineering and Planning Study, staff suggest that consultants be retained to undertake the following program:

- Work with a Technical Project Team comprised of applicable HRM Business Units and Halifax Water;
- Undertake a general investigation and report related to existing problems/issues and opportunities within the study areas;
- Consult with a Community Steering Committee as appointed by Community Council, to determine servicing alternatives, size of service areas, future land uses and community form, cost estimates, impacts on other existing infrastructure and related matters; and
- At appropriate stages, conduct consultation with other property owners and the general public.

When complete, the Study will be presented to Community Council and Regional Council, at which time a determination will be made to proceed to a formal Local Improvement Charge By-law process and Municipal Planning Strategy/Land Use By-law amendment process.

BUDGET IMPLICATIONS

Staff suggests that the cost for completing the Engineering and Planning study is in the area of \$100,000. The cost for the work will be funded through Project Account CDV00723 (Halifax Harbour Plan). Budget Availability has been confirmed by Financial Services.

Budget Summary:

Project Account No. CDV00723 - Halifax Harbour Plan	
Cumulative Unspent Budget	\$108,681.48
Less: Proposed costs	<u>\$100,000.00</u>
Balance	\$8,681.48

Council is also aware that should it eventually approve the extension of central services along the Purcell's Cove Road, those property owners receiving the services will bear the total cost, unless Council allocates funding to the project and/or unless external sources of funding are secured.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

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

COMMUNITY ENGAGEMENT

Should Council authorize undertaking the study, community engagement will take place by means of:

- **Community Steering Committee:** Comprised of property owners in the study area to act as the liaison group for the consultants, receiving information and providing feedback, and assisting in preparing and conducting the public consultation phase of the study. The Steering Committee will be appointed by Chebucto Community Council.
- **Public Consultation:** At appropriate stages of the study, property owners and the general public will be invited to receive updates on the progress of the work and provide comment. Such sessions, to be planned with the assistance of the Community Steering Committee, may take the form of public meetings, open houses, workshops, or combination of the foregoing.

Council will be informed of the outcome of the study and its recommendations. Council will then determine how staff is to proceed.

ATTACHMENTS

Map 1: Purcell's Cove Road Servicing

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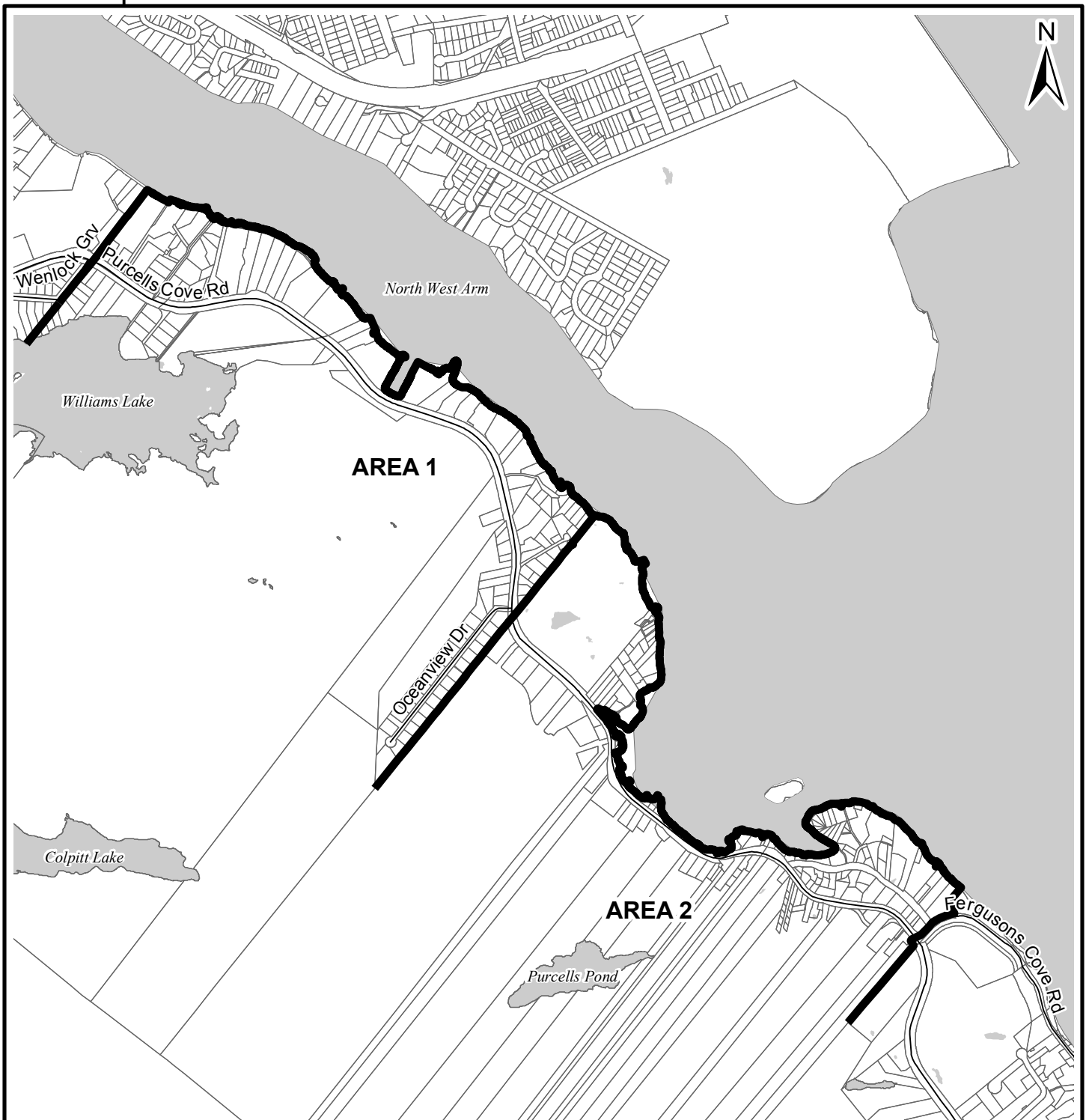
Report Prepared by: Roger Wells, Supervisor, Regional and Community Planning, 490-4373

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

Financial Approval by: Cathie O'Toole, CGA, Director of Finance

Report Approved by: Paul Dunphy, Director, Community Development

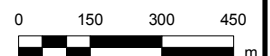
Map 1



Purcell's Cove Road Servicing

- Study Areas
- Property Boundaries

HALIFAX
REGIONAL MUNICIPALITY
REGIONAL AND COMMUNITY
PLANNING SERVICES



Halifax
Plan Area

HRM does not guarantee the accuracy of any representation on this plan. Date of map is not indicative of the date of data creation.