



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

Item No. 11.2
Halifax Regional Council
June 19, 2018
July 31, 2018

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed

SUBMITTED BY: _____
Councillor Tim Outhit, Chair, North West Community Council

DATE: June 12, 2018

SUBJECT: Case 20662: Amendments to the Regional Municipal Planning Strategy,
Regional Subdivision By-law and Sackville Land Use By-law

ORIGIN

June 11, 2018 meeting of North West Community Council, Item No. 13.1.3.

LEGISLATIVE AUTHORITY

Section 25(c) of the Halifax Regional Municipality Charter sets out the powers and duties of Community Council to include "recommending to the Council appropriate by-laws, regulations, controls and development standards for the community".

RECOMMENDATION

North West Community Council recommends that Regional Council:

1. Give First Reading to consider the proposed amendments to the Regional Municipal Planning Strategy and Sackville Land Use By-law as set out in Attachments A and B of the staff report dated May 7, 2018 and schedule a Public Hearing;
2. Approve the proposed amendments to the Regional Municipal Planning Strategy and Sackville Land Use By-law as set out in Attachments A and B of the staff report dated May 7, 2018.
3. Refuse the proposed amendments to the Regional Subdivision By-law to extend the municipal water service boundary as shown on Map 4 of the staff report dated May 7, 2018.

BACKGROUND

A staff report dated May 7, 2018 pertaining to Case 20662: Amendments to the Regional Municipal Planning Strategy, Regional Subdivision By-law and Sackville Land Use By-law was before North West Community Council for consideration at its meeting held on June 11, 2018.

For further information, please refer to the attached staff report dated May 7, 2018.

DISCUSSION

North West Community Council considered the May 7, 2018 staff report at its meeting held on June 11, 2018 and forwarded the recommendation to Regional Council as outlined in this report.

FINANCIAL IMPLICATIONS

As outlined in the attached staff report dated May 7, 2018.

RISK CONSIDERATION

As outlined in the attached staff report dated May 7, 2018.

COMMUNITY ENGAGEMENT

North West Community Council meetings are open to public attendance and members of the public are invited to address the Community Council for up to five minutes at the end of each meeting during Public Participation. The agenda, reports, and minutes of North West Community Council are posted on Halifax.ca.

ENVIRONMENTAL IMPLICATIONS

As outlined in the attached staff report dated May 7, 2018.

ALTERNATIVES

North West Community Council did not discuss alternative recommendations.

ATTACHMENTS

1. Staff report dated May 7, 2018.
2. Memorandum from the North West Planning Advisory Committee dated June 9, 2017.

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Liam MacSween, Legislative Assistant, 902.490.6521



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

Attachment 1
North West Community Council
June 11, 2018

TO: Chair and Members of the North West Community Council

Original Signed

SUBMITTED BY:

Kelly Denty, Acting Director, Planning and Development

Original Signed

Brad Anguish, A/Chief Administrative Officer

DATE: May 7, 2018

SUBJECT: **Case 20662 – Amendments to the Regional Municipal Planning Strategy, Regional Subdivision By-law and Sackville Land Use By-law**

ORIGIN

- Application by Linda Williams.
- March 21, 2017, Regional Council initiation of the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) amendment process.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (HRM Charter), Part VIII, Planning & Development

RECOMMENDATION

It is recommended that North West Community Council recommend that Regional Council:

1. Give First Reading to consider the proposed amendments to the Regional Municipal Planning Strategy and Sackville Land Use By-law as set out in Attachments A and B of this report and schedule a Public Hearing;
2. Approve the proposed amendments to the Regional Municipal Planning Strategy and Sackville Land Use By-law as set out in Attachments A and B of this report.
3. Refuse the proposed amendments to the Regional Subdivision By-law to extend the municipal water service boundary as shown on Map 4 of this report.

BACKGROUND

The applicant, Ms. Linda Williams, has applied to amend the Regional Municipal Planning Strategy (RMPS) and Sackville Land Use By-law (LUB) to permit subdivision and residential development on the lands identified as PID# 41404096. An amendment to the RMPS and zoning bylaw is necessary because the site is designated Open Space and Natural Resource and zoned RPK - Regional Park (Maps 1-3). Neither the MPS designation nor the current zoning allow residential development. In addition, the applicant is requesting to amend the Regional Subdivision By-law to extend the municipal water service boundary to encompass the entirety of the lot in question.

Subject Site (Map 1)	PID# 41404096 and PID# 40507824
Regional Plan Designation (Map 1)	Open Space and Natural Resource Rural Commuter (portion of property)
Community Plan Designation (Map 2)	Urban Residential under the 1982 Sackville Municipal Planning Strategy (MPS)
Zoning (Map 3)	RPK (Regional Park) under the Sackville Municipal Planning Strategy (LUB)
Size of Site	PID# 41404096: approximately 4.04 hectares (10 acres) PID# 40507824: approximately 942.5 square meters (10,145 square feet)
Street Frontage	PID# 41404096: <ul style="list-style-type: none"> • 155 metres (508 feet) along First Lake Drive • 134 metres (440 feet) along Settlers Lane • 40 metres (131 feet) along Cobequid Road PID# 40507824: <ul style="list-style-type: none"> • 6.3 metres (20 feet) along First Lake Drive
Site Conditions	Vacant. A watercourse is located on the subject site.
Surrounding Uses	<ul style="list-style-type: none"> • Sackville Lakes Provincial Park; • South – Single unit residential properties and a portion of the Sackville Lakes Provincial Park; • East – Single unit residential properties; and • West – Sackville Lakes Provincial Park

Proposal Details

The applicant proposes to re-designate and re-zone the property (PID# 41404096) to allow subdivision and single unit residential development. The applicant is also seeking an amendment, to the Regional Subdivision by-law, to extend the municipal water service boundary to include the entire site (Map 4). Currently, a significant portion of the site is located within the municipal water service boundary.

The major components of the proposal are as follows:

- Re-designate the site from Open Space and Natural Resource to Rural Commuter under the Regional Municipal Planning Strategy (RMPS);
- Re-zone the site from RPK (Regional Park) to R-6 (Rural Residential) under the Sackville Land Use by-law (LUB); and
- Extend the municipal water service area to include all portions of the site.

Ownership History

During the late 1960's, the subject property was owned by the Williams family. The family was approached by a private company to conduct logging activity on the site. When assigning logging rights, the family unknowingly conveyed ownership of the lands to the company. In the following years, ownership of the property changed and subsequently was transferred to the Province of Nova Scotia. In 2014, the Province of Nova Scotia, issued a deed to convey the lands back to the Williams family.

HRM Property (PID #40507824)

The Williams property (PID# 41404096) is currently intersected by a property identified as PID #40507824 (see Map 1). This property is approximately 942.5 square meters (10,145 square feet) in area and contains a watercourse, flowing north, from First Lake Drive to the Sackville Lakes Provincial Park.

Ownership of this property is presently unclear. The provincial land registry system indicates ownership by HRM. However, after researching municipal records, HRM staff believe the property is owned by the Province of Nova Scotia. Efforts to clarify ownership are ongoing but it has been confirmed the parcel is not owned by the Williams family.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy, the *HRM Charter*, and the Public Participation Program approved by Council on February 25, 1997. The level of community engagement on this file included providing information and seeking comments through the HRM website, signage posted on the subject site, letters mailed to property owners within the notification area and a public meeting held on May 17, 2017. Attachment C contains a copy of the minutes from the meeting. The public comments received include the following topics:

- Protection of watercourses, especially along PID#40507824; and
- Impact of proposed residential development on surrounding properties.

A public hearing must be held by Regional Council before they can consider approval of the proposed MPS and LUB amendments. Should Regional Council decide to proceed with a public hearing on this application, property owners within the notification area shown on Map 3 will be notified by regular mail in addition to the published newspaper advertisements.

The proposal will potentially impact local residents and property owners.

North West Planning Advisory Committee

On June 7, 2017, the North West Planning Advisory Committee (PAC) recommended that the application be approved with no conditions or considerations. A report from the North West PAC will be provided to Community Council under separate cover.

DISCUSSION

The Regional Municipal Planning Strategy (RMPS) or Regional Plan is a strategic document that sets out the goals, objectives and direction for long term growth and development throughout the entire municipality. Amendments to the RMPS are significant undertakings and Council is under no obligation to consider such requests. In this case, staff advise that the proposed amendments to RMPS designation and zone are consistent with Regional Plan policy recognizing the lands are now privately owned.

Staff also advise that the applicant's request to extend the municipal water service boundary is not consistent with policy and therefore cannot be supported.

The following discussion reviews the rationale and content of the proposed MPS and LUB amendments.

Proposed Amendments

Staff considered the existing RMPS policy context and a number of policy approaches when drafting the proposed RMPS and LUB amendments. Attachments A and B contain the proposed RMPS and LUB amendments. A summary of the proposed amendments are as follows:

- Re-designate the site from Open Space and Natural Resource to Rural Commuter under the RMPS; and
- Re-zone the site from RPK (Regional Park) to R-6 (Rural Residential) under the Sackville LUB.

The current planning policies and zoning regulations are based on the presumption that the subject lands are publicly owned and part of the public park system. Under the existing RMPS, the subject property is predominantly designated as Open Space and Natural Resource with a smaller portion designated Rural Commuter. The Open Space and Natural Resource designation is intended to be applied to publicly owned lands, such as Federal Parks, Provincial Parks, Provincial Park reserves, non-designated Provincial Parks, and Regional Park lands owned by HRM.

The site is zoned Regional Park (RPK), which permits recreation uses, park uses and other uses as provided by the existing secondary planning strategies (Attachment D). Council may apply the RPK Zone within the Open Space and Natural Resource and Rural Commuter designations, but only to lands held in public ownership. The current zoning and RMPS designations were appropriate noting the subject property was publicly owned until 2014. However, now that the property is privately owned, the RMPS designation and zoning are no longer appropriate for this site.

Impact on Surrounding Land Uses and Watercourses

Provided the requested amendments are approved, the property owner(s) may make application for subdivision and development of the site. That process requires compliance with all applicable provisions of the Regional Subdivision By-law and Sackville LUB. This will help to ensure consistency between the proposed development and surrounding land uses.

A watercourse is present on PID# 40507824 and the Sackville LUB requires a minimum buffer of 20 metres (66 feet) from that watercourse. Retention of this riparian buffer will limit the potential impact of the proposed development and serve to protect nearby freshwater resources.

Application of Proposed Amendments to PID# 40507824

As noted above, the subject property is intersected by a long, narrow parcel of land (PID #40507824 - see Map 1). Ownership of this parcel is not clear although it has been confirmed the Williams family does not hold title to this property.

This parcel cannot be developed independently due to its size, dimensions and because of the above referenced watercourse. However, once ownership has been clarified and if deemed surplus by the owner, it could be acquired by the Williams family and consolidated with the surrounding lands. This would marginally increase the total area and frontage of the Williams family holdings which could be beneficial to development opportunities.

The existence of this parcel is a relatively unusual circumstance, and a decision is required to determine whether it should be included as part of the proposed RMPS and zoning change on the Williams family property. Staff see no benefit to retaining the existing RMPS and zoning designation on PID #40507824 while altering the designation for all the surrounding lands. It is recommended this property be included in the current proposal to ensure regulatory consistency with the surrounding properties.

Request for Extension of Water Service Area Boundary

In addition to the requested amendments to re-designate and rezone, the applicant has also requested to amend the Regional Subdivision Bylaw to extend the municipal water service boundary to include all portions of the subject site. As shown on Map 4, the current boundary includes a portion of the site, approximately 107 metres (351 feet) west from Cobequid Road. The applicant is requesting this amendment due to the presence of arsenic and overall water quality in the area.

Council's policy direction relative to extension of water service boundaries is located in Policy SU-15 of the RMPS. The relevant excerpt of that policy is provided for reference as Attachment E. There are four individual components within the policy that can be described in the following categories:

- Proximity to transmission lines;
- Water quality issues as identified by a qualified person;
- Environmental issues related to the long-term integrity of on-site sewage disposal systems; and
- Approval of provisions for an area rated charge to fund local service expansions

Of those four items, water quality is identified as a concern but the applicant has not provided information from a qualified person verifying issues cannot be resolved by alternative means.

The site is in general proximity to a water main but extension of that main to service the relatively moderate development capacity on this site would appear to be cost prohibitive. None of the other items identified in the policy are present. Given that the requested expansion is not supported by policy, staff are unable to recommend in favour of the proposed expansion.

Conclusion

Re-designating and rezoning PID# 41404096 (Williams family holdings) from Open Space and Natural Resource to Rural Commuter under the RMPS and RPK to R-6 under the LUB will reflect the current ownership and land use intent. Re-designating and rezoning PID# 40507824 (ownership unclear) applies policy and regulations that are consistent with the surrounding privately-owned lands. Staff see no benefit to retaining the existing RMPS and zoning designation on PID #40507824 while altering the designation for all the surrounding lands. Staff support these proposed amendments as they are consistent with the Regional Plan policy.

With respect to the request for an amendment to extend the water service area, for the reasons identified in this report, staff recommend that Council refuse the proposed amendments to the Regional Subdivision By-law.

FINANCIAL IMPLICATIONS

The HRM costs associated with processing this planning application can be accommodated within the approved 2018/2019 operating budget for C310 Urban and Rural Planning Applications.

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained within this report. This application involves proposed amendments to a Municipal Planning Strategy. Such amendments are at the discretion of Regional Council and are not subject to appeal to the Nova Scotia Utility and Review Board.

ENVIRONMENTAL IMPLICATIONS

No additional concerns were identified beyond those identified in this report.

ALTERNATIVES

The North West Community Council may choose to recommend that Regional Council:

1. Modify the proposed amendments to the Regional MPS and Sackville LUB, as set out in Attachments A and B of this report. If this alternative is chosen, specific direction regarding the requested modifications is required. Substantive amendments may require a supplementary staff report and/or another public hearing to be held before approval is granted. A decision of Council

- to approve or refuse the proposed MPS amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.
2. Approve the proposed amendments to the Regional Subdivision By-law to extend the water service area, as described in this report. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*. This is not recommended by staff.
 3. Refuse the proposed amendments to the Regional MPS and Sackville LUB. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

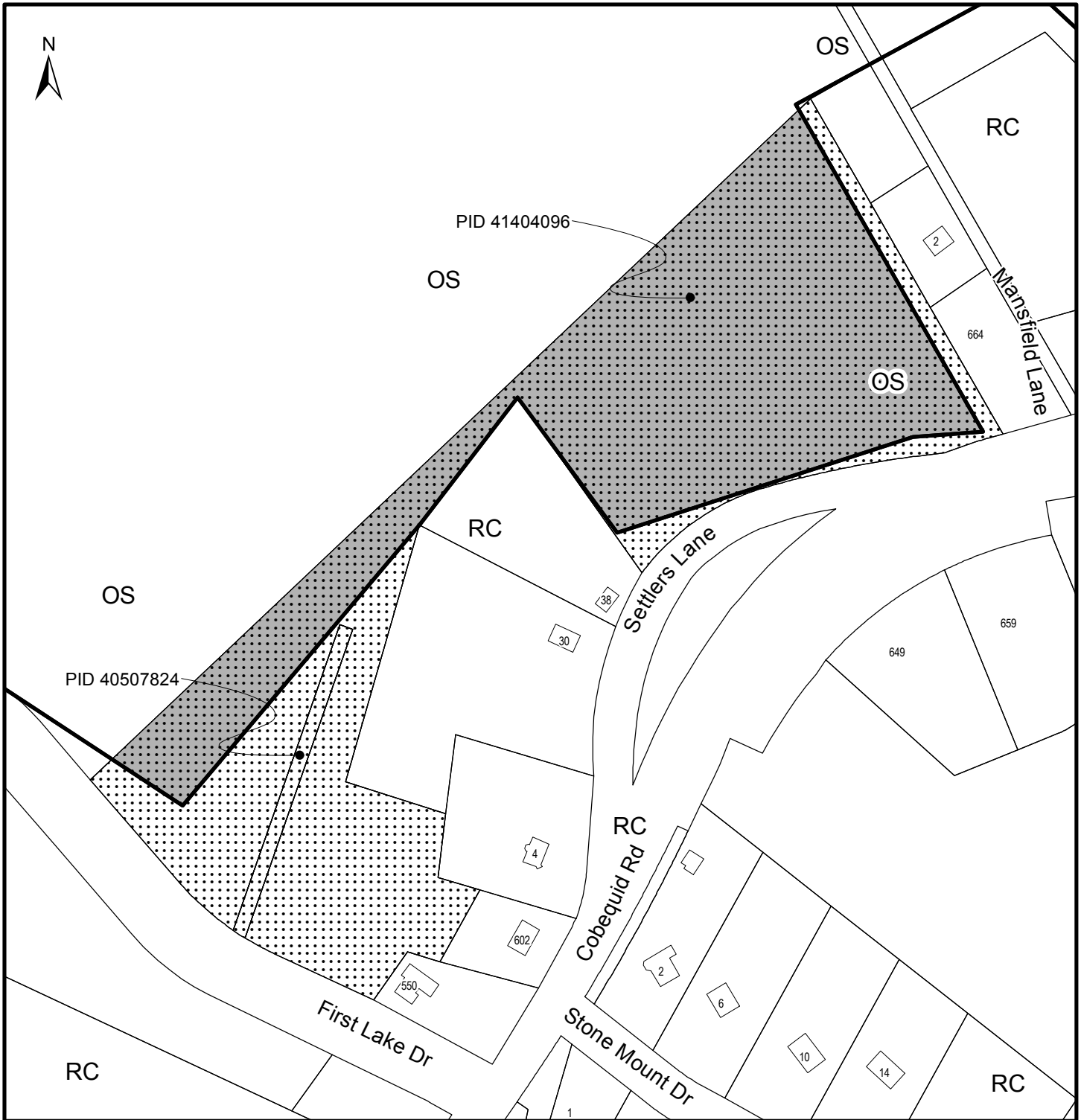
Map 1	Regional Plan Generalized Future Land Use
Map 2	Generalized Future Land Use
Map 3	Zoning and Notification
Map 4	Municipal Water Service Area
Attachment A	Proposed MPS Amendments
Attachment B	Proposed LUB Amendments
Attachment C	Public Meeting Notes
Attachment D	Excerpt from the Sackville LUB
Attachment E	Excerpt from the Regional MPS

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Tyson Simms, Planner III, 902.490.6983

Original Signed



Report Approved by: _____
Steven Higgins, Acting Manager, Current Planning, 902.490.4382



Map 1 - Regional Plan Generalized Future Land Use



PIDs 41404096 & 40507824
Lower Sackville

-  Subject Lands
-  Area Proposed to be Re-designated from OS (Open Space and Natural Resource) to RC (Rural Commuter)

- Designation**
- RC Rural Commuter
 - OS Open Space and Natural Resource



Regional Plan

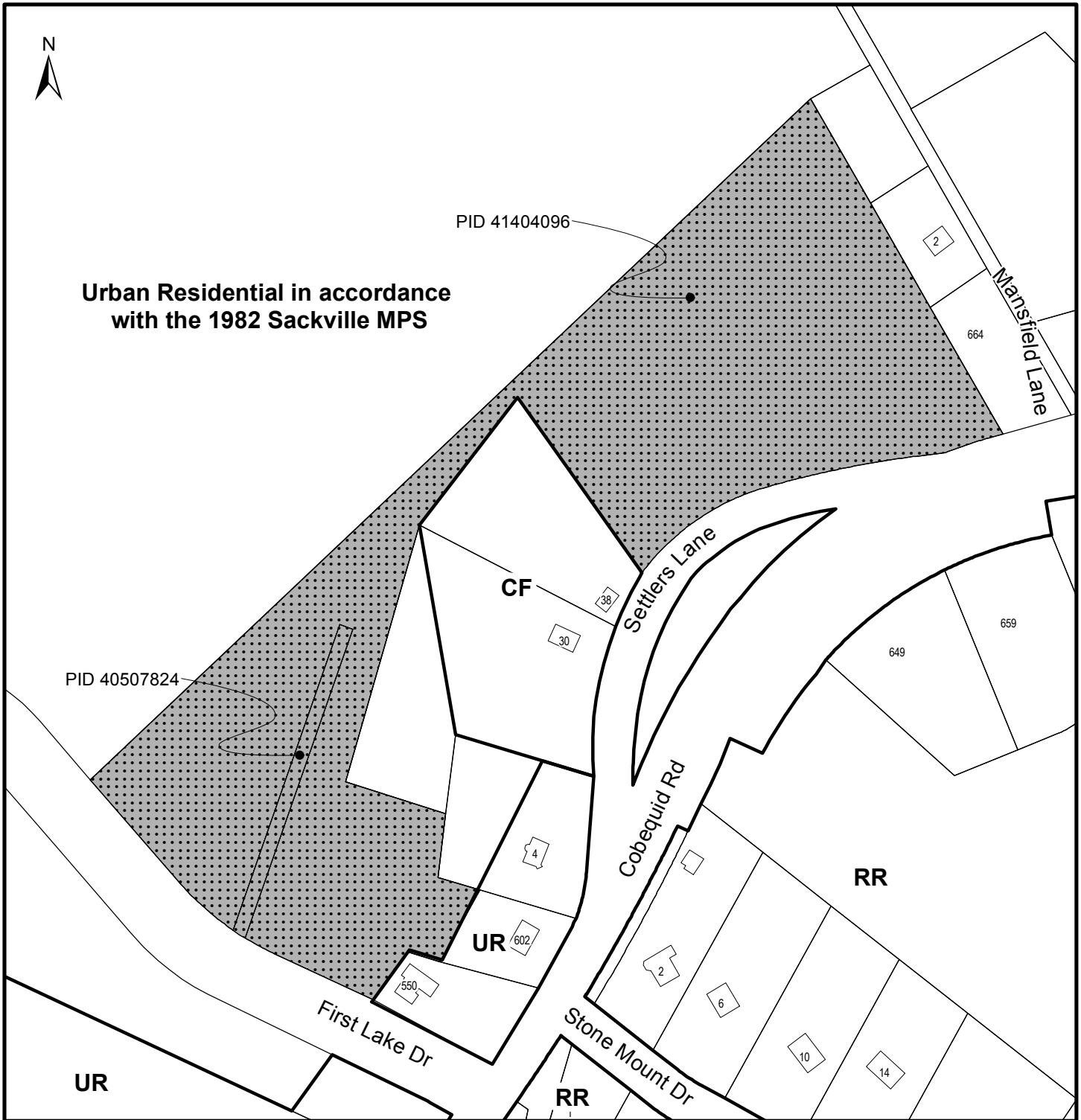
This map is an unofficial reproduction of a portion of the Regional Plan Generalized Future Land Use Map.
The accuracy of any representation on this plan is not guaranteed.



Urban Residential in accordance with the 1982 Sackville MPS

PID 41404096


PID 40507824



Map 2 - Generalized Future Land Use

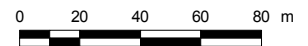
PIDs 41404096 & 40507824
Lower Sackville

HALIFAX

 Subject Lands

Designation

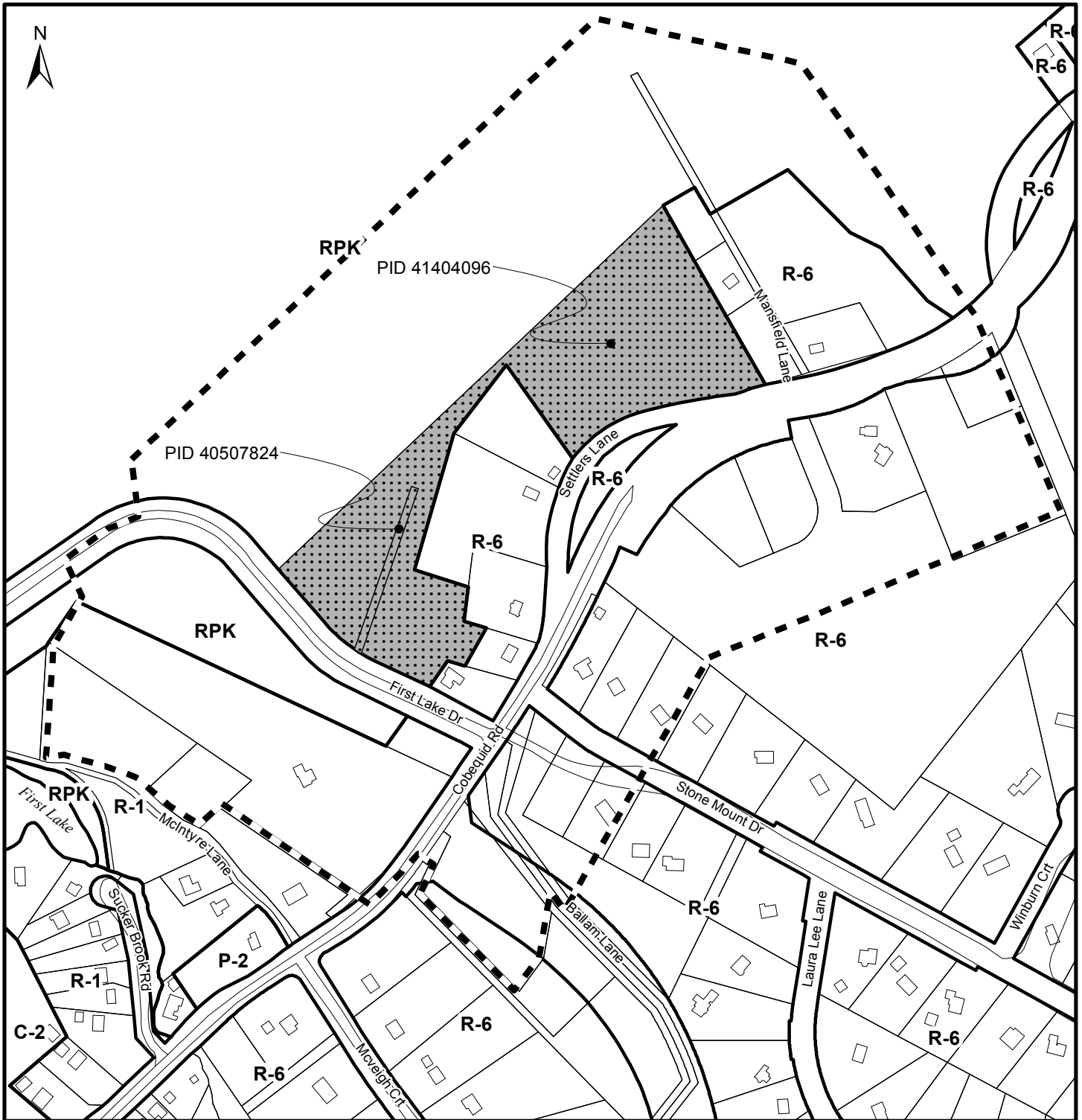
- RR Rural Residential
- CF Community Facility
- UR Urban Residential



This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.


Sackville
Plan Area




Map 3 - Zoning and Notification

PIDs 41404096 & 40507824
Lower Sackville

HALIFAX

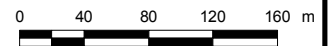
 Area Proposed to be Rezoned from RPK (Regional Park) to R-6 (Rural Residential)

 Area of Notification

Sackville Land Use By-Law Area

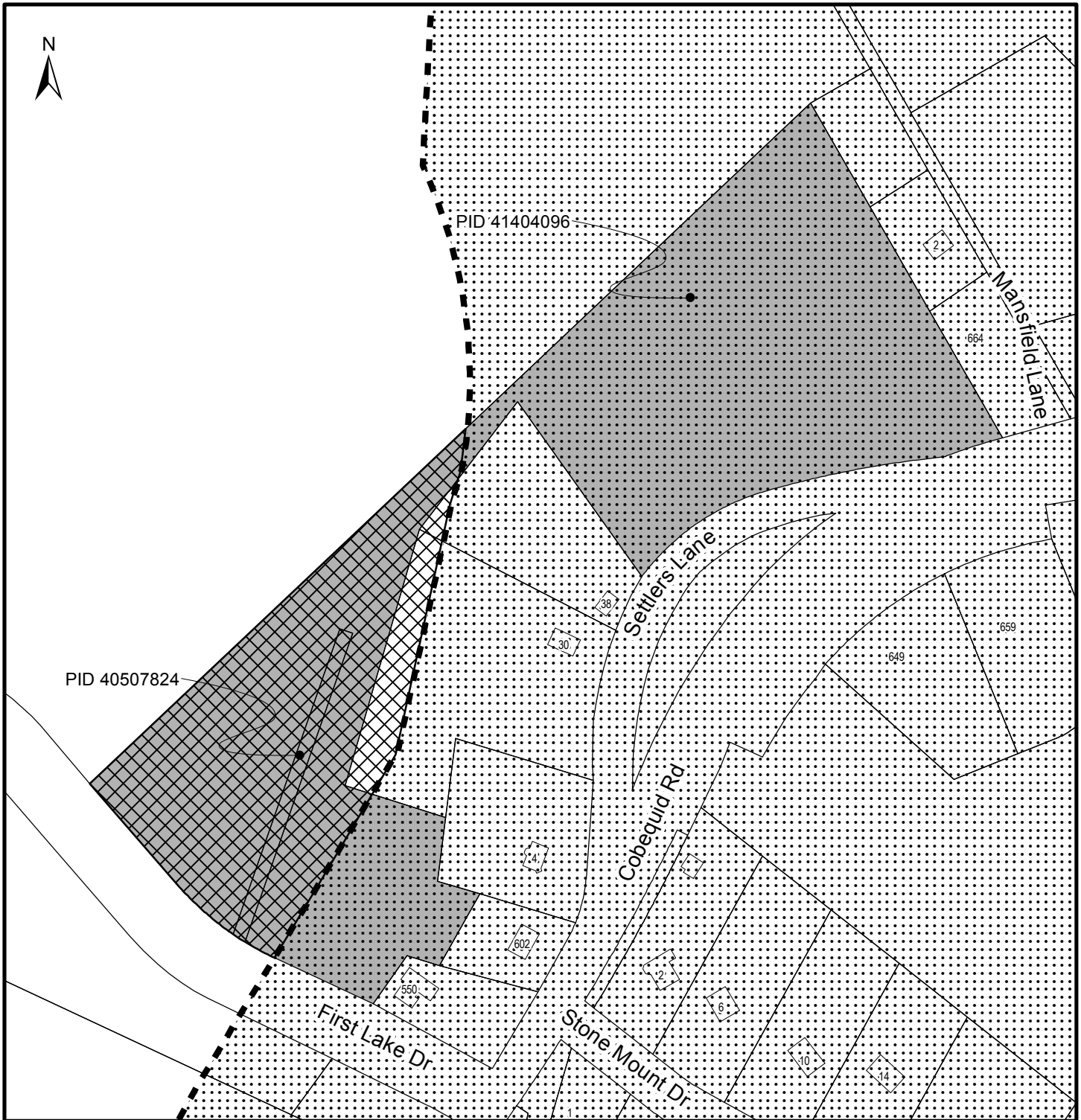
Zone

- R-1 Single Unit Dwelling Zone
- R-6 Rural Residential Zone
- C-2 Community Commercial
- P-2 Community Facility
- RPK Regional Park Zone



This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.




The accuracy of any representation on this plan is not guaranteed.

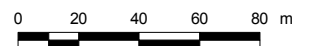


Map 4 - Municipal Water Service Area

PIDs 41404096 & 40507824
Lower Sackville

HALIFAX

-  Subject Lands
-  Municipal Water Service Area
-  Proposed Municipal Water Service Area Extension



Sackville Plan Area

The accuracy of any representation on this plan is not guaranteed.

**Attachment A:
Proposed Amendments to the Halifax Regional Municipal Planning Strategy**

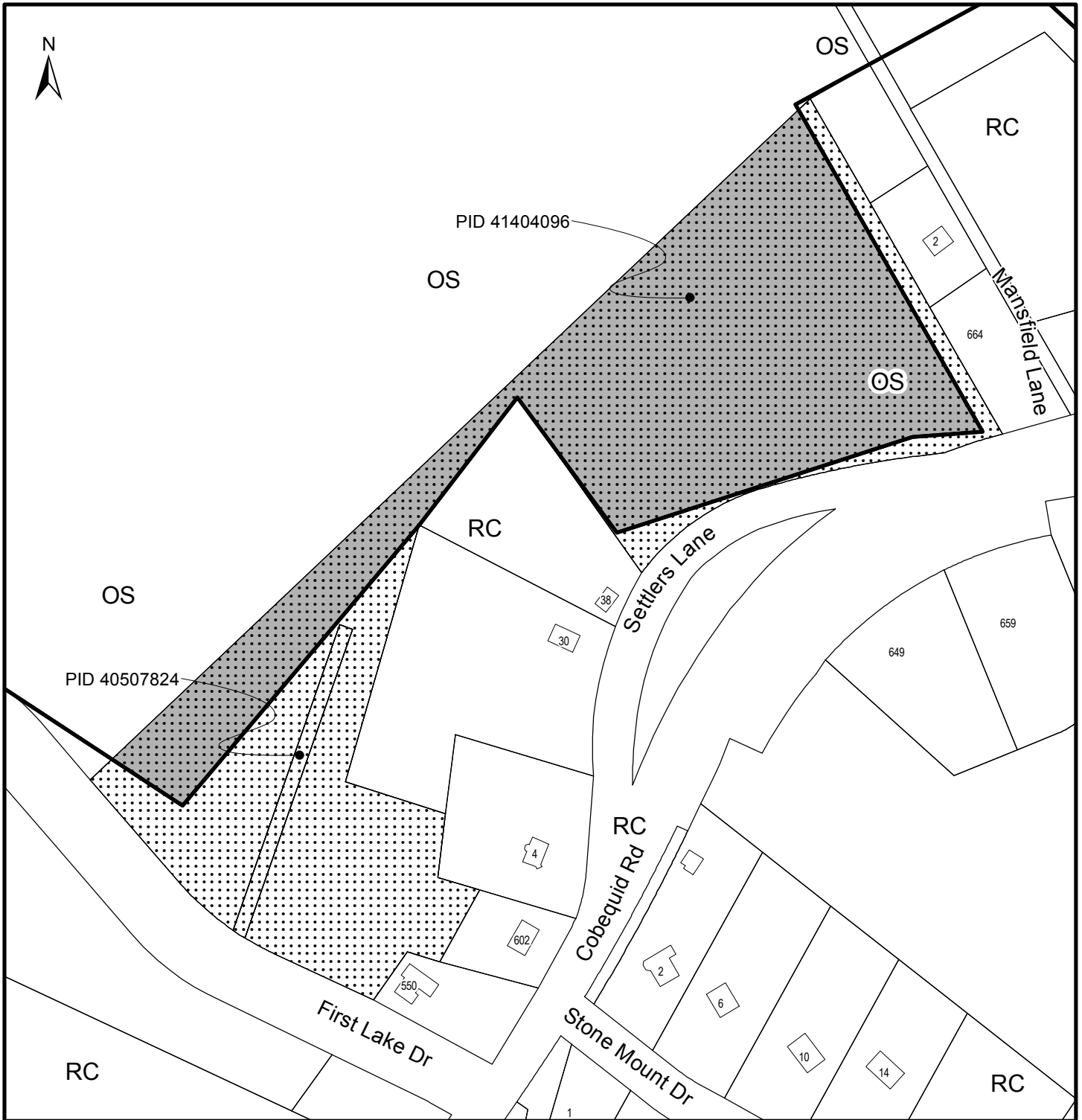
BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Regional Municipal Planning Strategy is hereby amended as follows:

1. Amend Map 2 – Generalized Future Land Use as shown on Schedule A.

I HEREBY CERTIFY that the amendments to the Halifax Regional Municipal Planning Strategy as set out above, were passed by a majority vote of the Halifax Regional Council held on the _____ day of _____, 2018.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this _____ day of _____, 2018.


Kevin Arjoon
Municipal Clerk



Schedule A

PIDs 41404096 & 40507824
Lower Sackville

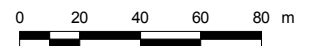
HALIFAX

 Subject Lands

 Area to be Re-designated from OS (Open Space and Natural Resource) to RC (Rural Commuter)

Designation

RC Rural Commuter
OS Open Space and Natural Resource



This map is an unofficial reproduction of a portion of the Regional Plan Generalized Future Land Use Map.

The accuracy of any representation on this plan is not guaranteed.

Regional Plan

**Attachment B:
Proposed Amendments to the Sackville Land Use By-law**

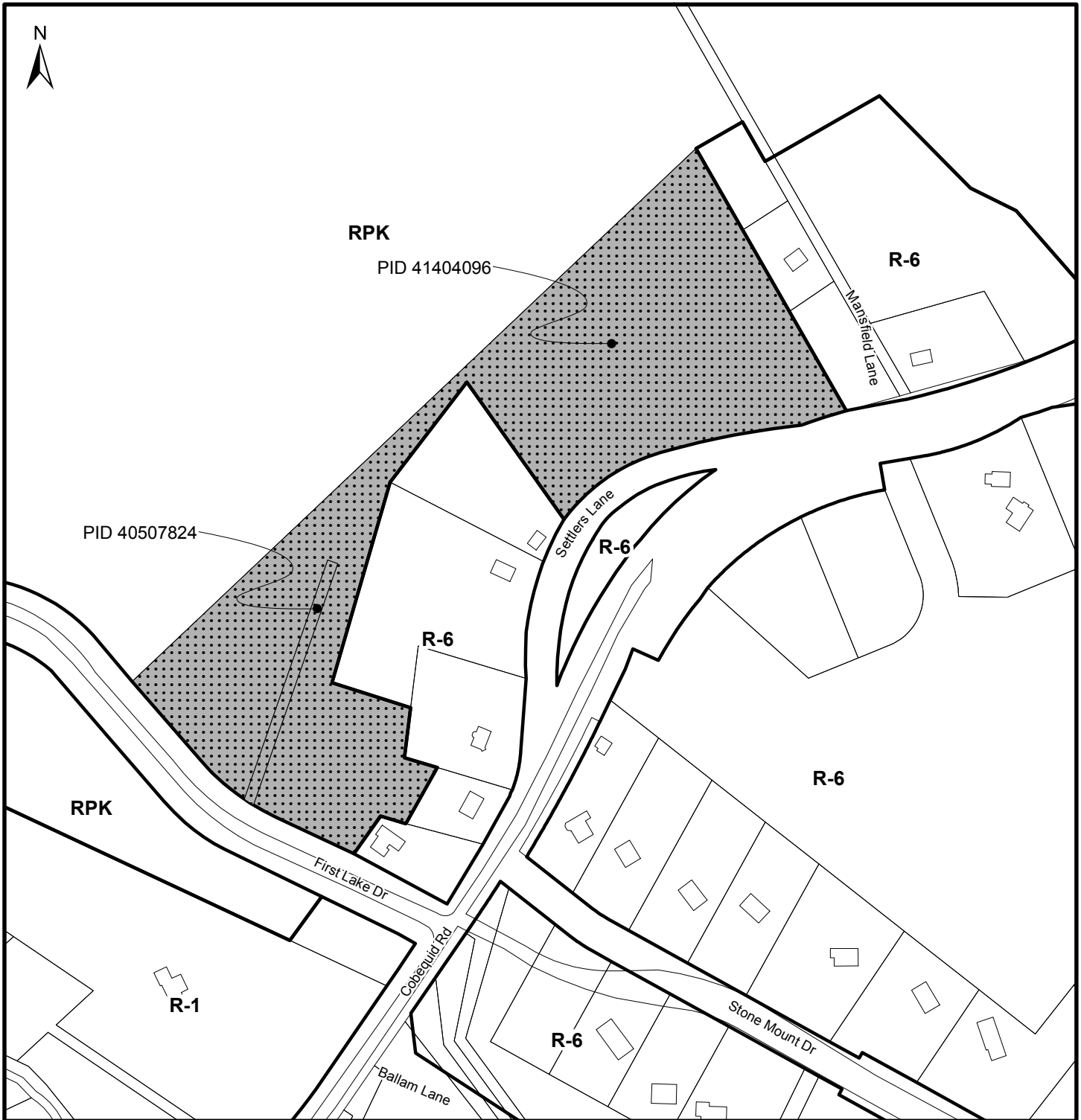
BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Sackville Land Use By-law is hereby amended as follows:

1. Amend Schedule A – Zoning as shown on the attached Schedule A.

I HEREBY CERTIFY that the amendments to the Sackville Land Use By-law as set out above, were passed by a majority vote of the Halifax Regional Council held on the ____ day of _____, 2018.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this ____ day of _____, 2018.


Kevin Arjoon
Municipal Clerk



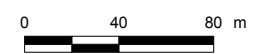
Schedule A

PIDs 41404096 & 40507824
Lower Sackville

HALIFAX

 Area to be Rezoned from
RPK (Regional Park) to R-6 (Rural Residential)

Zone
 R-1 Single Unit Dwelling Zone
 R-6 Rural Residential Zone
 RPK Regional Park Zone



This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.

Sackville Land Use
By-Law Area

Attachment C: Public Meeting Notes



NORTH WEST PLANNING ADVISORY COMMITTEE PUBLIC MEETING MINUTES May 17, 2017

PRESENT: Ann Merritt, Chair
Joshua Levy
Dave Haverstock
Evan MacDonald
Councillor Tim Outhit

REGRETS: Paul Russell, Vice Chair
Ross Evans
Dianna Rievaj
Councillor Lisa Blackburn

LEAVE OF ABSENCE: Brian Murray

OTHERS: Deputy Mayor Steve Craig

STAFF: Tyson Simms, Planner II
Jacqueline Belisle, Planner I
Holly Kent, Planning Technician
Sharon Chase, Legislative Support

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, supporting documents, and information items circulated to North West Planning Advisory Committee are available online: <http://www.halifax.ca/boardscom/NWPAC/170517nwpac-agenda.php>

The meeting was called to order at 7:09 p.m. and adjourned at 7:52 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 7:09 p.m. in the Fenerty Room of the Sackville Public Library, 636 Sackville Drive, Lower Sackville. She described the role of the Planning Advisory Committee in hosting a public meeting and outlined the process for the meeting. Members of the Committee in attendance were also introduced.

2. PUBLIC PARTICIPATION

2.1 Case 20662 – Application by Linda Williams to amend the Regional Municipal Planning Strategy, the Regional Subdivision By-law, and the Sackville Municipal Planning Strategy and Land Use By-law to enable development of PID #41404096 and #40507824 for residential purposes.

Tyson Simms, Planner II, provided a presentation in relation to Case 20662. Simms noted that the purpose of the meeting is a preliminary review of the application to gain public input and stated that no decisions in relation to the application would be made at this time.

Simms shared the site plan and provided background information in relation to the proposal. Zoning changes are being requested to allow for residential development on what is presently zoned as parkland. As well, the owner is asking that the existing water service boundary be extended, allowing it to be eligible for consideration of connection to the water service system. There is also a small parcel/ right-of-way that Simms indicated HRM is investigating official ownership of, though it is believed to be HRM owned. HRM is determining what they may do with this piece, taking into consideration the site's drainage feature. The planning process was reviewed along with the estimated timelines.

The Chair thanked staff for the presentation and reviewed the rules of procedure regarding public meetings and called for speakers to come forward and comment on Case 20662.

Shayn O'Neil, Lower Sackville and Co-chair of the Second Lake Regional Park Association, had no concern with the development. They asked for clarification on lot sizes for R6 rural residential as it pertains to onsite septic. It was also noted that the watercourse on the small parcel needs to be protected as an intermittent stream as it impacts the surrounding area.

Tyson Simms reviewed the specifications for R6: if on central services, 20,000 square feet; serviced with onsite septic 40,000 square feet plus as determined by Nova Scotia Environment. Nova Scotia Environment is presently being consulted on the water course and its designation.

Marilyn Challis, Lower Sackville and member of the Sackville Lakes, Parks and Trails Association, agreed that the drainage ditch needs to be protected; banks, buffers and stream.

Theresa Stretch, Cavalier Drive and member of the Sackville Lakes, Parks and Trails Association, asked for confirmation on the ownership of the small parcel and who would be applying for its re-zoning. They provided staff with two maps which label the stream on this parcel as a watercourse and shared the concern that it be protected as a watercourse. Another concern raised was that public land, especially with a watercourse, not be disposed of for development.

Tyson Simms stated that staff was in the process of confirming ownership and that Council had indicated that this parcel would be re-zoned at the same time. Nova Scotia Environment will help determine the nature of the water feature. If it should be retained HRM would be unlikely to recommend that the property be deemed surplus and sold.

Greg Boyd, Lakeview Road Sackville, noted that the information piece distributed was un-clear and confusing. They commented that HRM should be a co-applicant in this case due to the re-zoning of the small parcel. They asked about R6 guidelines and being eligible for central services, noting that they are in favour of the re-zoning.

Tyson Simms reviewed the distinction between central services and onsite services and their regulation. This site is not eligible for sewer connection.

Donald Dair, Mansfield Lane, asked whether HRM had already decided what would be done with the small right of way parcel. They expressed their concern about how right of ways have been changed in the past in this area.

Tyson Simms stated that Council will determine if the property is deemed surplus and that a formal process would be followed in its sale.

Linda Williams, applicant, described the watercourse as a manmade ditch with poor drainage and some pooling water which is a safety issue for children in the area. They asked staff to review the fees and costs associated with parkland as part of the development for everyone's understanding.

Tyson Simms explained that during subdivision development there is a legislative requirement for a dedication of parkland, which can be in the form of land or a fee for the equivalent value of that land.

The Chair called three times for any other speakers, of which there were none.

Tyson Simms provided his contact information to members of the public should they wish to contact him in relation to the proposal.

Chair Ann Merritt thanked all those in attendance for taking part in the meeting.

3. ADJOURNMENT

The meeting was adjourned at 7:52 p.m.

Sharon Chase
Legislative Assistant

Attachment D
Excerpt from the Sackville Land Use By-law (LUB)

PART 22A: RPK (REGIONAL PARK) ZONE (RC-Jun 25/14;E-Oct 18/14)

RPK USES PERMITTED

22A.1 No development permit shall be issued in any RPK (Regional Park) Zone except for the following:

- Recreation uses
- Conservation uses
- Uses accessory to the foregoing uses

RPK ZONE REQUIREMENTS

22A.2 In any RPK Zone, no development permit shall be issued except in conformity with the following:

- | | |
|---------------------------------|---|
| Minimum Front or Flankage Yard: | 20m |
| Minimum Side or Rear Yard: | 20m |
| Maximum Lot Coverage: | 50% for lots less than 4 ha in area, or
5% for lots 4 ha or more in area |

Attachment E
Excerpt from the Halifax Regional Municipal Planning Strategy (RMPS)

- E-4 Within all designations, HRM shall establish a Regional Park Zone under the land use by-law. This Zone shall generally be applied to all existing Federal Parks, Provincial Parks, Provincial Park reserves, non-designated Provincial Parks and Regional Park lands owned by HRM. This Zone shall permit recreation uses, park uses and other uses as provided by the existing secondary planning strategies for these areas. The Zone shall be applied to future lands acquired by HRM, the Province or the Federal Government for a Regional Park, upon delineation of the park boundaries.
- SU-15 HRM may consider expanding existing Water Service Areas to existing communities, subject to the financial ability of HRM to absorb any costs related to the expansion, if:
- (a) the lands are in proximity to a water transmission main planned or constructed by Halifax Water 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-19; and
 - (d) an area charge needed to pay for growth related improvements to the water, or stormwater services has been approved by the Review Board or Halifax Water has advised that an area charge is not required.

The Enfield and Dutch Settlement communities are not located near an existing Water Service Area owned by Halifax Water. However, both communities are close to a water distribution system that is owned and maintained by the Municipality of East Hants. Some residents of these areas experience poor water quality and quantity and are now on a private water distribution system. To address these concerns and the uniqueness of the situation, HRM and Halifax Water need to work with East Hants to investigate options for providing Enfield and Dutch Settlement with a water distribution system.

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M E M O R A N D U M

TO: Chair and Members of North West Community Council

CC: Tyson Simms, Planner II, Planning & Development

FROM: Ann Merritt, Chair of North West Planning Advisory Committee

DATE: June 9, 2017

SUBJECT: **Case 20662: Application by Linda Williams to amend the Regional Municipal Planning Strategy, the Regional Subdivision By-law, and the Sackville Municipal Planning Strategy and Land Use By-law to enable development of PID #41404096 and #40507824 for residential purposes**

The North West Planning Advisory Committee received a staff memorandum dated May 25, 2017 and heard a staff presentation on Case 20662 at their June 7, 2017 meeting. The following recommendation was approved:

That the North West Planning Advisory Committee has reviewed the Application by Linda Williams to amend the Regional Municipal Planning Strategy, the Regional Subdivision By-law, and the Sackville Municipal Planning Strategy and Land Use By-law to enable development of PID #41404096 and #40507824 for residential purposes and recommends approval with no conditions or considerations.

This recommendation has been provided to HRM planning staff for review and consideration, and will be addressed in their staff report to the North West Community Council.