

HARBOUR EAST-MARINE DRIVE COMMUNITY COUNCIL
MINUTES

April 18, 2013

PRESENT: Councillor Darren Fisher, Chair
Councillor David Hendsbee, Vice Chair
Councillor Bill Karsten
Councillor Lorelei Nicoll
Councillor Gloria McCluskey

STAFF: Ms. Roxanne MacLaurin, Solicitor
Ms. Jennifer Weagle, Legislative Assistant

TABLE OF CONTENTS

1.	CALL TO ORDER.....	3
2.	APPROVAL OF MINUTES – None.....	3
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS.....	3
4.	BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET	3
5.	MOTIONS OF RECONSIDERATION/RECISSION – NONE	3
6.	CONSIDERATION OF DEFERRED BUSINESS – NONE.....	3
7.	HEARINGS.....	3
	7.1 Public Hearings - NONE	3
	7.2 Variance Appeal Hearings - NONE.....	3
8.	CORRESPONDENCE, PETITIONS & PRESENTATIONS	3
	8.1 Correspondence - NONE.....	3
	8.2 Petitions - NONE	3
	8.3 Presentations - NONE	3
9.	REPORTS	3
	9.1 Staff Reports.....	3
	9.1.1 Case 17463 – Open Space Design Development Agreement – Seven Lakes	3
	9.2 Boards & Committees.....	4
	9.2.1 Lake Echo Watershed Servicing Study	4
10.	MOTIONS - None.....	7
12.	ADDED ITEMS – None	7
13.	NOTICES OF MOTION - None.....	7
14.	PUBLIC PARTICIPATION	7
11.	IN CAMERA.....	8
	11.1 Personnel Matter	8
	11.1.1 Citizen Appointments to Boards and Committees	8
15.	NEXT MEETING DATE – Thursday, May 2, 2013.....	9
16.	ADJOURNMENT	9

1. CALL TO ORDER

The Chair called the meeting to order at 7:03 p.m. at the Lake Echo Community Centre, 3168 Highway #7, Lake Echo, with the Invocation led by Councillor Karsten.

2. APPROVAL OF MINUTES – None

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

MOVED by Councillor McCluskey, seconded by Councillor Karsten, that the order of business be approved, as presented. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET

5. MOTIONS OF RECONSIDERATION/RECISSION – NONE

6. CONSIDERATION OF DEFERRED BUSINESS – NONE

7. HEARINGS

7.1 Public Hearings - NONE

7.2 Variance Appeal Hearings - NONE

8. CORRESPONDENCE, PETITIONS & PRESENTATIONS

8.1 Correspondence - NONE

8.2 Petitions - NONE

8.3 Presentations - NONE

9. REPORTS

9.1 Staff Reports

9.1.1 Case 17463 – Open Space Design Development Agreement – Seven Lakes

The following information was before Community Council:

- A staff report dated April 3, 2013.
- A report from the Halifax Watershed Advisory Board dated April 10, 2013.
- A submission from Mr. Tom O'Malley dated April 17, 2013 (circulated).

Mr. Darrell Joudrey, Planner, provided a brief overview of the application.

MOVED by Councillor Hendsbee, seconded by Councillor Karsten, that Harbour East-Marine Drive Community Council give Notice of Motion to consider the development agreement contained in Attachment A of the April 3, 2013 staff report, to allow for a Classic Open Space Design development on the lands between Alps Road and Conrod Settlement Road, Porters Lake, as shown on Map 1 of the report, and schedule a public hearing. MOTION PUT AND PASSED.

At the request of members, the Legislative Assistant advised that the public hearing would be scheduled for Thursday, May 16, 2013. Councillor Hendsbee requested that the public hearing be held at the Porters Lake Elementary School if possible. Confirmed details will be posted to the Harbour East-Marine Drive Community Council website.

9.2 Boards & Committees

9.2.1 Lake Echo Watershed Servicing Study

A report from the Halifax Watershed Advisory Board dated March 12, 2013, with attached January 23, 2013 staff report was before Community Council.

A copy of the Lake Echo Watershed Servicing Study Final Report dated November 20, 2012 was before Community Council.

Ms. Maureen Ryan, HRM Senior Planner, introduced Mike Delay and Gordon Smith, consultants with CBCL Limited that prepared the report. She advised that the study has been concluded and the consultants are here to share its findings. Ms. Ryan advised that this presentation was previously made to the Halifax Watershed Advisory Board.

Mr. Mike Delay, CBCL Limited, presented the study, reviewing the following:

- Introduction of project and team
- Purpose of the study
- Lake Echo study area
- Focus of the presentation
- “No Go” areas that should be preserved
- Capacity of receiving environments
- Groundwater availability and quality
- Lake water quality and assimilative capacity
- Water use objectives
- Water quality objectives
- Measured water quality 2010
- Measured water quality parameters HRM’s 2007 to 2011 sampling program
- Existing status of Lake Echo
- Existing water quality
- Assimilative capacity

- Factors affecting existing water quality
- Potential sources of phosphorous
- Onsite wastewater treatment
- Where do we go from here?
- What to do in existing development

Mr. Gordon Smith, CBCL Limited, discussed potential future development of the area, reviewing with Community Council ranges of population and units and projected population and unit growth between the span of years from 2010 to 2030.

Mr. Mike Delay, CBCL Limited, continued with his presentation, reviewing:

- Typical on-site services
- Where should future development be located?
- Assessment of potential Impacts from proposed development Case 01278 - MPS/LUB Amendments to permit Mobile Home Park by development agreement, Lake Echo.

A copy of the CBCL presentation is on file and available on the Harbour East-Marine Drive Community Council website.

At the request of Community Council, Mr. Delay reviewed the definitions for the various “trophic” states.

At the request of Councillor Hendsbee, Mr. Delay spoke to the various contributing factors of phosphorus levels, other than the sewage treatment plant at the mobile home park, such as on-site systems on small properties or properties with soils not suitable for the systems.

At the request of Councillor Hendsbee, Mr. Delay commented on responsible wastewater treatment, suggesting that a wastewater management district is a good approach, where the responsibility for on-site wastewater treatment systems would not be left to individual owners, but transferred to a responsible entity. A fee would be charged for by the entity, for monitoring and pumping the wastewater systems.

Responding to inquiries from Councillor Hendsbee with regard to storm water runoff, Mr. Delay discussed the use of wetland type vegetation in roadside ditches to act as a buffer.

Responding to a further inquiry from Councillor Hendsbee with regard to next steps, Ms. Maureen Ryan, HRM Senior Planner, advised that the acceptance of the study by HEMDCC will allow the study to be used for future community planning. She advised that it is staffs’ intention to bring forward a broad number of issues from this and another watershed study to the Environment & Sustainability Standing Committee in the future.

At the request of Councillor Karsten, Mr. Delay discussed acidic slate treatment practices.

Responding to questions from Councillor McCluskey with regard to on-site wastewater treatment systems, Mr. Delay spoke of soil and spacing requirements for systems. Mr. Delay also commented at the request of Councillor McCluskey with regard to pH levels.

At the request of Councillor Hendsbee, Ms. Ryan and Ms. Thea Langille, Supervisor, Planning Applications, discussed the current moratorium restricting development in un-serviced areas of HRM. The purpose of the moratorium was to give HRM a chance to update its regional planning strategies, and can only be lifted by the Minister for Service Nova Scotia and Municipal Relations.

At the request of Community Council, staff process that would have to be undertaken for various plan amendments suggested in the study.

MOVED by Councillor Hendsbee, seconded by Councillor Nicoll, that Harbour-East Marine Drive Community Council:

- 1. Accept the Lake Echo Servicing Study as background for future community planning;**
- 2. Proceed cautiously with development to avoid further degradation of Lake Echo;**
- 3. Forward this report to Nova Scotia's Department of the Environment and Clean Nova Scotia in the event that there are programs or in initiatives to support the aims and objectives of the report; and**
- 4. Recommend to Regional Council that it reinstate, in the upcoming budget, the Lakes Water Quality Sampling Program in order to facilitate efforts to protect the water resources of the municipality.**

Councillor Karsten noted that he does not support the fourth recommendation because the final draft budget will be coming to Regional Council next week and funding for the Lakes Water Quality Sampling Program has not been included in this upcoming budget.

Ms. Thea Langille, Supervisor, Planning Applications, clarified at the request of Community Council that when it comes to considering development agreements, HRM does not have the policy criteria in place to require water quality testing.

At the request of Community Council, Mr. Cameron Deacoff, HRM Energy & Environment, clarified that it is his understanding that the HWAB recommendation to reinstate the water quality sampling program relates to testing for the long term health of lakes, and is separate from the water quality testing that takes place at HRM supervised beaches.

MOVED by Councillor Hendsbee, seconded by Councillor Karsten, that recommendation #4 be amended to read:

4. **Recommend that Regional Council explore the reinstatement of the Lakes Water Quality Sampling Program in order to facilitate efforts to protect the water resources of the municipality.**

AMENDMENT PUT AND PASSED.

The amended motion was voted on at this time, as follows:

MOVED by Councillor Hendsbee, seconded by Councillor Nicoll, that Harbour-East Marine Drive Community Council:

1. **Accept the Lake Echo Servicing Study as background for future community planning;**
2. **Proceed cautiously with development to avoid further degradation of Lake Echo;**
3. **Forward this report to Nova Scotia's Department of the Environment and Clean Nova Scotia in the event that there are programs or in initiatives to support the aims and objectives of the report; and**
4. **Recommend that Regional Council explore the reinstatement of the Lakes Water Quality Sampling Program in order to facilitate efforts to protect the water resources of the municipality.**

AMENDED MOTION PUT AND PASSED.

10. MOTIONS - None

11. IN CAMERA

11.1 Personnel Matter

11.1.1 Citizen Appointments to Boards and Committees

Community Council agreed to move the In Camera session to follow public participation.

12. ADDED ITEMS – None

13. NOTICES OF MOTION - None

14. PUBLIC PARTICIPATION

Mr. Dan Reagan, Lake Echo, suggested that this meeting was not properly identified or advertised. He thanked CBCL for the detailed report, noting that he has a problem with how it was presented to community council, suggesting that some information was lost in translation between the preparation of the study, the presentation of the study to HWAB, and their recommendations to HEMDCC. Mr. Reagan advised that his understanding of the study findings is that Lake Echo has no assimilative capacity for additional development. He does not understand how the HWAB recommendation to “proceed cautiously with development” comes close to highlighting the seriousness of the situation in the Lake Echo. Mr. Reagan noted that the HWAB has since been dissolved by Regional Council, and a Regional Watershed Advisory Board is being formed. He suggested that Community Council reject the HWAB recommendations and refer this matter to the new Regional Watershed Advisory Board for consideration. He also suggested that Community Council declare a moratorium on development in the Lake Echo Watershed Area until it has been demonstrated that pollution levels have been substantially reduced and the lake’s health has been restored. Mr. Reagan submitted his speaking notes for the record, which are on file.

An unidentified male, commented that water is like air and should be available for all. He noted that the study seems to be centred into one location, while the watershed comes from everywhere. The gentleman indicated that he lives on Martin Lake and can regularly hear chainsaws cutting down the forest, which he believes changes the biology of the area in many ways, including allowing more storm water run-off. He suggested that there is room for development in Lake Echo, but it should be a Lake Echo type development. He asked that Community Council think about it seriously to avoid any development that may worsen the water quality.

Mr. Duncan Cann, advised that he is involved along with Mr. Paul Norwood, with the retirement village development being proposed, which was referenced during the presentation of the study. He suggested that Lake Echo has not seen much development for a long time. Mr. Cann indicated that he and Mr. Norwood are concerned about the effects of development on the lakes, and have undertaken lots of studies completed by experts over last 5 years. They feel that any development that takes place has to be responsible development, and plans have evolved to make it work for the community. Mr. Cann indicated that the area requires places for people to live and for aging people to live on the Eastern Shore. He noted that growth helps keep important community facilities and businesses going.

Ms. Cathy Bray, Lake Echo, noted that she heard that levels of e-coli are very high in the pond, and that must have a huge effect on the lake.

11. IN CAMERA

11.1 Personnel Matter

11.1.1 Citizen Appointments to Boards and Committees

Community Council recessed at 8:55 p.m. to move In Camera.

The regular meeting reconvened at 9:03 p.m.

MOVED McCluskey, seconded by Councillor Karsten, that that Harbour East-Marine Drive Community Council:

1. **Proceed to fill the vacancy for a Harbour East Community Council Citizen Representative on the Regional Watersheds Advisory Board as per the in camera recommendation of April 18, 2013; and**
2. **Release the name of the successful representative to the public after that representative has been notified.**

MOTION PUT AND PASSED.

15. NEXT MEETING DATE – Thursday, May 2, 2013

The next Harbour East-Marine Drive Community Council meeting is scheduled for Thursday, May 2, 2013 at 6:00 p.m., Dartmouth Chamber, 90 Alderney Drive, Dartmouth.

16. ADJOURNMENT

The meeting was adjourned at 9:05 p.m.

Jennifer Weagle
Legislative Assistant