

# **HALIFAX REGIONAL MUNICIPALITY**

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## **DARTMOUTH LAKES ADVISORY BOARD MINUTES SEPTEMBER 24, 2003**

**PRESENT:** Ms. Audrey Manzer, Chairman  
Mr. Robert Bell  
Ms. Stephanie Bird  
Mr. Pierre Clement  
Councillor Ron Cooper  
Dr. K. Hellenbrand  
Ms. Christine Hoehne  
Dr. Hugh Millward  
Mr. John Osborne

**REGRETS:** Ms. Catherine Lunn (regrets)  
Dr. Ron Beazley  
Dr. Don Gordon  
Dr. Paul Hines

**STAFF:** Mr. Mitch Dickey, Planner  
Mr. John MacPherson, Planner  
Ms. Maria Jacobs, Planner  
Ms. Sherryll Murphy, Legislative Assistant

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**1. CALL TO ORDER**

The meeting was called to order at 5:25 p.m. at Findlay Community Centre, Dartmouth.

**2. APPROVAL OF MINUTES**

**MOVED by Mr. Bell, seconded by Dr. Hellenbrand that the June 25, 2003 minutes, as distributed, be adopted. MOTION PUT AND PASSED.**

Ms. Manzer advised, with regret, that Lynne LeBoutillier has taken a position with the HRM Pension Committee. She commented that this Committee enjoyed a very good relationship with Lynne over the years.

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

The Committee agreed that item 4.7 be moved forward on the agenda to be dealt with immediately following the approval of the agenda.

At the request of Dr. Millward, the Committee agreed to add as New Business the following items:

- 5.1 Public vs Private Lake Buffers
- 5.2 Exposed Land at Portland Hills

**MOVED by Dr. Millward, seconded by Mr. Clement that the agenda, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

**4. BUSINESS ARISING OUT OF THE MINUTES**

**4.7 Paddler's Cove - Lab Results of Lake Monitoring**

- It was agreed that this matter be dealt with at this time during the setting of the agenda.
- Correspondence dated September 23, 2003 from Susan Belford, Senior Aquatic Ecologist, with Jacques, Whitford and Associates Limited, was before the Committee for consideration.

Mr. Mitch Dickey, referring to the September 23, 2003 letter, noted that the Paddler's Cove condominium re-development has been before the Board on three occasions. During May and June an agreement to do baseline water quality monitoring was made. Jacques Whitford

and Associates Limited was contracted to carry out that monitoring. The letter before the Committee represents the findings of that monitoring.

Ms. Sue Belford, Jacques Whitford and Associates, addressed the Committee and briefly reviewed the September 23, 2003 letter. In her introductory remarks, Ms. Belford noted that the water chemistry of the lake reflects the fact that Banook Lake is an urbanized lake. She went on to explain in greater detail the chemistry of the water. This information is contained in the September 23, 2003 letter which is on file.

In response to a question from Dr. Millward as to why there were only two samples described in the September 23, 2003 letter when four stations existed, Ms. Belford noted that the sampling program had been modified. Mr. Dickey went on to further explain that the concern was that four stations were excessive and that the testing would be too far afield from the development.

Ms. Belford responded to a variety of questions from members of the Committee. Providing additional information regarding the monitoring program, Ms. Belford advised that a second sample will be taken in three months time. During the spring turnover there will be three consecutive monthly samples taken, followed by a final sample three months later.

The Chair indicated that the information provided will be retained on file in order that the Committee can be kept up to date on the status of the water quality.

Mr. Dickey, referring to the retaining wall at Paddler's Cove, noted that it had been proposed that the wall would be left and allowed to deteriorate naturally. However, the wall is in imminent danger of falling in the lake and, in some cases, large chunks have already fallen in the lake. Mr. Dickey went on to advise the developer is suggesting that it might be best to pull out the wall in large chunks where it is loose or falling in and that staff concurs with this position.

The Chair commented that remediation of those areas should be accomplished quickly.

Mr. Dickey indicated that rehabilitation of these wall areas would be carried out during construction.

Mr. Greg Zwicker, on behalf of the developer, clarified that the proposal is to lift the cement cap off the wall and leave the remaining rocks to fall into the lake and back to natural shoreline.

After a further brief discussion, the Chair noted that no major objection to the removal of the cap had been expressed.

Mr. Dickey noted that once construction begins staff will be monitoring on an ongoing basis.

With reference to the larger pieces which have fallen off and are sticking out of the water, the Board agreed that this was both a safety and aesthetic issue.

Note was made that the developer should advise the Board when these materials are being removed from the water.

Mr. Dickey went on to provide a brief update on Paddlers Cove noting that the Land Use issues, for the most part, have been resolved. He noted that staff has received a draft wind study which will be brought to the Committee next month.

Ms. Manzer referred to the development of a single family dwelling in the area of the Paddlers Cove Building. She noted that there is quite a drop from the property to the lake. Ms. Manzer indicated that the treatment of the drop allows earth to be open to the lake on the lower level, a rock wall in the mid section, and open earth again on the upper level.

Mr. Dickey commented that he was of the understanding that even a single family dwelling being developed on a lake in Dartmouth was to come before this Board.

Ms. Manzer noted that prior to amalgamation there was a set of guidelines to be followed which was provided to anyone developing on the lake.

Mr. Dickey noted that staff is monitoring erosion control, however, he went on to apologize that the matter had not come before the Board as was the intent. He advised that staff would ensure that all developments come to the Board in future.

#### **4.3 Evergreen Village, Portland Street - Amendment to Development Agreement as a result of Public Hearing July 10, 2003**

Maria Jacobs, Planner, reported that the amendment to the Development Agreement was approved. All work is on schedule with the environmental bonding and controls in place. In two weeks the slope will be hydroseeded.

#### **4.1 Erosion and Sedimentation Control Handbook for Construction Sites - Draft Correspondence (Chair)**

The Chair indicated that she has not had an opportunity to address this matter. Her intent is to discuss with the staff of the Provincial Department of Environment and Labour the possibility of reviewing the Erosion and Sedimentation Control Handbook for Construction Sites. Ms. Manzer indicated that she would contact the Department and report back to the Committee in this regard eventually.

#### **4.2 Water Resource Management Study Response**

Ms. Manzer advised that she had both a CD and hard copy of the Water Resource Management Study response should anyone wish to review the response.

In response to an inquiry from Ms. Manzer regarding the status of the response at the Council level, Councillor Cooper advised that the matter had been discussed at the Committee of the Whole Council held on Tuesday, September 23, 2003 and additional sessions will be held to consider the response.

**4.3 Evergreen Village, Portland Street - Amendment to Development Agreement as a result of Public Hearing July 10, 2003**

This matter was dealt with earlier in the meeting.

**4.4 Water Level Little Albro Lake - Update Dr. Gordon**

The Chair noted that Dr. Gordon had forwarded her an e-mail in June in response to a concern expressed by Councillor Smith regarding the water level in Little Albro Lake.

Reading from the e-mail, the Chair advised that Dr. Gordon had visited the site on June 3, 2003 and had observed that the lake was on the high side, but normal for the time of year. Dr. Gordon did not recommend any further action in this regard.

**4.5 Baseline Water Testing Results - Lake Banook**

This matter was dealt with under item 4.7, Paddler's Cove - Lab Results of Lake Monitoring

**4.6 Highway 111 Plans (CBCL)**

Councillor Cooper advised that First Reading relative to the cost sharing regarding Mic Mac Boulevard improvements had been approved at last evening's Council. A public hearing regarding this matter will be held later this fall.

**4.7 Paddler's Cove - Lab Results of Lake Monitoring**

This matter was dealt with earlier in the meeting.

**4.8 Japanese Knotweed**

The Chair read from notes dated July 11, 2003 a copy of which are on file. Staff has contacted Clean Nova Scotia seeking information on effective and safe ways to deal with Japanese Knotweed.

The Chair noted that she is a member of the Board of Directors for Clean Nova Scotia and would follow up in this regard.

Dr. Millward provided additional details regarding Japanese Knotweed and noted that a thesis has been produced with regard to the species should the Board wish to have additional information. The Board agreed that Dr. Millward should provide a copy of the this information.

## **5. NEW BUSINESS**

### **5.1 Public vs Private Lake Buffers - (Dr. Millward)**

- This matter was added to the agenda during the setting of the agenda.

Dr. Millward, referring to buffer zones along lakes, noted that the Water Resource Management Study recommended and this Board also recommended, that wherever possible these buffer zones be in public ownership as opposed to private ownership. Dr. Millward advised that a meeting will be held with reference to a Comprehensive Development Agreement for Russell Lake. One of the issues to be discussed is that the developer wants most of the shore to be private buffer.

Dr. Millward sought direction from the Board regarding the position they would like taken in regard to this matter. The Board agreed that Dr. Millward should advocate public ownership in keeping with the position of the Board.

### **5.2 Exposed Land at Portland Hills**

- This matter was added to the agenda during the setting of the agenda.

Dr. Millward reported that the Comprehensive Development Agreement for Portland Hills was recently amended to allow the development to fast track the other portion of the development. He went on to note that the development is rapidly moving forward and there are at the present time literally acres of exposed clay. Dr. Millward expressed concern that the rains would be coming in the near future and a situation would arise as a result.

Mr. Dickey indicated that he would be following up with the appropriate staff in this regard.

### **5.3 Speed Limit on Mic Mac Lake**

Dr. Hellenbrand expressed concern with the 90 kilometer/hour speed approved for Mic Mac Lake. Dr. Hellenbrand noted that he understood this speed was necessary for water skiing

A brief discussion ensued with Councillor Cooper noting that Council has passed the By-law and given a clear indication that the speed limit was to be enforced on the lake.

Ms. Hoehne commented that enforcement was almost impossible given the available resource.

Mr. Dickey noted that this was a first step toward improving the situation. He went on to indicate that there would be new signage at the boat launches and noted that the federal statutes did carry significant fines.

## **6. CHAIRMAN'S REPORT**

The Chair noted that she had two copies of the National Roundtable on the Environment and Economy Review for distribution.

Ms. Manzer referred to e-mail from Scot Modsley, MD which she had received. Dr. Millward, providing an explanation, advised that Dr. Modsley considers his lot to be a lakefront lot . However, the lot is not a lakefront lot as there is a 100 foot buffer of city owned park land which existed before the houses were built. Dr. Millward went on to advise that the homeowners in this area have been attempting to purchase the land without success.

## **7. STAFF UPDATE**

The Chair recognized John MacPherson who would acting as back up to Kurt Pyle.

Mr. MacPherson referred to the recommendation approved by Harbour East Community Council relative to the implementation of improved environmental protection requirements in the Harbour East Communities and noted that a report would be coming to the Board at its next meeting regarding the details of the proposed public consultation process.

The Chair referred to the need to address a very apparent deficit and thanked staff for guiding the Board through the process.

In response to a question from the Board, staff advised that an application has been received relative to Baptist Church on Woodland Avenue and Lancaster Street. Work is being undertaken relative to the concept and at this point there is not sufficient detail to bring it to the Board. It is possible, however, that the report will come before the Board by the end of October.



**8. DATE OF NEXT MEETING**

The next meeting will be held on Wednesday, October 29, 2003.

**9. ADJOURNMENT**

There being no further business, the meeting adjourned at 6:40 p.m.

Sherryl Murphy  
Legislative Assistant