

HALIFAX REGIONAL MUNICIPALITY

DARTMOUTH LAKES ADVISORY BOARD MINUTES September 28, 2005

- PRESENT: Ms. Audrey Manzer, Chair
Councillor Gloria McCluskey
Dr. Don Gordon
Mr. Peter Connor
Dr. Hugh Millward
Mr. Pierre Clement
Ms. Christine Hoehne
- ABSENT: Ms. Catherine Lunn, Vice Chair (regrets)
Dr. Klaus Hellenbrand (regrets)
Dr. Mark Trevorrow (regrets)
Ms. Stephanie Bird
Dr. Ron Beazley
- STAFF: Mr. John MacPherson, Planner, Planning & Development Services
Mr. Shayne Vipond, Planner, Planning & Development Services
Mr. Tony Blouin, Staff Manager, Environmental Performance (Water),
Environmental Management Services
Mr. Jim Naugler, Coordinator, Client Services, Real Property & Asset
Management
Ms. Julia Horncastle, Legislative Assistant
Ms. Jennifer Weagle, Legislative Assistant

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1. CALL TO ORDER

The meeting was called to order at 5:20 p.m.

2. APPROVAL OF MINUTES

It was requested that pages 5 and 6 of the minutes of June 29, 2005 be amended to reflect the correct spelling of Mr. Louis Louin.

MOVED by Councillor McCluskey, seconded by Ms. Christine Hoehne that the minutes of the June 29, 2005 meeting of the Dartmouth Lakes Advisory Board, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions:

8.1 Baker Drive Entrance to Portland Lakes Trail - Dr. Hugh Millward

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

4. BUSINESS ARISING OUT OF THE MINUTES

Mr. John MacPherson addressed the Board regarding the status of the Bell Lake clearing. Mr. MacPherson advised that this matter is under legal prosecution by HRM and he has spoken with Peter Bigelow, Manager, Real Property Planning, Jan Skora, Coordinator, Real Property Planning, and John Simmons, Supervisor, Urban Forestry, RPAM, regarding this matter. Mr. MacPherson informed the Board that he was advised the trees that were removed will be replaced next spring, however, he is not at liberty to discuss the matter further while it is under legal prosecution.

5. NEW BUSINESS

5.1 Case No. 00783 - Application by Terrain Group for Rezoning from C4 to R1 to Permit a Single Detached Dwelling - 30 Montague Road

- A memorandum dated September 16, 2005 from Shayne Vipond, Planner, Planning and Development Services, including a Concept Plan and Silt Fencing Detail (Erosion and Sedimentation), was before the Board.

Mr. Vipond addressed the Board and introduced Mr. Nick Price of Terrain Group, presenting on behalf of the property owner, Mr. Stan Dupuis, who was also in attendance. Mr. Vipond advised that the application is to rezone the property, which fronts Loon Lake, from C4 (highway commercial) to R1 (single unit dwelling).

Mr. Price addressed the Board regarding the potential impacts of the construction on Loon Lake and the property owner's attempts to minimize said impacts. Mr. Price discussed the details of the set back from the lake and the silt fence. There are on-site services on the property to connect with municipal services. There is future potential to amalgamate the property with the neighbouring lot, owned by Helmond Holdings Limited, which is also zoned as C4.

Dr. Hugh Millward inquired as to whether any earth would be removed or added to the property (cut and fill). Mr. Price advised that there will be very little cut and fill involved as the property has a rock base to begin with. Details have not been finalized regarding any earth being removed, however, there will be some fill required to build up the front of the property and the rest will most likely be stored on the Helmond property. Mr. Price advised that sediment controls are in place. The property is currently landscaped with grass completely.

Dr. Don Gordon requested that Mr. Price summarize the existing cover of vegetation and how much will be removed. Mr. Price advised that there are only a few trees along the front of the lake and they will be retained, along with the existing trees in the front of the property. Some trees will be removed for the driveway, in order to respect the setback. Mr. Price advised that the retaining wall is not yet in place and the house will be constructed on a slab as opposed to a basement.

Mr. Pierre Clement commented on the open culvert depicted on the Concept Plan. Mr. Price clarified that the open culvert was installed by HRM when storm water pipes were being installed through the area. Drainage from the house and driveway will not be directed through this culvert. Mr. Price also indicated that the culvert needs work. Mr. MacPherson advised that the culvert is being addressed through Planning and Development Services.

Responding to questions regarding a contingency plan for runoff while there is open earth on the property, Mr. Vipond responded that HRM staff would consider the criteria that are provided in the Cole Harbour/Westphal Municipal Planning Strategy. One of the criteria speaks to erosion, sediment control, steepness of slopes, and regarding this, the property owner will have to satisfy staff that the project meets the said criteria. There is an agreement with Planning and Development Services that once the permit is approved by Council, the Development Officer would bring the proposal back to the Board.

The Chair thanked Mr. Price, Mr. Vipond and Mr. Dupuis for bringing this development before the Board.

5.2 HRM Water Quality Program - Request for Comment (Tony Blouin)

It was agreed that this matter would be discussed later in the meeting.

5.3 Update re Dartmouth Crossing & 118 Interchange Construction

Mr. Brian White and Mr. Mark Van Zeumeren, both of Environmental Design & Management Limited (EDM) and Ms. Janice Harland, Department of Transportation and Public Works (TPW), appeared before the Board to provide an update on this matter.

Mr. White and Mr. Van Zeumeren provided an overview of the issues at the Dartmouth Crossing, during which the following comments were made:

- ! A new interchange is being constructed involving Highway 118 and Highway 111.
- ! Water does drain into Lake MicMac, creating siltation problems.
- ! There is a siltation protection program in place with Nova Scotia Environment and Labour.
- ! Surface water drains into three temporary holding ponds that were installed.
- ! One of the three holding ponds, that was a previously existing pond, which was further built upon, developed a leak during the remnants of Hurricane Ophelia. The pre-existing pond was constructed using cobble stone deep into the bottom of the pond, through which the water leaked. A clay liner was installed in the pond.
- ! The leak was plugged and two silt booms were placed in the lake, however, some silt escaped outside the booms. An intercept trench was dug on the down slope side of the dam. Water is continually pumped back into the dam.
- ! This was the second event on this site.

The Chair advised she had taken a tour of the site to view the rehabilitation and preventative measures taken by EDM. Mr. White extended an invitation to any Board members wishing to tour the site to contact him or the Chair .

Mr. Clement inquired whether calculations were available on how much silt entered the Lake. Mr. Van Zeumeren advised that the concentration of silt is available, but not the quantity. EDM were on site the same day the leak occurred to remedy the problem, so silt quantities should be minimal. Mr. Clement further inquired if there was a strategy for flocculation in the lake. Mr. Van Zeumeren advised that flocculating is a very difficult process to complete successfully.

Ms. Janice Harland, Department of Transportation and Public Works (TPW) addressed the Board and advised that there was a breach in the controls at the Shubie Canal on September 17, 2005. The incident occurred at an inlet that drains into a culvert that makes its way to the canal. On September 19, 2005, there was still a problem with silt so a containment wall was constructed and the entire area has been covered with hay and/or rock. It has been

determined that water is seeping from under the highway. Ms. Harland advised that TPW believe that the area has been stabilized and is under control and that they are containing the seepage. TPW has not been able to locate the source of the seepage. The Department is working with Nova Scotia Environment and Labour to contain, locate, and remedy the source of the seepage.

In response to questions from Councillor McCluskey, Ms. Harland advised that there was a stop work order issued on September 21, 2005. Ms. Harland also advised that it is believed that the seepage is coming from an underground source. Councillor McCluskey commented on calls from residents she has been receiving on the state of the canals and the destruction of the lakes.

Inquiries were made to Ms. Harland regarding the length of the stop work order, whether the cutting of trees in the area was still taking place, and whether the order had been lifted. Ms. Harland was unable to respond as she was attending the meeting on behalf of the construction manager and did not have that information available.

Dr. Millward inquired whether the intent is for the dam to flow into the brook. Mr. Van Zeumeren advised that the final intent is for the dam to drain into a finished storm water site. They are awaiting the completion of the interchange construction before installing the storm water plan.

Ms. Hoehne commented that there is a holding pond above the stream and that it may be a good place to catch sediment. Mr. White advised that it would not be within EDM's jurisdiction to use park land to catch sediment.

Mr. Connor questioned whether there is anything that can be done en route or anything to prevent contamination from being disbursed once a holding pond is breached. Mr. White advised that in the case of the most recent occurrence at the Dartmouth Crossing, EDM dug an intercept trench and continually pumped the water back into the dam. They have a contingency plan in place with a pump and dam in the event it should happen again.

Dr. Gordon commented that it may be worth opening up the control structures on the two locks, which are controlled by HRM, to flush out the canal. Dr. Gordon also brought to the Board's attention a conversation with Dr. Paul Hill, a Sedimentologist at Dalhousie University, who has an honours student in search of a project. Dr. Hill suggested that the student could study measurements of siltation in Lake MicMac. Dr. Gordon provided the student with Ms. Hoehne's contact information to arrange the launch of a canoe on Lake MicMac. Mr. White commented that the student could contact EDM for further information or discussion on the project.

Mr. Clement commented that the last line of defence is the silt booms, however they are not containing all the siltation. Mr. Van Zeumeren commented that the booms were installed in the

spring and EDM recently had divers come in to inspect the booms and discovered a gap that has since been fixed. Mr. Van Zeumeren assured the Board that the booms are very effective if there is not too much hydrostatic pressure.

Councillor McCluskey inquired whether there is any cover on the construction site. Mr. Van Zeumeren advised that after the storm they moved in 100,000 cubic metres of rock, capped everything with rock, and covered all exposed soil with straw. The exposed soil is now re-covered on a daily basis using a straw cannon.

Dr. Gordon inquired, in terms of the overall development of the site, including regrading, taking down trees, and removing fill, what percentage is yet to be completed. Mr. Van Zeumeren advised that they are approximately 83% complete with moving the earth and 100% complete cutting the trees on the site. He further advised that all areas that have been disturbed have been covered with straw or rock and they will not be exposing any new areas. By November 1, 2005, pads should be in place for the construction of the buildings. EDM has placed a moratorium on any further work on the drumlin area of the site until January of 2006, as it is susceptible to erosion. All basic landscaping will be complete by March of 2006.

Ms. Harland advised she will be following up on questions for which she was not able to provide answers to at this time and assured the Board that TPW will be following the ministerial order.

The Chair thanked Mr. White, Mr. Van Zeumeren, and Ms. Harland for attending.

5.4 Harbour East Region Artificial Sports Field - Burnside Industrial Park

! A memorandum from John MacPherson, Planner, dated September 20, 2005 with attached plans including erosion and sedimentation control measures were before the Board.

Mr. Peter Connor declared a conflict of interest regarding this matter.

Mr. Jim Naugler, Coordinator, Client Services, Real Property and Asset Management (Project Coordinator) and Mr. Rob LeBlanc, consultant on the project, provided a power point presentation and overview of the project to the Board. The overview included the following highlights:

- ! There is an extension to Commodore Drive being built to service the development of the artificial turf sports field.
- ! The site is situated between Frenchman Lake and Spectacle Lake.

- ! Nova Scotia Environment and Labour has attended the site to delineate which areas are considered wetlands. They have designated the wetlands as a “no-build” preservation area.
 - ! There is an outlet stream from the wetlands into Frenchman Lake. One of the areas of concern with the project was the impact of the field on water temperatures. Two preventative steps have been taken to mitigate this possibility, as follows:
 1. Construction of a storm water wetland; and
 2. The design of the field includes a one metre pit-run layer below the field with a perforated pipe system to prevent surface water from heating. This design also provides further stability for the field against shifting.
 - ! They have been consulting the Nova Scotia Storm Water and Control Manual during the design of the project.
 - ! Any wetland materials that are disturbed during construction will be saved and replaced to the storm water wetlands.
 - ! The parking lot storm water filtration system is designed so that the water sheets off the clear stone face, percolates through the piping and filters out into the wetlands.
- The Chair requested that a copy of the presentation be provided to her for distribution to Board members.

Responding to questions from the Chair, Mr. Naugler advised that HRM and Jacques Whitford will both be monitoring the wetlands, however, there is not yet a solid monitoring plan in place.

Mr. LeBlanc informed the Board that this project was delayed for one year because of the close proximity to the lakes and due to costs because of the wet property. Plans were redesigned and the location of the field was moved because of the Commodore Drive extension. Access to the field will be via Commodore Drive.

Mr. Naugler, further to concerns from Dr. Gordon, assured the Board that the site of the sports field is not near the wetland which is the headwater at Grassy Brook, draining into Lake MicMac and the development will have no effect on that area.

Mr. Clement commented that from the retention ponds, the water will infiltrate back into the wetlands, however the flow is broken by the compacted driveway. He inquired what structures were in place below, such as piping, to allow the water back into the wetlands. Mr. Naugler advised that there is a pipe under each field in a “herring-bone system” where water collects into the head of the wetlands. Mr. Clement further inquired whether the intent is to pave the parking lot and driveway in the future. Mr. Naugler advised that they would like to see the areas remain under the sheet flow system. A storm water island in the parking lot is also an option.

The Chair thanked Mr. Naugler and Mr. LeBlanc for their presentation.

5.5 Correspondence from Susan Liley re Public Green Belt - Maynard Lake

Correspondence from Susan Liley dated September 19, 2005 was before the Board.

Councillor McCluskey indicated that she had requested HRM staff clean the park after the hurricane. She commented that some are not in favour of the path. The Councillor noted that the green belt is all HRM property, except one privately owned lot. She will speak to HRM staff and report back to the Chair.

5.2 HRM Water Quality Program - Request for Comment (Tony Blouin)

This matter was deferred from earlier in the meeting.

- A memorandum dated September 21, 2005 from Sherryll Murphy, Legislative Assistant, was before the Board.
- An updated HRM Water Quality Program was distributed to Board members.

Mr. Tony Blouin, Manager, Environmental Performance (Water), addressed the Board.

The Chair requested that, due to meeting time constraints, the members of the Board consider the information Mr. Blouin will provide today and submit their comments to the Chair to be forwarded to Mr. Blouin.

Mr. Blouin reviewed the updated HRM Water Quality Program indicating that the program monitors the initial list of candidate lakes listed on the handout. This arises out of a recommendation from a water resources study from 2003 prepared by Dylan Consulting. HRM is now moving ahead with the recommendation that was made that HRM should have a basic water quality sampling program for lakes within HRM. Criteria for choosing lakes to be sampled includes the trophic level of the lake, development pressure within the watershed, public interest, lakes that are downstream from HRM infrastructure, lakes that are either heavily impacted or relatively un-impacted, formal recreational use, and to avoid lakes that are already being sampled.

Further key highlights of the presentation included:

- Between 50-70 sites will be sampled, including HRM's 20 supervised lakes and several rivers.
- In each lake, a deep station will be chosen to monitor, with a few lakes having several monitoring stations.
- Quarterly sampling will be taken as follows: early spring, early summer, late summer, and fall.

- There is a budget identified for the first year of the program under Regional Planning, which will then be converted into an ongoing operational program within Environmental Management Services.
- The sampling and sample analysis will initially be contracted to a consultant.
- Whether the program can be extended to include more lakes depends on the actual costs of the program after the RFP's are received. In future years the program will be determined by Council under the budget process.
- Ultimately the review of the analysis of the results will be the responsibility of HRM.
- Monitoring will likely begin in the spring of 2006.

Mr. Clement suggested that, in terms of variables, conductivity be considered because of the salt issues, as well as oxygen. Mr. Clement also spoke to the importance of data management and posting the approved results on the HRM website. Mr. Blouin advised that the intention is for the sample results to be a matter of public record.

Councillor McCluskey advised that she received a report on the Russell Lake volunteer monitoring, from a volunteer group involving Dr. Scott Mawdsley, indicating that the lake is healthy. Councillor McCluskey provided the report to the Clerk who will circulate copies to Board members.

6. CHAIRMAN'S REPORT - None

7. STAFF UPDATE - None

8. ADDED ITEMS

8.1 Baker Drive Entrance to Portland Hills Trail - Dr. Hugh Millward

- ! Dr. Millward provided copies of the Proposed Park Entrance Plaza Plan and the Proposed Erosion and Sediment Control Plan for distribution to Board members.

Dr. Millward reminded Board members that Mr. Diab, the Developer, appeared before the Board several meetings ago with regard to this residential property and commercial property on Baker Drive. The Board reviewed the erosion and sediment control measures, one of which was to develop and construct a trail for HRM on top of a berm that the developer would use for erosion and sediment control. The Board recommended that the berm and the trail should be separate, plans for which have been drawn and the area is currently under construction.

Dr. Millward advised he was recently contacted by the HRM Parkland Planner in charge of overseeing the development of the trail. The Planner asked Dr. Millward to review the Proposed Park Entrance Plaza Plan and the Proposed Erosion and Sediment Control Plan

now before the Board. Dr. Millward, as Chair of the Trails and Parks Committee of the Portland Estates Residents Association, noted that there is capital funding still available for the year through Real Property and Asset Management, which grants funding to community trails groups. The Parkland Planner suggested to Dr. Millward that, with the approval of the Dartmouth Lakes Advisory Board, the proposed entrance area could be included with the Developer's work plans, to be completed with funding from HRM. Dr. Millward advised that the sediment controls have already been approved by the Board and almost all of the entrance-way is outside the 100 foot buffer zone. He further advised that there will be no cut and fill on the property, just placing of material directly on the earth and the Developer is using a silt fence for precaution.

The Board unanimously agreed to this initiative as explained by Dr. Millward.

9. DATE OF NEXT MEETING

The next meeting of the Dartmouth Lakes Advisory Board will be held on Wednesday, November 2, 2005 at 5:00 p.m. at the Findlay Community Centre, Elliot Street, Dartmouth. The Chair and the Legislative Assistant will discuss holding the meetings in an alternate location due to booking time constraints with the Findlay Community Centre.

Dr. Don Gordon informed the Board that he is retiring and will be stepping down as a Board member. He is initiating the search to fill the position of biologist to take his place on the Board, pursuant to the Terms of Reference. Dr. Gordon advised he will be in attendance for the next meeting and until a replacement can be appointed. The Chair thanked Dr. Gordon for his contributions to the Board over the years.

10. ADJOURNMENT

There being no further business, the meeting adjourned at 7:05 p.m.

Jennifer Weagle
Legislative Assistant

The following information items were distributed to members of the Board:

INFORMATION ITEMS:

1. Original Drawings - Penhorn Lake Drainage System (Provided by Audrey Manzer)