



**HALIFAX WATERSHED ADVISORY BOARD
MINUTES
November 17, 2004**

PRESENT: Dr. Wayne Stobo, Chair
Ms. Ellinor Williams, Vice Chair
Mr. Frank Hope
Mr. Walter Regan
Mr. Shalom Mandaville
Mr. Keith Manchester
Ms. Christine Smith
Mr. Ross Evans
Dr. Barry Thomas
Mr. Janis Rod
Mr. Derrill Hynick
Councillor Linda Mosher

ABSENT: Dr. Sankar Ray (regrets)
Dr. Spencer Lee (regrets)
Mr. Gerry Samson (regrets)
Mr. Jim Holmes
Mr. Lawrence White

STAFF: Mr. Andrew Bone, Planner
Ms. Sheilagh Edmonds, Legislative Assistant

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1. Call to Order

The Chair called the meeting to order at 6:40 p.m.

2. Approval of Agenda, Additions and Deletions

Noting there were two staff presentations, the Chair suggested and **it was agreed** to move items 6.1 and 6.2 up on the agenda.

The Chair pointed out that a revised set of recommendations pertaining to item 5.3 was circulated by the Legislative Assistant.

MOVED by Mr. Regan, seconded by Mr. Hope, the agenda be approved. MOTION PASSED.

Updates

Prior to the start of the meeting, the Chair updated the Board on some matters raised at the last meeting:

Sackville River Watershed Board

The Chair advised that he attended a meeting with Paul Dunphy, Director of Planning and Development Services, along with Don Lowther, Chair of Bedford Waters Advisory Board, and Tony Blouin, HRM's Manager of Environmental Policy. He added that one of the issues discussed was request by Councillor Brad Johns for the formation of a Sackville Waters Advisory Committee.

Governor Lake North

The Chair advised that in his discussions with Mr. Dunphy, he was informed that, recently, Regional Council turned down further development in the Governor Lake North area, and one of the reasons is due to the impact it would have on the watershed system, including the impact on the sewage treatment plant.

'Resident' Planner

The Chair advised that Mr. Dunphy indicated that a 'resident' planner would be assigned to the Board within the next couple of months.

3. Items to be Added to the Next Agenda

Shalom Mandaville - Submission dated July 2001 RE Sewage Policy of Department of Environment and Labour. The Legislative Assistant was requested to ask the appropriate staff person to attend meeting for a discussion on the sewage management discussion paper.

Mr. Bone pointed out that the Board should also request someone from Regional Planning (Peter Duncan) be in attendance.

Mr. Mandaville referred to a letter of January 1999 regarding the Board's request to staff to allow the Board to comment on concept plan proposal and he noted that the Board never received a response to the letter. He questioned whether the Board wanted to add this to the agenda of the next meeting.

The Chair advised that this was not something that needed to be added as an agenda item. He advised that he would follow up with a note to Ms. Sharon Bond requesting a response.

4. Approval of Minutes

Mr. Mandaville requested two revisions to the minutes of October 20, 2004 as follows:

Pg. 3, 5.1 - revision to note that Mr. Mandaville nominated Mr. Regan to the Board of the Halifax Harbour Watershed Coalition.

Pg. 7, Additional Items - a revision to note that Mr. Mandaville distributed *scientific information* to the Board members.

The Board agreed to the revision of the minutes, as requested by Mr. Mandaville.

6. New Business:

6.1 Case 00595: Application by HRM Staff to Rezone Moore's Lake Area

C A memorandum dated October 25, 2004 prepared by Luc Ouellet, Planner regarding this matter was submitted.

Mr. Andrew Bone, Planner, addressed the Board and reviewed the application by HRM staff, based on a request made by the Five Bridge Wilderness Heritage Trust, to amend the Planning Districts 1 & 3 (St. Margaret's Bay) Municipal Planning Strategy and Land Use By-law and Planning District 4 (Prospect) MPS and LUB for the HRM-owned lands surrounding

Moore's Lake and Big Five Bridge Lake. The purpose of the rezoning is to restrict the lands to wilderness protection and passive recreational uses.

In his presentation Mr. Bone referred to maps attached to the memo which highlight HRM-owned lands and are the subject of the rezoning. Noting there were also Provincially-owned lands in the area as well, he advised that HRM will contact the Province and see if they want their lands rezoned in the same fashion.

Mr. Bone responded to brief questioning of the Board.

Ms. Janis Rod volunteered to prepare the Board's recommendations.

The Board discussed the application and put forward the following draft recommendations:

- C in the preamble to the recommendations, it was agreed that the Board would compliment the Five Bridge Wilderness Heritage Trust and Western Region Community Council in bringing this forward.
- C HRM continue discussions with the Province with a view to rezone the Provincial lands as conservation as well, with the very minimum being a rezoning of the area directly draining into the two lake systems.
- C if All Terrain Vehicle access is to be permitted, restrict their use to ATV trails, and away from environmentally sensitive areas; and HWAB would like to comment on the trail plan.
- C If it is rezoned to conservation zone, HRM should ensure that any squatter camps around the lakes are dealt with in regard to environmental sensitivity of the lakes.

It was agreed that the Chair and Ms. Rod would finalize the recommendations and forward them on to staff.

6.2 Case 00722: Application by Francois Diamond to Permit a Single Family Home within 100 feet of the Little Sackville River by Development Agreement

- C A memorandum dated November 3, 2004 from Andrew Bone, Planner was submitted.

Mr. Bone addressed the Board and gave an overview of the proposal for a single family home on lands adjacent to the Little Sackville River and its flood plains, and advised that he would like to receive comments from the Board. In his remarks he noted that the usual planning practice is to prohibit activity in the 1:100 year floodplain, and this would leave approximately 1/3 of the lot where activity could occur.

Mr. Bone responded to questions, and the Chair advised that the Board would discuss and draft recommendations.

Ms. Ellinor Williams volunteered to draft the recommendations.

- C Minimize excavation - this would preclude a full in-ground basement, or any type of foundation requiring digging up the soil.
- C Undisturbed setback of 20 metres from the water course; the building footprint be as far away from the water course as possible; building footprint be restricted to a much smaller area than what was presented in the staff memorandum.
- C Any disturbance to vegetation around the immediate building site be restored to its vegetative state promptly.
- C An erosion sediment control plan, approved by HRM, must be in place during development.
- C The home must be heated by other means than oil heat.
- C HRM acquire any unused portion of the floodplain for conservation purposes.
- C No accessory buildings within the 1:100 year storm floodplain.

Mr. Regan advised that the Board's recommendations on the Paul Roma property would be similar to the recommendations the Board would have with this property, and he suggested that for, consistency, Ms. Williams may want to check these recommendations against the Roma property recommendations.

A short discussion ensued concerning the Board's Guidelines for Planners, and the Chair asked the Legislative Assistant to include a copy of the Guidelines in the agenda packages.

Mr. Bone advised that he hoped to take this matter to Council around the beginning of January, and asked if he could have the Board's recommendations, even if in draft form, by December 15. **It was agreed** that Mr. Bone would be provided with a draft set of recommendations, and the Board would finalize them at their January meeting.

5. **Business Arising from Minutes:**

5.3 **Case 00431 - Lands of L. Archibald in Waverley PID# 00527119**

- C A draft letter dated November 17, 2004 to Andrew Bone from the Chair regarding the Board's comments to the application were circulated.

The Board reviewed the draft letter and made the following revisions:

- C rewording paragraph 2 to read, ' In developing our recommendations, we are assuming that the NSDOEL has assessed the environmental quality of this site related to its historical industrial use and has approved the site for residential development.'

At 8:50 p.m. Ms. Smith retired from the meeting.

- C Recommendation 2 - first sentence: reword it to read, . . . the HWAB has established a requirement in its guideline (February 2001) for a set back for septic systems of 100 metres from the shoreline, for new residential developments.
- C Recommendation 4 - change the words, *we should*, to *we would like to see*.
- C Recommendation 5 - removed the words *including streams*.
- C Recommendation 6 - add the phrase at the end of the second sentence, '*and to mitigate an increase in peak flows associated with storms*'.
- C Recommendation 7 - third sentence, put a period after the word, *wetlands*. Remove the words, *of particular concern* from the beginning of the next sentence and put it at the end of the sentence.
- C Add a recommendation that says, *due to the nature of the substrate in the area and the implications of septic infiltration into the groundwater, a hydrogeological study of the site be conducted*.

The Chair advised that he would revise the letter and forward it to the Legislative Assistant.

5.1 Growth Alternatives - Regional Planning

There was nothing to report at this time.

5.2 McIntosh Run Watershed Management Plan

There was nothing to report at this time.

The Chair recommended these items be removed from the agenda until such time as information comes forward.

7. Date of Next Meeting

It was agreed that the next meeting would be in January, unless there were urgent issues which needed to be dealt with.

8. Adjournment

The meeting adjourned at 9:15 p.m.

Legislative Assistant