

**HALIFAX WATERSHED ADVISORY BOARD
Minutes**

March 21, 2007

PRESENT: Dr. Wayne Stobo, Chair
Ms. Ellinor Williams, Vice Chair
Mr. Nathaniel Smith
Mr. Walter Regan
Mr. David Ripley
Mr. Derrill Hynick
Mr. Ross Evans
Dr. Barry Thomas
Councillor Mary Wile

STAFF: Mr. Richard Harvey, Senior Planner
Ms. Christina Sears, Legislative Assistant
Ms. Sheilagh Edmonds, Legislative Assistant

TABLE OF CONTENTS

1.	CALL TO ORDER	3
2.	APPROVAL OF THE AGENDA AND ADDITIONS/DELETIONS	3
3.	APPROVAL OF THE MINUTES	3
4.	BUSINESS ARISING FROM MINUTES/DEFERRED AND STATUS SHEET ITEMS:	
4.1	Presentation to Regional Council - Update	5
4.2	Grand Lake Watershed - Committee Update by Mr. Walter Regan	5
4.3	Results of Receiving Water Baseline Sampling Program of September 2006 - Staff Comment	5
4.4	Case 00983: Development Agreement - 116 Purcells Cove Road, Halifax (Luc Ouellet, Planner)	5
5.	NEW BUSINESS:	
5.1	Environmental Home Assessment Program - Derrill Hynick	5
6.	ADDED ITEMS	
6.1	Infilling In The North West Arm- Mr. Roger Wells	3
6.2	Open Space Subdivisions- Mr. Richard Harvey	6
7.	DATE OF NEXT MEETING	7
8.	ADJOURNMENT	7

1. CALL TO ORDER

The Chair called the meeting to order at 6:34 p.m. in Halifax Hall, City Hall.

2. ORDER OF BUSINESS- ADDITIONS & DELETIONS

Mr. Richard Harvey, Planner advised the Board that the Concept Plan provided to them as an information item will no longer be going ahead. He noted they may see it again in the future as a revision.

Mr. Harvey noted his conversations with Ms. Maureen Ryan and Mr. Tony Blouin. One suggestion was to have a selected consultant and Mr. Blouin speak to the Board outlining methodology. The Board would then have the opportunity to speak with the consultant and offer insight.

Added Items:

- 6.1 Infilling In The North West Arm- Mr. Roger Wells
- 6.2 Open Space Subdivisions- Mr. Richard Harvey

Item 6.1 moved to be immediately following Item 3 on the agenda.

The agenda as amended was accepted.

3. APPROVAL OF THE MINUTES - February 21, 2007

MOVED by Mr. Walter Regan, seconded by Mr. Derrill Hynick, that the minutes of February 21, 2007 be approved as amended. MOTION PUT AND PASSED.

6.1 Infilling In The North West Arm- Mr. Roger Wells

Mr. Roger Wells, Senior Advisor, Harbour Plan presented Infilling in the North West Arm, answering questions and noting the following:

- C Infilling on the North West Arm is both a subject sensitive and time sensitive issue;
- C It is an initiative whereby they will be recommending changes to the Halifax Peninsula MPS and Mainland South MPS and by bylaws;
- C He will be managing the long term comprehensive plan for the Halifax Harbour, a component of the Regional Plan involving recreational activities, trails, parks on the Halifax harbour, and residents on the Halifax harbour;
- C The issue of infilling on the harbour was brought up through consultation on the Harbourfront Plan and through Peninsula Community Council with regard to recent activity on the North West Arm;

- C The Municipality has been prompted to take a closer look to better manage waterlot infill development on the North West Arm;
- C Waterlots are defined as legally described parcels of land situated on the seabed of the harbour and attached to the land parcel and extend outward from the shoreline underwater;
- C Waterlots are legal properties that have full development rights, this has become an issue along the North West Arm and Shore Drive in Bedford;
- C There have been recent developments on particular waterlots in the media. Property owners have infilled their property to create seawalls and expanded on the area of their property to build larger homes. These developments cause concern among residents and the community. They are concerned that if this continues and infilled developments are permitted to continue, it will change the character of the Arm as the community knows it;
- C Infilling on the North West Arm will not only jeopardize the character and look of the Arm but will impact the further encroachment on navigation, narrowing the Arm;
- C Halifax Regional Municipality does not hold any jurisdiction over infill activity as water and sea beds fall under Federal jurisdiction;
- C The Municipality's jurisdiction initiates once the land is created. The community has expressed concern that the damage will already have been done;
- C There are three levels of government and various departments involved; however, there was little to no communication between the groups. There has been significant progress with the applications and they are now working together to inform one another and create a plan for the long term process;
- C There is a proposal to the Peninsula Community Council and the Chebucto Community Council of set policies and Land Use By-Law provisions which may in effect act as a significant deterrent. Property owners will only be permitted to use infill for a wharf or greenspace. They will no longer be able to build houses on infilled land. There will be a 30 metre set back from the waterline with the exception of gazebos. Boathouses will not be permitted on any property that is infilled, they will have to be built on land that currently exists.

Mr. Wells concluded his presentation with a timeline of the anticipated process. He advised the Board that he would follow up with the Halifax Port Authority regarding concerns of extinguished waterlots in Bedford.

Discussion ensued around Mr. Wells' presentation. The following comments were noted:

- C HRM has the capability of purchasing the existing waterlots; however, it is not practical;
- C Each application has been and will continue to be looked at on its own merits;
- C New regulations will apply under the new Municipal Planning Strategy designation and zone called the Water Access Zone;
- C New regulations will apply to both types of waterlots;
- C Department of Fisheries and Oceans has often taken the same stance as HRM. They are only able to address the situations after the fact;

- C Infilling will seriously effect circulation and ecosystem impact;
- C Community Councils sent correspondence to the Minister requesting both Transport Canada and Navigational Waters, Department of Fisheries and Oceans create a moratorium and participate with HRM to no avail. The Board agreed letters should be resent with justification on impact and to include a map of the North West Arm.

The Board advised Mr. Wells of their full support of the proposal.

4.4 Case 00983: Development Agreement - 116 Purcells Cove Road, Halifax (Luc Ouellet, Planner)

Mr. Luc Ouellet provided the Board with an update. He indicated the applicant withdrew their application, and the property is now for sale.

4.1 Presentation to Regional Council - Update

There was no discussion held on this item. The Chair requested it be removed from future agendas.

4.2 Grand Lake Watershed - Committee Update by Mr. Walter Regan

Mr. Walter Regan advised that no meetings have been held and he does not have an update.

4.3 Results of Receiving Water Baseline Sampling Program of September 2006 - Staff Comment

- C A copy of the Water Baseline Sampling Program of September 2006 was provided to the Board.

Discussion ensued among Board members, the following comments were noted:

- C This particular report was generalized. A greater study would be required with further consideration focussing on bacterial studies, water levels, E. coli survival in deeper lake levels and human recreational use;
- C Current sampling do not provide HRM with great guides as it is being collected in the late summer, early fall months. HRM should alter their sampling regim to voer the period of public concern eg. August when the public is using the beach areas;
- C The Municipality's population is growing, urban density is growing. These facts support the argument the Board supports, storm water needs to be treated.

Mr. Regan volunteered to draft correspondence to Mr. Tony Blouin indicating that the Board continues to have concerns with gaps in the data. They are seeing a general

increase in the coliform counts in the lakes across HRM.

5. NEW BUSINESS:

5.1 Environmental Home Assessment Program- Derrill Hynick (Verbal)

Mr. Derrill Hynick provided a verbal update to the Board noting the following:

- He gathered information from the Provincial Regulations under the Environmental Act. The Province has regulations surrounding sewage systems;
- Under the Act the inspector holds authority in dealing with malfunctioning systems;
- The inspectors visit sites and apply the Act only after they receive complaints. Inspections and maintenance are required; however, it is a complaint driven process;
- He expressed his concerns with how this particular system will work under the current process regarding catching sewage systems that aren't working properly;
- There is a designation under the Regional Plan, section SU 20, page 132.

Mr. Hynick indicated he is willing to undertake drafting correspondence and will formulate this for discussion and revisions.

Dr. Barry Thomas advised he will undertake and look into whether or not Ontario and other jurisdictions have policies in place.

The Board took a break at 8:26 p.m and reconvened at 8:37 p.m.

6. ADDED ITEMS

6.2 Open Space Subdivisions- Mr. Richard Harvey

- A Guide to Open Space Development in HRM was provided to the Board.

Mr. Richard Harvey advised the Board he would touch base on Open Space Development briefly at this meeting, but noted his intention was to provide the Board with a copy of the handout to be discussed at next month's meeting.

Open Space Subdivisions have a high regard for natural and cultural features and try to design around these two factors. There are two types of subdivisions that are discussed: Hybrid Open Space and Classic Open Space.

Mr. Harvey brought page two of the handout to the Board's attention indicating the start of processing application for Open Space Subdivisions. There are two stages in this process:

The preliminary stage does not have a presentation, it is the preliminary site design. He advised the Board that there will be a presentation at the next month's meeting and asked

them to be prepared to identify the features and indicate which ones they feel are important.

Stage two identifies the overlay of important features, house site locations, street and trail locations. The conceptual design begins to form during stage two. If it is found at the first stage that there are inherent trade-off's, the proposal in it's entirety may come back to the Board to be addressed. If that happens, the Board will see the final production.

Mr. Harvey indicated there may be as many as three proposals coming forward at next month's meeting.

Prior to adjournment Mr. Harvey advised the Board that the cost of reproducing copies of the Regional Plan was too great and proposed copies by way of cd. The Board agreed that they would prefer the disks.

7. DATE OF NEXT MEETING

The next meeting is scheduled for April 18, 2007.

8. ADJOURNMENT

The meeting adjourned at 9:04 p.m.

Christina Sears
Legislative Assistant