

HALIFAX WATERSHED ADVISORY BOARD
MINUTES

October 21, 2009

PRESENT: Ms. Ellinor Williams, Chair
Mr. Walter Regan
Mr. Derrill Hynick
Mr. Scott Harron
Mr. Ross Evans
Mr. David Ripley
Mr. Barry Thomas
Deputy Mayor David Hendsbee
Councillor Peter Lund

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

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1. CALL TO ORDER

The Chair called the meeting to order at 6:30 p.m.

2. APPROVAL OF THE MINUTES

MOVED by Mr. Regan, seconded by Mr. Ripley that the minutes of September 16, 2009 be approved. MOTION PUT AND PASSED.

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

Additions

10.1 Case 01186: Amendments to the Beaver Bank, Hammonds Plains and Upper Sackville MPS and LUB - Kingswood Commercial Zone - HWAB's Draft Report

The Chair advised that this item would be dealt with as the first item under Business Arising, and would be numbered 5.1. A.

The Chair advised that Mr. Regan had the following two additions, and they would be dealt with under agenda item 9, Reports:

- Water Quality Monitoring Functional Plan
- Bennery Lake

4. ITEMS TO BE ADDED TO NEXT AGENDA

- Role of HWAB in New Framework of HRM's Boards and Committees - Derrill Hynick
- Scientific Technical Definition of a Watershed Study - Derrill Hynick

Mr. Thomas entered the meeting at 6:32 p.m.

Councillor Lund entered the meeting at 6:33 p.m.

5. BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET ITEMS:

5.1.a Case 01186: Amendments to the Beaver Bank, Hammonds Plains and Upper Sackville MPS and LUB - Kingswood Commercial Zone - HWAB's Draft Report

This item had been added to the agenda.

A copy of a draft report from Halifax Watershed Advisory Board to Halifax Regional Council was circulated.

The Chair asked members of the Board to review the report and provide their

comments.

Deputy Mayor Hendsbee entered the meeting at 6:34 p.m.

The Board entered a discussion, and was in agreement with the five recommendations on the draft report. Mr. Regan put forward additional recommendations for consideration. Following the discussion, the Board agreed to the following recommendations:

1. Wastewater from development in this area be directed to the trunk sewer proposed for the Kearney Lake Road as soon as this is brought into operation.
2. Until this time, the current Uplands Treatment Facility be brought into full compliance with CCME guidelines under which no further hydraulic overloading be permitted to occur. The sewage plant be upgraded to tertiary level discharge standard.
3. The existing wetland below the Uplands Treatment Facility be developed as a fully engineered wetland by a professional engineer to allow for more complete cleansing of the effluent entering the intermittent stream that flows into Sandy Lake.
4. A Master Storm Water Management Plan be prepared for the ten properties in question. In order not to increase run-off, storm water retention be maintained or improved in the new sites. A copy of this plan be provided to the HWAB for review.
5. Other municipal servicing options be reviewed for this development area.
6. Because of the large number of parking places associated with commercial development - and the likelihood of hydrocarbons in the stormwater run off - stormwater be directed into oil grit separators for each site.
7. If one of the sites is to be a gas station, then a gas alarm be installed in the oil grit separators to warn of oil or gas leaks.
8. A copy of the sedimentation and erosion control plans be sent to the Board for review and comment.
9. All new buildings incorporate LEED standards in regard to water conservation and protection.
10. The unnamed brook be tested at least quarterly for water quality and fish presence.

Mr. Agar advised that he prepared his report for Regional Council based on the comments he heard from the Board at last month's meeting. He suggested that the

additional recommendations of the Board put forward could go as an additional copy.

5.1.b Watershed Protection Strategy

Mr. Harvey noted that the last time the Board dealt with this item, staff were to arrange for the appropriate staff to attend and give a presentation. He advised that he would follow up on this matter.

5.2 Status Sheet:

5.2.1 Staff Report on Availability of Planners' Response to HWAB Recommendations

The Chair advised that she carried out some online research in regard to HWAB's reports to Council and added that she had copies of the Board's recommendations and the staff reports available if any members wanted to review this information.

She then made reference to a meeting last year when Ms. Kelly Denty and Mr. Kurt Pyle from the Planning Department attended an HWAB meeting on the role of the Board. Ms. Denty had suggested that the Board could send her a list of topics on which they would like to be able to make recommendations. These could be taken into consideration as Municipal Planning Strategies and other legislation was reviewed. The Chair advised that, with the agreement of the Board, she would like to draft a letter to Ms. Denty, sending her the list of topics most frequently mentioned in HWAB recommendations, and make the request. The Board agreed that the Chair would draft the letter. The Chair advised that this item could be removed from the Status Sheet.

5.2.2 Staff Report on MPS Policies that Relate to Water Quality Monitoring throughout HRM (staff)

Mr. Harvey advised that the staff report on this item was almost ready to be submitted to the Board.

6. DEFERRED ITEMS:

6.1 Case 01043: Development Agreement for Open Space Design Subdivision - West Inlet Drive, West Petpeswick

This matter had been discussed at the Board's last meeting, and at that time staff was requested to follow up on a couple of matters.

A Memorandum dated October 7, 2009 was submitted from Mackenzie Stonehocker, Planner.

Ms. Stonehocker provided an overview of the application by Shore Consultants Limited, for lands of Nor East Investments Limited for a development agreement to permit a twelve lot hybrid open space design subdivision on Westside Inlet Drive, West Petpeswick

With regard to questions staff were asked to follow up, Ms. Stonehocker advised of the following:

- Lots B and C are part of the open space subdivision and will not be a separate residential lot. The Development Agreement states they may be consolidated with Lots 6 and 7 after the development agreement is approved.
- The three flags lots at the south end each have a 'flag pole' which gives them some frontage on the street but the driveways will probably not follow the 20 ft. strip
- The road reserve will not be developed as a public street at this time. The developer will probably deed the land to HRM. It may become a public street in the future and if that happened, then the flag lot driveways would have to be cleaned up and they would be given frontage on the new public street.

In closing, Ms. Stonehocker advised that she would like to have the Board's feedback on the impact this application may have on Porter's Pond, Narrows Cove, and Petpeswick Inlet.

Ms. Stonehocker responded to questions from the Board members.

The Chair advised that at this time, the Board would continue with the other agenda items and, if there was time at the end, then they would go back and discuss recommendations for this application.

Later in the meeting, the Board was able to deal with this matter and provided recommendations. See page 9.

6.2 July 7, 2009 Regional Council Report on Water Quality Testing Protocols

Deputy Mayor Hendsbee indicated that this item and item 6.3 were really information items he wanted to make the Board members aware of and suggested that they may want to listen to the debate when it comes back to Council.

6.3 July 7, 2009 Committee of the Whole report on Service Review

This was addressed in the previous item.

7. NEW BUSINESS:

7.1 Case 01320: Amendment to Development Agreement - Oakfield Golf and Country Club

A Memorandum dated October 21, 2009 was submitted from Miles Agar, Planner, and Jillian MacLellan, Planner.

Ms. MacLellan provided a presentation on the application from Oakfield Golf and Country Club to amend an existing development agreement to allow for flexibility related to the construction and expansion of accessory buildings, including a proposed new maintenance building. In her remarks she advised that the Club requires a single story 8,000 sq. ft. maintenance building and there are no provisions under the 2002 Development Agreement or the 2004 amending development agreement to allow further accessory buildings.

Mr. David Nantes, who was representing the applicant; and Ms. MacLellan, and Mr. Agar responded to questions, clarifying the following points:

- the proposed amendment to the Development Agreement will enable further additional buildings provided they meet the setback requirements
- the water course buffer does not apply to the golf course
- the septic system will require the approval of the Provincial Department of the Environment
- there will not be a paved parking lot.
- the chemical storage building has a protective lip around it for containment
- the gas tank system is not operable unless someone accesses the locked building
- rain water is used to clean equipment on a daily basis.
- the configuration of the disposal field is based on a consultant's recommendation.

The Chair thanked staff and Mr. Nantes for their remarks and responding to questions, and asked if they could wait until next month to receive the Board's recommendations.

In response, Mr. Nantes advised that he has been dealing with this application since last February they were hoping to have the building constructed in the fall. He noted that they were also coming up to the time of year when conditions are not favourable for construction, and he was concerned about any further delays.

Deputy Mayor Hendsbee advised that from the Board's discussion he was satisfied with the proposal and in his view he felt the Board could support the application, and any comments could be provided in a supplementary report.

In summary, the Chair indicated that a number of concerns were raised and all were satisfactorily answered; therefore the Board has no difficulty with the proposal going forward as presented.

MOVED by Deputy Mayor Hendsbee, seconded by Mr. Thomas the Halifax Watershed Advisory Board recommends this proposal go forward as presented. MOTION PUT AND PASSED.

The Chair advised that the Board's comments on the matter would be provided to the Marine Drive Valley and Canal Community Council.

**7.2 Case 001324: Application by Connors Architects and Planners -
Development Agreement for Additional 21 Seniors Apartment Units at 51
Old Beaver Bank Road, Sackville**

A Memorandum dated October 6, 2009 was submitted.

Mr. Andrew Bone, Planner, provided a presentation by Connors Architects and Planners for a development agreement for a 21 unit addition to the existing seniors apartment building at 51 Old Beaver Bank Road in Sackville. Mr. Bone advised that he would like to receive the Board's comments on the application to incorporate in a staff report he anticipates submitting at the November Community Council.

A discussion ensued with Mr. Bone responding to questions. The Board was in agreement that approval of the Development Agreement be made subject to the following conditions:

1. Soil disturbance be reduced to a minimum when excavating for the footings of the building
2. A geotechnical survey be done to ensure that the correct measures are applied to avoid settlement of the building and to address the slope stability issues.
3. Run-off from the entire site, including the new roof and new parking lot, be directed to an oil grit separator
4. All new construction be supplied with sewage holding tanks to reduce the amount of raw sewage flowing into the river during peak stormwater events.
5. Since 46% of this watershed (Little Sackville River) is now hard surface, a stormwater retention pond be installed onsite.
6. The building be built outside the 1/100 year flood plain
7. Contractor shall not to pump any construction water into the river.
8. A major bond be posted for this development.
9. Proper landscaping be carried out.
10. In order to guard against any leakage problems, the garbage bin be relocated further away from the river and on a hard surface.
11. Use LEED certifiable water conservation appliances in the building.

The Chair advised that she would forward the Board's draft recommendations to Mr. Bone and the formal report would come back to the Board next month for final approval.

Mr. Regan indicated that he would prepare the report.

7.3 Case 01280: Development Agreement for Herring Cove Village, Herring Cove

A Memorandum dated October 6, 2009 was submitted by Patricia Hughes, Planner.

Ms. Hughes outlined the application by Terrain Group Inc. for the lands of Valerium Group Inc. for a development agreement to allow 11 single unit dwellings and 76 semi detached dwellings units on two new public streets off Herring Cove Road, Halifax.

Ms. Hughes responded to questions.

Deputy Mayor Hendsbee suggested that many of the comments the Board had in regard to the Glen Baker Drive proposal are applicable in this proposal.

Deputy Mayor Hendsbee pointed out that on one of the plans attached to the memorandum, it appears that a rumble strip is at the edge of the road, and questioned this as it seemed very early in the planning stages to have something such as this already determined. Ms. Hughes indicated that she would follow up on this and determine if it is a rumble strip or if it designated as something different.

The following recommendations were put forward:

1. sewer pumping station should have alarm built in, standby diesel backup power source, and storage.
2. stormwater retention pond have the capacity for a 1 in 100 year storm.
3. want all stormwater directed to stormwater retention pond. - oil grit separator at the start of the retention pond.

The Chair advised that staff did not require draft recommendations from the Board this evening, so next month the Board would follow up on this item.

6.1 Case 01043: Development Agreement for Open Space Design Subdivision - West Inlet Drive, West Petpeswick (cont.'d)

The Chair noted that there was some time remaining and asked if everyone was in agreement to provide draft recommendations on Case 01043. The Board agreed, and the following recommendations were provided:

1. Run-off from this development be directed into wide vegetated swales to retain storm-water on site.
2. Two retention ponds be created, one at the bottom of the park land parcel and one just above Porter Pond. These should be sized to handle a 1/100 year storm event in order to ensure that there is no direct discharge of run-off to the inlet or pond.

3. The water quality of Porter Pond be tested pre and post construction
4. The regular pumping out of septic tanks be made mandatory.
5. Lots 'B' and 'C' be turned over to HRM for park land.

8. **CORRESPONDENCE:** None

9. **REPORTS:**

9.1 **Bennery Lake**

This item was added to the agenda by Mr. Regan.

Mr. Regan advised that at the last meeting of the Bennery Lake group and a concern was raised that the Group's Charter states that the member from Halifax Watershed Advisory Board needs to be a sitting member of the Board, however, the previous gentleman had not been a member of HWAB.

The Chair advised that this would be put on the agenda for discussion at the next meeting.

9.2 **Water Quality Monitoring Functional Plan**

Mr. Regan advised that he attended two meetings in regard to surface water testing by HRM and added that staff are hoping to make recommendations to Council in the spring. Mr. Regan added that, of particular interest is a pilot project in which they are going to test the surface waters near Halifax and carried out on Tier 1, Tier 2, and Tier 3 basis. Mr. Regan advised that staff are looking at advanced watershed quality protection and testing based on several municipalities in Ontario, and pointed out that this is what the Board has been asking for, i.e. 'to get out in front of development, prove what the water is, and perhaps have the power to say that there will be no development until the water is protected'.

10. **ADDED ITEMS:**

Addressed earlier in the meeting.

11. **DATE OF NEXT MEETING:** November 18, 2009

12. **ADJOURNMENT**

Prior to adjourning, the Chair advised that she had sent a letter of appreciation to Mr. Nat Smith for his years of service on the Board.

On a motion **MOVED** by Mr. Evans, seconded by Mr. Thomas the meeting adjourned at 9:30 p.m.

Sheilagh Edmonds
Legislative Assistant