

HALIFAX REGIONAL MUNICIPALITY

DARTMOUTH LAKES ADVISORY BOARD MINUTES FEBRUARY 26, 2003

PRESENT: Ms. Audrey Manzer, Chair
Councillor Ron Cooper
Mr. Robert Bell
Mr. John Osborne
Dr. Hugh Millward
Ms. Stephanie Bird
Dr. Don Gordon
Ms. Christina Hoehne
Mr. Pierre Clement
Dr. K. Hellenbrand

ABSENT: Dr. Ron Beazley
Dr. Paul Hines
Ms. Catherine Lunn
Dr. K. Hellenbrand

STAFF: Mr. Kurt Pyle, Planner
Mr. Mitch Dickey, Planner
Ms. Sherryll Murphy, Legislative Assistant

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1. CALL TO ORDER

Ms. Manzer called the meeting to order at 5:15 p.m.

Ms. Manzer introduced representatives of J & J Developments and extended apologies that consideration of item 4.3 would be deferred pending the collection of additional information.

She went on to advise that staff would notify J & J Developments when the matter was to be considered by the Board.

2. APPROVAL OF MINUTES - January 29, 2003

MOVED by Dr. Gordon, seconded by Mr. Bell that the minutes of the January 29, 2003 meeting of the Dartmouth Lakes Advisory Board be approved as distributed.

MOTION PUT AND PASSED UNANIMOUSLY.

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

Mr. Dickey noted that Ms. Anne Wambolt would be joining the meeting at 6:30 p.m. with regard to item 4.4, Lakes Bylaw Committee.

The following items were added to the agenda:

- 5.1 Home Depot Site (Mr. Dickey)
- 5.2 Pamphlet for Waterfront Living (Dr. Gordon)

As noted above, Item 4.3 was deleted from the agenda in light of the fact that more information is required before the Board can consider this item.

MOVED by Dr. Gordon, seconded by Mr. Clement that the agenda, as amended, be adopted. MOTION PUT AND PASSED UNANIMOUSLY.

5.1 Home Depot Site

Mr. Dickey noted that this matter had been discussed at the last meeting at which time the Board had questions as to the status of the proposed development of this site. Mr. Dickey noted that Kirby Putnam of J. W. Lindsay Enterprises, representing Portland Street Honda, was present this evening in this regard. Mr. Putnam distributed a Preliminary Stormwater Management Plan. Also distributed to the Board was correspondence dated February 24, 2003 from Glenn S. Woodford, P.Eng.

Mr. Dickey, providing background to the matter, advised that the Home Depot site was developed approximately two (2) years ago. When the Home Depot site was constructed the stormwater system for the whole site was put into place and consisted of a retention pond just north of Home Depot backing on Highway 111, an engineered wetland, two CDS units, and the remaining part of the Home Depot site was graded and graveled to accommodate future development.

Mr. Dickey went on to note that Portland Street Honda is able to apply for their development permit under the existing Development Agreement. Referring to the plans, Mr. Dickey noted that they do not show the Home Depot, but do show the area from a common entrance towards the north which would back onto the Forbes lands. Mr. Dickey indicated that Mr. Putnam would respond to any questions regarding the existing system.

Ms. Manzer noted that the Board has not had an opportunity to review the plans.

Mr. Putnam, providing background, advised that the entire site was designed to have the stormwater go into the existing system. When Home Depot built the stormwater system they built two catch basins adjoining the lot depicted in the distributed plan. These plans show roof drainage and parking lot drainage to the existing catch basins which runs into the stormwater retention pond. This system was designed with this type of development in mind and, in fact, the original design was for two buildings and the present proposal is for a single building which is somewhat smaller in square footage.

Mr. Putnam noted that Portland Street Honda conferred with the designers of the original system to ensure the stormwater goes into the existing system. They subsequently provided the engineering and stamp for the drawing before the Board this evening.

In response to questions, Mr. Putnam indicated that a layer of gravel caps off the lot. To mitigate any silt concerns or erosion, a silt fence will be erected around the lot. Fabrics will also be placed in the existing storm sector unit. Given these measures, if there is any silt, it will be picked up by the storm retention pond, or in the silt fence or fabrics in the storm catchment basins.

Mr. Putnam went on to advise that there would be some fill at the right hand corner of the lot. The intent was to fill an existing driveway with imported rock material. He further indicated that there would be no material taken off the site. Confirming the exit points for storm water once the site is developed, Mr. Putnam agreed that on one side water would flow onto the lot in front of the building and then down back to the Home Depot system, through their storm sectors into the retention pond and on the other side it would flow off of the back of the lot and through the existing storm sector.

A brief discussion regarding whether a wetland existed on the property ensued with Mr. Pyle advising that the other technical components of the stormwater retention area would be implemented when additional buildings were placed on the property only if they were needed.

Responding to a question, Mr. Putnam advised that Portland Street Honda did not plan to build the wetland.

Mr. Putnam, answering Councillor Cooper, advised that the Development Agreement sets out the various stages of the stormwater management plan. However, it was unclear about the need for the wetland. He went on to note that the engineered wetland, appeared to have been excavated and some burns were installed, however it is dry.

Mr. Putnam further advised that comments have been received from the Development arm of HRM with regard to the proposed stormwater management plan.

MOVED by Councillor Cooper, seconded by Mr. Millward that consideration of this matter be deferred to the next meeting of the Board pending receipt of the staff comments relative to the Development Agreement. MOTION PUT AND PASSED UNANIMOUSLY.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Water Resource Management Policy

This matter was dealt with later in the meeting.

4.2 Need for Implementation of Lake Protection Measures within the Dartmouth Land Use By-law (Deferred from January Meeting)

The Chair noted that this subject is pertinent, however, she suggested that discussion on it be deferred to a future meeting.

Dr. Millward agreed noting that it would be appropriate to first review and make comment on the Water Resource Management Study prior to considering this matter.

Ms. Manzer noted that in essence practical implementation of the Water Resource Management Study would address lake protection measures.

It was agreed that the matter be carried on the agenda.

4.3 Case 526 Application by J & J Developments to enter into a Development Agreement for a 39 Unit Residential Building on Paddler's Cove Property - Prince Albert Road - Jenifer Tsang and Glen Woodford of Wallace MacDonald & Lively to present proposal

This matter was deleted from the agenda during the setting of the agenda.

4.4 Lakes Bylaw Committee - Explanation by staff (Ann Wambolt) of the Consultation Process and Update

This matter was dealt with later in the meeting

5. NEW BUSINESS

5.1 Home Depot Site

This matter was dealt with earlier in the meeting

5.2 Pamphlet for Waterfront Living

This matter was dealt with later in the meeting.

6. CHAIRMAN'S REPORT

Ms. Manzer advised that she had been contacted by Rene Roberge, Environmental Engineer, regarding the Maynard Lake study. Ms. Manzer indicated that Ms. Roberge provided to her a copy of a report entitled Bacterial Source Tracking - A Review by Shalom Mandaville. Mr. Mandaville's report was primarily a literature study on bacterial source tracking. Mr. Mandaville maintains that there must be sewage leaking into Maynard Lake and, in response, HRM undertook a bio project beginning in August and running until November. Twenty samples were taken and forwarded to the United States for testing to determine if the source marker is human, dog, non-specific, etc. Ms. Manzer indicated that 17 of the markers 18 tested positive for non-specific (water fowl) and 9 of the 18 tested positive for human. HRM will continue to investigate and keep this Board informed.

Ms. Roberge also reported that HRM has been carrying out a water base line sampling in all lakes where development is happening. Four samples were taken over 2001-2002. The findings will be forwarded to the Lakes Advisory Boards when they have been compiled.

Ms. Manzer indicated that she would include with the minutes an e-mail from Ms. Roberge regarding her report.

Mr. Dickey noted that Ms. Roberge had indicated a desire to attend a future meeting of the Board to discuss, in detail, the matters outlined above.

Note was made that given the outcome of the bio testing, it appeared sewage was flowing into Maynards Lake. The Chair indicated that staff is quite concerned with the results and are committed to determining the source.

Dr. Gordon referred to a recent incident of Maynard's Lake level dropping quite dramatically. He noted that it had been suggested to him that the valve on Maynard Street was open. Dr. Gordon advised that he had notified HRM maintenance staff at the time of the incident. He asked if staff could provide an update.

Mr. Dickey indicated that he had no knowledge and noted that he would come back to the Board with more information at the March meeting.

7. STAFF'S UPDATE

111 Highway

Mr. Dickey advised that he had no further information regarding the widening of the 111 Highway. The first phase will be changes to Mic Mac Boulevard and any changes to the highway will be in 2005-2006.

Distribution of Materials to Board

Mr. Dickey suggested, given the situation with the late distribution of the Home Depot site plan tonight, that in future if materials cannot be distributed with the agenda package or couriered to Board members the Friday prior to the meeting, it will not be dealt with by the Board at that meeting.

MOVED by Dr. Millward, seconded by Dr. Gordon that if materials being provided by developers are not available to be distributed with the agenda package or couriered to Board members the Friday prior to the meeting, it will not be dealt with by the Board at that meeting. MOTION PUT AND PASSED UNANIMOUSLY.

4.4 Lakes Bylaw Committee - Explanation by staff (Ann Wambolt) of the Consultation Process and Update

- A document entitled HRM Lakes By-law Committee, Feedback Sheet respecting safety and use of Lake Banook and Lake MicMac was distributed to members of the Board.

Ms. Manzer introduced Ms. Anne Wambolt and noted that this Board , at the request of Council, had tried many times to address the issue of watercraft usage on the Lakes without success.

Ms. Anne Wambolt, Lake By-law Committee, addressed the Board briefly reviewing the work to date of the Lake By-law Committee in addressing the issue of watercraft usage on HRM lakes. Ms. Wambolt advised that the internal Committee had begun work two years ago and have made presentations to the Community Councils. Ms. Wambolt indicated that a schedule was in place with a view to having public meetings beginning in late March and April. Public consultation represents the largest piece of the process and tabulating the results of that process will require a substantial effort. Ms. Wambolt referred to the workbook which will be completed in this regard and noted that the work of the Committee will culminate in an application/recommendation being forwarded to Ottawa. Ms. Wambolt indicated that the plan is to have something in place for both Lake Banook and Lake MicMac next year.

In response to a question Ms. Wambolt advised that the Committee's intent was to handle those lakes which currently have By-laws and move forward from the point of view of what is working and what is not working. Asset mapping is in place and has been sent to the canoe clubs with a request to return the information.

Councillor Cooper asked if the Committee should not be looking at the watershed that feeds into these lakes (i.e. Lake Loon feeds into Lake Banook/MicMac). He noted that he had received a number of complaints regarding the use of personal watercraft on Lake Loon last season.

Ms. Manzer noted that a blanket application would not work for all lakes.

Mr. Clements commented that establishing a process of communication with the Federal Government is key and adding lakes to the mix would only complicate that communication.

The Chair directed that the next agenda should include an item regarding Turn in of Feedback Sheet re Safety and Use of Lake Banook and Lake MicMac.

5.2 Pamphlet for Waterfront Living

Dr. Gordon distributed a brochure prepared by The Living by Water Project, Environment Canada, Fisheries and Oceans Canada, Oceans and Environment Branch entitled Waterfront Living. He went on to indicate that the Board has expressed concern regarding waterfront living and noted that he believed this brochure addressed these concerns .

A brief discussion ensued with Mr. Clement indicating that this brochure should be distributed to waterfront residences. He went on to suggest that the Board should investigate the possibility of having them distributed through the leadership programs in the schools. Mr. Clement further noted that this information should be available in the schools.

Dr. Gordon suggested that HRM storefronts should have a supply of the brochures and that the various canoe/boating clubs should also have the brochure available.

Mr. Clements indicated that he would obtain a supply of the brochures and have them available at the next meeting of the Committee.

Councillor Cooper noted that changes had recently been made to the Bedford Municipal Planning Strategy regarding development on waterfront properties.

Ms. Manzer requested that staff obtain a copy of those changes and that the matter be placed on the agenda of a future meeting.

4.1 Water Resource Management Policy

Ms. Manzer advised of a meeting she had attended along with Mr. Don Lowther, Dr. Wayne Stobo, Mr. John Sheppard, and Mr. Austin French. The purpose of the meeting was to discuss the process for input from the Watershed Advisory Boards concerning the Halifax Regional Municipal Water Resource Management Study Report.

Ms. Manzer went on to review a February 25, 2003 letter received from Mr. Sheppard including the following the key points:

- The three boards will not meet jointly again, however, each group will provide input. A joint report is not necessary.
- An extension has been granted to May 1, 2003 for input from the Watershed groups. Staff will consolidate the comments and provide a report to Council.
- The four questions upon which the Watershed Advisory Boards should focus remain unchanged. Additional comments may be provided if the Board wishes.

The four questions are:

What is your impression of the overall quality and comprehensiveness of the report?

What recommendations do you agree with?

What recommendations do you not agree with?

Which policies should be given priority for immediate implementation?

Ms. Manzer referred to the Department of Environment and Labour Storm Drainage Works Approval Policy attached to Mr. Sheppard's letter and noted that the February 25, 2003 letter and this attachment would be distributed to members of the Board.

Dr. Millward suggested that the Board proceed as follows:

- Each member provide a response to Question 1
- The Board as a whole review the recommendations as found in Table 10.1 and determine, by consensus, if the Board agrees/disagrees with the recommendation, as well as, in what order the recommendations should be implemented.

The Board agreed to proceed as set out by Dr. Millward.

Addressing Question 1, What is your impression of the overall quality and comprehensiveness of the report?, Board members provided the following input.

Dr. Millward

- Favorable impression of the report
- The document contains a great deal of material which this Board is already familiar with. This is a positive move, bringing all the information/best practices regarding watershed management issues together.
- This document will be the basis for engineering and planning for HRM for many years to come

Mr. Clement

- Pleased that the authors of the report did look to other jurisdictions
- The report is very thorough and is a thought provoking document
- Identified that rural and urban issues differ and struck a balance between the two

Mr. Bell

- Quite a report
- Quality on par with a number of other reports of this nature. Believe that it is positive to have the information down in such a manner that is readily available/usable by planners and development staff

Dr. Gordon

- A great deal of information and, as indicated by Dr. Millward, is a compilation of the necessary information
- Agree that there is no reason the water supply should be included as these are protected
- Does not include sewage. This is no great omission as this aspect is being dealt with through Harbour Solutions
- No major omission apparent and none of the recommendations seems unreasonable
- At this point do not see anything within the performance measurement component that should not be included

Mr. Osborne

- A very comprehensive report
- Performance measurement should include more than just water quality

Mr. Dickey (Staff)

- Consultant has done a good job. The information is more academic than engineering and very comprehensive
- Attention must be given to how HRM will undertake the Performance Measurement components
- It appears that all of the recommendations could be implemented under the MPS

Ms. Manzer

- Great value to the report
- A mix of engineering and planning
- All aspects appear to have been considered
- Concern regarding the cost of implementation

Ms. Manzer proposed that further discussion be deferred to the March meeting. She went on to suggest that after the March meeting a sub-committee would meet to develop a report which would be reviewed by the Board at the April meeting.

Dr. Millward confirmed that the Board would be dealing with Table 10.1 at it's next meeting.

Dr. Gordon indicated that the sub-committee would be developing a report based upon the comments/input as set out in the minutes.

Councillor Cooper noted that this piece of work goes a long way to making HRM a desirable place to live in the same way that the Solid Waste Management System and Harbour Solution makes HRM a good place to live. He went on to encourage the Board to push implementation across the entire municipality.

Ms. Manzer noted that implementation of the recommendations would certainly put things on an equal playing field given that there is such disparity across the municipality.

Mr. Dickey noted that there seems to be more emphasis on new development while the situation in Dartmouth is one of mitigation or remediation. Mr. Dickey suggested a better marrying of the two was required.

Dr. Millward, referring to the consensus approach proposed, noted that dissenting comments would be registered. He went on to suggest that real areas of agreement will provide staff and developers with the tools they need.

It was agreed that Board members not present, would be made aware of that the Board intended to review, in detail, the recommendations contained in Table 10.1 at the next meeting.

8. DATE OF NEXT MEETING - Wednesday, March 26, 2003

9. ADJOURNMENT

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

Sherryl Murphy
Legislative Assistant