

HALIFAX REGIONAL MUNICIPALITY

DARTMOUTH LAKES ADVISORY BOARD MINUTES September 29, 2004

PRESENT: Ms. Audrey Manzer, Chairman
Ms. Catherine Lunn, Vice-Chair
Dr. Klaus Hellenbrand
Mr. Pierre Clement
Ms. Christine Hoehne
Mr. Peter Connor
Dr. Don Gordon
Dr. Ron Beazley (6:05 pm)
Dr. Hugh Millward
Dr. Mark Trevorrow

**ABSENT WITH
REGRETS:** Councillor Ron Cooper
Ms. Stephanie Bird

STAFF: Mr. Kurt Pyle, Planner
Ms. Millie Hull, Legislative Assistant

GUESTS: Dr. Cathy Conrad, Saint Mary's University

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1. CALL TO ORDER

The meeting was called to Order at 5:15 p.m.

2. APPROVAL OF MINUTES - June 30, 2004

Page 5 - Item 5.3, last sentence of third paragraph the word "divisor" should read "divider"

MOVED by Dr. Millward, seconded by Mr. Clement, that the minutes of the Dartmouth Lakes Advisory Board held on June 30, 2004, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

It was agreed to move item 5.1 up to be dealt with immediately following the setting of the agenda.

Additions

8.1 Morris Russell Lake Public Participation Committee - Dr. Hugh Millward

MOVED by Dr. Don Gordon, seconded by Ms. Christine Hoehne, that the agenda, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

5.1 Presentation - Cathy Conrad, St. Mary's University - Community Based Water Sampling and Testing

Dr. Hugh Millward began the presentation by introducing Dr. Cathy Conrad of St. Mary's University. He noted that she had recently instituted a community based environmental water monitoring program and advised that her group was offering services to community groups in the Metro area.

Dr. Conrad advised that her specific research expertise was in sediment and sediment run-off into the environment, particularly rivers and streams. She noted that the community based environmental water monitoring program had stemmed from her research which involved urban run-off into streams within HRM. She further noted that community groups were also concerned about sediment and sediment run off and had wanted to know what they as volunteers could do to provide a better understanding of what was taking place. Dr. Conrad advised that this had evolved into an environmental monitoring network that encompassed both fresh and salt water.

Dr. Conrad advised that the network was funded by St. Mary's University and Environment Canada, the office was located at St. Mary's University and was staffed by one full time person and many student volunteers.

Dr. Conrad's presentation focused on what the network was about, what services they provided and suggested the Board think about how the network could be useful to the Dartmouth Lakes Advisory Board.

Dr. Conrad advised that the program looks at monitoring eco systems. She noted that there are fifty-one volunteer based community organizations in the Province of Nova Scotia who have networked with them by monitoring such indicators as trees, salamanders, and water. She further noted that the vast majority of the volunteer groups were concerned with water quality, their role in environmental monitoring and how the scientific data could be stored and accessed.

Dr. Conrad stated the network is seeking to understand what changes are taking place, how they are taking place, and the collection of background and baseline data. She defined environmental monitoring as the average measuring of environmental conditions and matters that can affect those conditions in the environment as a whole.

Dr. Conrad reviewed the services provided by the network as follows:

1. expertise at no cost
2. equipment they loan out and training on the use of the equipment
3. EMAN - Ecological Monitoring Assessment Network
4. took-kit - a binder and CD on how to get started

Dr. Conrad gave a brief outline of the projects they are currently working on and noted the network is trying to advocate as many scientific based monitoring protocols as possible.

A discussion ensued with Dr. Conrad responding to questions from the Board. Mr. Clement suggested that when the Board has monitoring programs that are being promoted by HRM developers, the Board recommend that HRM contact the Network and pass on the information. Dr. Conrad noted that when the Tool-Kit was complete she will forward a copy to the Board.

Ms. Manzer thanked Dr. Conrad for her informative presentation.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Dartmouth Lakes Advisory Board Building Permit Review Guidelines

- A draft document entitled "Proposed Guidelines for the Development of Lakefront Lots where Street Construction is not required" was before the Board for discussion.

Ms. Manzer presented the above document for review and discussion. During discussion the following changes were made:

- the title be changed to "Guidelines for any Development on a Waterfront Lot"
- #1 No change
- #2 to be removed
- #3 - Mr. Kurt Pyle to qualify with Development Officers and provide comments at next meeting
- #4 - Development Officers to review and comment. The Board also agreed to the following change:

"The builder will be required to seek approval from HRM for the location of any building on the lot and lot grading plans. The proposed removal of any vegetation and the design of any drainage system should be reviewed with staff."

- #5 No Change
- #6 Mr. Pyle to get clarification from Environmental Management Services on the whether approval was to be obtained from EMS or the Provincial Department of the Environment.
- #7 & #8 No Change
- #9 Change to: "Regrading of the lot should be kept to a minimum and large amounts of fill should not be moved onto the lot except where proper environmental retaining measures have been put in place. Additional"
- #10 No Change
- #11 Mr. Pyle to find out if spills are to be reported to the Department of Environment & Labour rather than Environmental Management Services within HRM.
- #12 No Change
- #13 The word Ocean in Fisheries and Ocean is to be pluralized. Dr. Gordon will e-mail the URL to include as a reference. Also, the list of references submitted by Mr. Peter Connor in his e-mail dated Sept 23, 2004 are to be included.

It was agreed that the document, when finalized, will be forwarded to the Harbour East Community Council as an information item.

4.2 Lake Levels on Mic Mac

Mr. Pyle noted that the work schedule indicates the repairs to Lock 1 will take place in the fall. The Board requested that Mr. Pyle provide an update at the next meeting with a copy of the work schedule. The Board also requested that Mr. Pyle notify the Board as soon as possible of the date the lake levels will be lowered so that the Canoe Club and residents can be notified.

4.3 Tour of Lakes - Set Date

It was agreed to wait until the spring to tour the lakes.

On another matter Dr. Klaus Hellenbrand raised the concern that the vegetation had been removed from the waterfront of Bell Lake. Mr. Pyle indicated the matter was being addressed and noted he will provide an update at the next meeting.

4.4 Regional Planning Update

Dr. Millward provided an update and indicated that staff have begun quantifying the impact of the three alternatives for growth and development. He noted that they are comparing the alternatives with the base line case. Dr. Millward advised that the final work will be reviewed by the Regional Planning Committee and a workshop will be held to select the best alternative or best hybrid alternative on October 27, 2004. Following that, staff will re-evaluate the selection in terms of costs and benefits and the final choices will be submitted to Regional Council by the end of November. He further advised that once the Committee had made its selection, there will be consultation with the public prior to it going to Council.

4.5 Other Follow Up

Mr. Pyle provided updates on items from the meeting held on June 30, 2004 as follows:

4.5.1 Lock 1 Sediments

Mr. Pyle advised that Jacques Whitford has completed an analysis on the sediment in Lock 1 and all tests except one showed quantities less than those allowable under the Canadian Council of Minister of Environment (CCME) guidelines. He noted the arsenic levels in the study were higher than what are typically recorded, but are representative of the background levels which are a naturally occurring. Mr. Pyle noted that the sediment will be removed with the construction on the Lock.

4.5.2 Pumping Station at Red Bridge Pond

Mr. Pyle advised that HRM has allocated money to the upgrading of the pumping station, however, he noted that the tender costs have come back higher than expected. Mr. Pyle indicated that a Comprehensive Pumping Station & Force Main Infrastructure Study is being done and once complete, a determination will be made on how to proceed. He noted that the study should be completed by early winter and indicated it will address the concern of the overflow situation into Lake Mic Mac.

4.5.3 Site Visit of Heritage Hills

Mr. Pyle advised that the developer is looking forward to hosting a site visit of Heritage Hills and it was agreed the site visit will be held on a Wednesday at 5 p.m. Mr. Pyle will confirm the date and will provide a gathering location and directions.

4.5.4 Portland Hills - Erosion and Sediment Control

Mr. Pyle advised that Clayton Developments had presented a comprehensive draft of the stormwater and erosion sediment control plans for Portland Hills to the Board in 2000. However, nothing else had come before the Board subsequently. Mr. Pyle noted that Ms. Kenda MacKenzie and possibly a representative of Clayton Developments will attend the next meeting to explain the erosion sediment control plan for Portland Hills.

Ms. Catherine Lunn left the meeting at 6:40 pm.

4.5.5 Portland Hills West - Sediment Control

Dr. Millward indicated that he had expressed the concern at the last meeting that the site plans for the large apartment building under construction in Portland Hills West had never come before the Board. Mr. Pyle noted that he will request Ms. MacKenzie to address this item in her presentation at the next meeting.

On another matter, Mr. Clement raised a concern regarding the amount of exposed dirt above the culvert at the construction area on the Evergreen site, off the highway near Penhorn. Mr. Pyle will follow up on this item.

5. NEW BUSINESS

5.1 Presentation - Cathy Conrad, St. Mary's University - Community Based Water Sampling and Testing

This item was dealt with earlier in the meeting.

6. CHAIRMAN'S REPORT

Ms. Manzer advised that she had received correspondence from Dr. Scott Mawdsley and Mr. Ben Jenkin regarding the buffer zone and trail system in the Russell Lake Area. She noted that Dr. Mawdsley's concern was that he felt the minutes of September 24, 2003 were inaccurate and that he had requested they be redone. Ms. Manzer noted that the minutes of September 24, 2003 had been accepted and approved by the Board as written and that they accurately reflected what was said at that meeting.

During discussion Dr. Hugh Millward noted that in the September 29, 2004 correspondence to Ms. Manzer from Dr. Mawdsley, reference was made to Dr. Millward's comment in the September 24, 2003 minutes regarding Dr. Mawdsley considering his lot to be a lake front lot. While noting that he would retract the statement, Dr. Millward indicated that this had been his impression of what was said by Dr. Mawdsley. Dr. Millward went on to note that Dr. Mawdsley's correspondence indicated the September 24, 2003 minutes reflected Dr. Millward as stating that Dr. Mawdsley's comments were as follows:

“However, the lot is not a lakefront lot as there is a 100 foot buffer zone of city owned park land which existed before the houses were built.”

Dr. Millward continued to read a portion of Dr. Mawdsley’s correspondence of September 29, 2004 as follows:

“There is a fifty foot buffer zone in this area”

Dr. Millward advised that he had reviewed the HRM owned property map and upon his review and measurement of the area in question, he will stick by his statement that the buffer zone is closer to 100 feet than 50 feet.

Another concern identified in the correspondence was as follows:

“.... also concerned about the description by Mr. Millward of this area as a “parkland”. This area is a buffer zone in an extremely sensitive part of the lake.”....

Dr. Millward noted that this area had been deeded to HRM by the developer as parkland. However, it has never been developed as such.

Mr. Clement left the meeting at 7:00 pm.

During further discussion, the Board agreed that Ms. Manzer would reply to Dr. Mawdsley and advise him that the minutes of September 24, 2003 and April 28, 2004, were accurately recorded and had been approved by Board. Further that Dr. Mawdsley’s correspondence of September 29, 2004 has been received, reviewed and noted by the Board.

7. STAFF UPDATE

7.1 Project No. NSD18982 - Report to Environmental Design and Management Limited on Habitat Study of Grassy Brook and an Unnamed Watercourse Between Frenchman Lake and Lake MicMac

- The above report was distributed to the Board for their information and review.

Mr. Kurt Pyle advised that an application had been received for the Countryview Development Site. He noted that this property was bound by the City of Lakes Business Park. Mr. Pyle briefly outlined on the area map the property in question. He further advised that the intent was to put in an interchange where the existing driveway to the quarry was currently located. Mr. Pyle noted the report was distributed to the Board for information purposes and requested that their comments be forwarded to him prior to or at the meeting scheduled for October 27, 2004.

During further discussion Mr. Pyle responded to questions from the Board. The Board suggested that, if possible, a representative of Jacques Whitford Limited, or the applicant's consultant, be present at the next meeting to provide more information.

8. ADDED ITEMS

8.1 Morris Russell Lake Public Participation Committee

Dr. Hugh Millward advised that he was the Board's representative on the Morris-Russell Lake Public Participation Committee. He noted that the Master Plan, which was drafted by the Morris-Russell Lake PPC, had been approved in principle by the Harbour East Community Council in 2000. Dr. Millward provided an update and noted that federal funding is currently available for the planned interchange.

Dr. Millward provided an update from a meeting of the Morris-Russell Lake PPC and the developers that was held September 28, 2004. He noted that developers are reviewing the District Master Plan to produce CDD agreements for the area around Morris and Russell Lakes. He further noted that one concern of the Committee was that one developer had proposed to develop within 80 feet of the lake. However, Dr. Millward advised that after discussions the developer agreed to make amendments in their proposal that would not infringe on the 100 foot buffer.

Dr. Millward also advised that Clayton Developments presented their proposal at on September 29, 2004 which included many recommendations as contained in the District Master Plan. He noted Clayton Developments were proposing a trail system that would include a trail through the lake buffer. Dr. Millward anticipated that HRM would require the trail development to be part of the CDD agreement. He noted that the PPC will follow up within two weeks and once the PPC has given approval staff will work on the agreement and then the erosion and sediment control plan will be presented to the Board.

Discussion ensued and Ms. Manzer thanked Dr. Millward for his representation on the Public Participation Committee.

9. DATE OF NEXT MEETING - October 27, 2004

10. ADJOURNMENT

There being no further business, the meeting adjourned.

Millie Hull
Legislative Assistant