

HALIFAX REGIONAL MUNICIPALITY

DARTMOUTH LAKES ADVISORY BOARD MINUTES November 24, 2004

PRESENT: Audrey Manzer, Chair
Ms. Catherine Lunn, Vice Chair
Dr. Ron Beazley
Ms. Christine Hoehne
Dr. Don Gordon (6:20 p.m.)
Mr. Peter Connor
Dr. Klaus Hellenbrand
Mr. Pierre Clement
Ms. Stephanie Bird (6:30 p.m.)
Dr. Hugh Millward
Dr. Mark Trevorrow

ABSENT WITH
REGRETS: Councillor Gloria McCluskey

STAFF: Mr. Kurt Pyle, Planner
Ms. Sherryl Murphy, Legislative Assistant
Mr. Ken Silver, Metro Transit

ALSO PRESENT: Mr. Mike Hanusiak, Clayton Developments
Mr. Earl Richardson, Clayton Developments
Mr. Andrew Connors, Clayton Developments

1. CALL TO ORDER

The meeting as called to order at 5:20 p.m.

2. APPROVAL OF MINUTES

MOVED by Dr. Gordon, seconded Ms. Hoehne that the minutes of October 27, 2004, as distributed, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

• APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

Additions:

8.1 Information - Receiving Waters Baseline Sampling Program

MOVED by Mr. Clement, seconded by Ms. Lunn that the agenda, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Portland Hills West - Sediment Control

As requested at the October 27, 2004 meeting, Mr. Pyle distributed the notes from the Clayton plans.

4.2 Environmental Protection Plan - Russell Lake West - Presentation by Clayton Developments Ltd.

- A report entitled The Environmental Protection Plan, Russell Lake West, dated October 2004, was before the Board for consideration.

Mr. Pyle briefly introduced the project noting that Clayton Developments is seeking a Comprehensive Development District for the lands between Russell Lake and the circumferential highway referred to as the Old Crouse property. Mr. Pyle indicated that the proposal was for a mixed residential/mixed commercial development.

Mr. Mike Hanusiak, Clayton Developments gave a presentation regarding the proposed Environmental Protection Plan for the development, including the following highlights:

- the application for development is in the initial stages with HRM staff undertaking an

- evaluation
- the intent is to provide the information to the Board and seek the Board's comments and/or suggested additions/deletions to the Environment Protection Plan
- the key staff/consultants are present and will respond to questions the Board may have. If further clarification is necessary, this information can be provided to the Board at a later time

With the aid of a power point presentation, Mr. Hanusiak, provided a detailed overview of the proposed Environmental Protection Plan as found in the October 2004 report.

Highlights of the presentation include:

- Approval of the Highway 111 interchange is pending and the intent is to have Baker Drive in place to join into the interchange
- Residential areas will drain towards Russell Lake and the Commercial area to the harbour
- A buffer will be in place along the lakefront, 50% of which will be held privately and the remaining 50% will be held publicly

Referring to the proposal that 50% of the linear lakefront would be held in private ownership, Dr. Millward asked what protections would be put in place to ensure that the buffer remains in place.

Mr. Hanusiak indicated that the Development Agreement will indicate that no trees or root masses are to be removed unless the tree is dead.

Mr. Stan Cutcheonoff, Arborist for Clayton Developments, noted that Hurricane Juan damage was extensive in some areas. As the Asian Longhorn Beetle is present in this area, the proposal is that Clayton Development will cut the fallen trees, chip them and leave this material on site. Mr. Cutchenoff clarified that only 10-15% of the trees on the site are impacted.

Mr. Earl Richardson, Clayton Developments, went on to describe the phasing of the project and noted that decisions will not be made in the initial phases which will impact the rest of the lake. Addressing the Board's concern regarding the maintenance of the buffer zone, Mr. Richardson went on to stress that the Development Agreement runs with the land. As a consequent the eventual property owner will be required to seek permission from the Development Officer, or other designated authority, to remove trees from the buffer zone.

Peter Connor raised the possibility of moderating the mass cutting to provide some inherent protection to the lake during construction.

Mr. Richardson reviewed with the Committee the steps taken to mitigate against run off to the

lake including lot grading, a drainage swale at the rear of the property and covering cleared property with wood chips. Mr. Richardson went on to note that every effort is made to seal up open areas with appropriate materials as soon as possible, however the property must be brought up to grade before being covered.

Mr. Dan Flynn, on behalf of Clayton Developments, noted that the main principle in any development near a watercourse is to keep clean water clean and to cover opened areas as quickly as possible.

Mr. Richardson noted that significant efforts are made during rain events to ensure that open areas are covered. He went on to note that HRM has recently changed its screening requirements as a result of back up problems experienced at another Clayton Development project site during a heavy rain storm.

Mr. Hanusiak commented that the sections of land open in this development at any one time should be smaller than in the Portland Hills development. He stated that this does not mean that the land will not be disturbed. Noting the difficulty in maintaining trees on the front portion of the lots given the requirements of Nova Scotia Power Incorporated and those for water and sewage, Mr. Hanusiak indicated that an aggressive tree re-planting program seems appropriate.

Noting that he agreed with the concept of Clayton Developments doing the clean up of Juan debris, Dr. Gordon commented that he would like the Development Agreement to be very restrictive not only in terms of the removal of trees, but of all other vegetation as well. He further indicated that he would like to see the Board have more input on a Phase by Phase basis. Dr. Gordon suggested that the Board should have input to the conditions under which the owner could remove trees and vegetation.

Mr. Hanusiak indicated that he would be willing to establish a meeting at the end of the construction season to review with the Board what has happened to date and provide a overview of what was planned for the next year.

Ms. Sue Belford, Jacques Whitford, noted that lake monitoring will be carried out prior to development and then monitoring will occur after every storm. She indicated that the details of the locations for monitoring have not yet been set down.

Following a further discussion Mr. Hanusiak, in response to a concern expressed by Dr. Millward, indicated that there was no detail relative to erosion and sediment control. Mr. Hanusiak stated that the Plan before the Board was a worst case scenario Plan. He went on to note that the final stormwater management plan will be filed with HRM and will include a protocol on storm water drainage, landscaping, etc.

Mr. Pyle assured the Board they would have input to this more detailed plan as has been the practice.

A discussion ensued regarding the problems with controlling erosion and sediment during the development of Portland Hills due to the vast amount of land that was open. Dr. Millward suggested that the way to avoid this is to limit the lots which can be exposed at any one time.

Mr. Connors, noting the scale of the project, suggested that controlling the number of lots could not simply be a matter of categorically limiting the lots to a specific number. Perhaps the more appropriate solution would be to have the Development Engineer agree to an appropriate number. Mr. Connor went on to note that of primary importance is the top dressing, how and when it is applied.

Mr. Pyle confirmed that the sediment control plan will come back to this Board for review.

Mr. Connors asked if there would be some ability within the Development Agreement to amend the Plan if it is found it is not working. Mr. Connors suggested that what happened in Portland Hills can be protected against in the Development Agreement.

Mr. Pyle noted that staff is now looking at how best to revise the Portland Hills Development Agreement to provide some assurances in this regard.

4.6 Portland Hills Bus Rapid Transit Terminal - Update on Correspondence to RPAM

Mr. Ken Silver, Manager, Transit Planning & Development and Mr. Jeff Wright, Project Manager, addressed the Board in response to concerns expressed at the previous meeting.

Mr. Silver gave a brief overview of the project noting, in response to concerns regarding open earth, that he and his staff had worked with the Development Department and Building Inspection regarding the project. He went on to indicate that based upon his limited knowledge, the work undertaken had been carried out in compliance with the guidelines.

Mr. Silver advised that he had met on site with a concerned resident. Subsequently silt fencing was installed. Mr. Silver advised that most of the exposed soil was now covered with only the swale area remaining uncovered.

Mr. Pyle noted that HRM has been subject to criticism that they are not adhering to their own regulations. He went on to indicate that HRM is addressing this and, in fact, holds it- self to the same high standard expected from the development community.

In response to a question from a member as to whether Metro Transit would be willing to

consult with the Board on any future Transit project which might impact a watercourse, Mr. Silver indicated that he would be happy to do so.

Mr. Pyle indicated that he would remind Engineering Services that HRM projects which may impact watercourses must be brought to the Board for input.

4.3 Staff Comment on Preamble to Dartmouth Lakes Advisory Board Building Permit Review Guidelines

- Mr. Pyle distributed a copy of the November 2004 Dartmouth Lakes Advisory Board Proposed Guidelines for the Development of Lots Adjacent a Lake or Watercourse.

Mr. Pyle noted that this revision included staff's comments regarding the guidelines and emphasized the fact that this document is only a guideline. He recommended, **to which the Board agreed**, that the guidelines be distributed to the Development Officers in the other regions for their information and use.

4.4 Draft Report - Lake Levels on Mic Mac

Work on the draft report regarding an appropriate process to alter lake levels is ongoing.

4.5 Regional Planning Update

Dr. Millward gave a brief update of the Regional Planning process noting that the Steering Committee would be bringing a recommendation regarding the preferred alternative to Regional Council in the near future.

5. NEW BUSINESS

5.1 Meeting Schedule - 2005

Meetings will be held, as has been the practice, on the last Wednesday of each month with the exception of July, August and December. A schedule of meetings, as follows, will be distributed to Committee members:

Wednesday, January 26, 2005
Wednesday, February 23, 2005
Wednesday, March 30, 2005
Wednesday, April 27, 2005
Wednesday, May 25, 2005
Wednesday, June 29, 2005

Wednesday, September 28, 2005

Wednesday, October 26, 2005

Wednesday, November 30, 2005

6. **CHAIRMAN'S REPORT** - None

7. **STAFF UPDATE**

The Committee agreed that further site visits be delayed until the Spring.

8. **ADDED ITEMS**

8.1 **Information - Receiving Waters Baseline Sampling Program**

- This matter was added to the agenda during the setting of the agenda.

Due to time constraints, the Committee agreed that consideration of this matter be deferred to the next meeting of the Committee to be held on January 26, 2004. The Committee further requested that staff be requested to meet with the Committee at that time to review the intent of the sampling program. The Committee further requested that a map be provided of the various sampling locations and information be provided as to which of the lakes have a pumping station.

9. **DATE OF NEXT MEETING** - January 26, 2005

10. **ADJOURNMENT**

There being no further business, the meeting adjourned at 7:45 p.m.

Sherrill Murphy
Legislative Assistant