



**HALIFAX WATERSHED ADVISORY BOARD
MINUTES
September 15, 2004**

PRESENT: Dr. Wayne Stobo, Chair
Ms. Ellinor Williams, Vice Chair
Mr. Frank Hope
Mr. Walter Regan
Mr. Shalom Mandaville
Mr. Ross Evans
Dr. Barry Thomas
Dr. Sankar Ray
Ms. Janis Rod
Mr. Darrell Hynick

ABSENT: Mr. Keith Manchester (regrets)
Councillor Linda Mosher (regrets)
Ms. Christine Smith
Mr. Jim Holmes
Dr. Spencer Lee
Mr. Lawrence White
Mr. Gerry Samson

STAFF: Ms. Sheilagh Edmonds, Legislative Assistant
Mr. Luc Ouellet, Planner

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1. Call to Order

The Chair called the meeting to order at 6:35 p.m. in Halifax Hall, City Hall, 1841 Argyle Street.

2. Approval of Agenda, Additions and Deletions

The Chair noted that there were two presentations to be heard this evening, and suggested that they be moved up on the agenda to be dealt with as the first order of business, **to which it was agreed**. The Chair advised that the Board would deal with item 6.1 first, followed by item 5.1.

3. Items to be added to the next agenda

- C Halifax Harbour Watershed Coalition - Presentation by Executive Director
- C Outstanding Issues

4. Approval of Minutes

MOVED by Mr. Regan, seconded by Ms. Williams, the minutes of July 21, 2004 be approved as circulated. MOTION PASSED.

6. New Business:

6.1 Presentation by Darrell Taylor RE CCME Guidelines

Mr. Darrell Taylor, Nova Scotia Department of Environment and Labour, was in attendance to give a presentation on CCME guidelines, at the Board's request.

Mr. Taylor addressed the Board and advised that he worked with the Water and Wastewater Branch of Nova Scotia Department of Environment and Labour. With the aid of a Power Point presentation, Mr. Taylor explained Canadian Water Quality Guidelines and how they are developed; the purpose of the guidelines, and their intended use and application. He submitted copies of the guidelines to the Board members for their information, and a copy of his presentation. Mr. Taylor concluded his presentation by advising the members of the CCME website and suggested they view the website if they would like more detailed information.

Mr. Taylor responded to questions from the Board, and was thanked by the Chair for the presentation.

At 7:15 p.m. the Board recessed; and reconvened at 7:25 p.m.

5. Business Arising from Minutes:

- 5.1 Case 00667: Application by Kimberley Lloyd Developments Ltd. to rezone PID's 40162497, 40346785, and 40345777 from Single Unit Dwelling Zone (R-1) to Comprehensive Development District (CDD) and**

undertake a Development Agreement to permit a mix of single and two unit dwellings

- C A report dated July 7, 2004 from Jaime Smith, Planner, pertaining to the above noted application was submitted.
- C Minutes from a June 21, 2004 public information meeting on this application were submitted.

Mr. Luc Ouellet, Planner, addressed the Board and outlined the application by Kimberley Lloyd Developments to rezone an 11.7 acre portion of PIDS 40162497, 40346785 and 40346777 in the Governor's Glen Subdivision from single unit dwelling zone (R-1) to Comprehensive Development District (CDD) and undertake a development agreement to permit a mix of single and two unit dwellings.

He advised that the developer is requesting the rezoning to increase the density, which presently can fit 40 single family homes; and the proposal is for 52 dwellings—26 single- family and 26 semi-detached homes.

Mr. Ouellet circulated a new site plan. He pointed out that in July staff were encouraging the Board to give priority to this matter because the developer has the ability to develop as-of-right; however, for what they are proposing, it requires a development agreement. Mr. Ouellet noted that if the developer was to develop as-of- right he would not have to provide the Municipality with parkland; with the development agreement, parkland is a requirement. He noted that Real Property Services has identified a need for parkland and access to Governor's Lake.

Mr. Ouellet advised of pertinent aspects of this application, as follows:

- C parkland will be provided.
- C bylaw states that, at least, a 25 ft. buffer is required between water and dwellings. In this application the developer will provide 60ft.
- C municipal sewer and water is available - no onsite septic or well.
- C stormwater - there will be an easement next to the park - stormwater will be piped and the pipe will stop approximately 20 ft. from the lake to disperse the effluent over the ground, as opposed to being discharged directly into the water.

In concluding his remarks, Mr. Ouellet introduced Mr. Rob MacPherson, representing the Kimberley Lloyd Group and advised that he and Mr. MacPherson would be available to respond to any questions.

The Chair advised that the aspects of this application for the Board's consideration are: 1. the buffer - 25 ft. buffer as it relates to 60 ft. of parkland; and 2. the manner in which stormwater will be discharged.

The Board entered a lengthy discussion and put forth the following recommendations:

- C Setback - the Board supports the minimum 60 ft. setback, and the proponent's intention of a 35 ft. undisturbed buffer.
- C Undisturbed buffer - the Board regards the buffer zone as being, 'to the water's edge'. The Board recognizes that residents will want access to the lake, and suggest that any pathways be as natural as possible. The Board recommends that access roads for uses such as boat ramps be prohibited.
- C Docks - any docks or wharfs that residents construct should be built according to NSDOEL guidelines.
- C Parkland - as a way to discourage the private development of access roads for boat launches, the Board recommends an access road be developed in the parkland area, and this would also give public access to the lake. The road should be gravel and grass (i.e. as natural as possible) to enhance filtering.
- C Stormwater drainage from the roadway leading to the lake not be piped but rather, use a combination of riprap and grass (e.g. Green Gabian). Further, a stormwater treatment device should be incorporated if possible. Maintenance - should be properly maintained according to manufacture specifications and annual reports submitted to the Board. Analysis of pre and post development site runoff with the objective of creating '0' peak discharge runoff, post development.
- C The Board supports the efforts of the developer with regard to hiring a landscape architect and installing street trees.
- C The Board recommends the pumping station have overflow storage capability e.g. holding tank, with automatic alarm system, and be built to, at least, NSDOEL standards.

In addition to recommendations specific to this application, the Board agreed to include in the report:

- C information regarding the study being conducted by Maritime Strategic Grant, which is funded by NSERC;
- C a reference to the additional loading of the sewage treatment plant and the impact of this on Nine Mile River.

The Chair advised that he would prepare and forward the recommendations, and this will be done prior to the Board's next meeting, **to which it was agreed.**

5.2 Case 00676 - Application by Paul Roma to permit a single family home within 100 feet of the Little Sackville River by development agreement

- C Draft recommendations prepared by Mr. Walter Regan dated September 15, 2004 regarding this application were submitted for the Board's review.

The Board reviewed the draft recommendations, and agreed to remove recommendation #5. The Chair advised that Mr. Regan will revise the document, forward it to Sheilagh Edmonds, and she will forward it to the Planner, and Community Council. He also asked Ms. Edmonds to forward an electronic copy to him.

5.3 Growth Alternatives - Regional Planning

Deferred to the next meeting.

5.4 McIntosh Run Watershed Management Plan

Deferred to the next meeting.

5.5 Infilling of Cranberry Lake

- C a memorandum dated July 12, 2004 regarding the infilling of Cranberry Lake and Transportation and Public Works Compensation Plan RE damaged or destroyed habitat was submitted.

Mr. Frank Hope addressed the issue of the infilling of Cranberry Lake, and the Transportation and Public Works compensation plan for fish habitat damaged or destroyed. Mr. Hope expressed concern that the TPW compensation plan provides only for 17% of the compensation to be directed to the restoration of fish habitat in the local area, while the remaining 83% is to be diverted to support the Cheverie Creek Salt Marsh restoration project in Hants County, which is well outside the boundaries of HRM. He also noted that the plan includes a proposal for development of a Memorandum of Understanding between DFO and TPW which would seem to allow TPW discretion to disregard the DFO Hierarchy of Preferences and divert compensation funds from HRM or elsewhere in the Province to the Cheverie Creek Salt Marsh project, whenever TPW encounter excessive costs or logistics difficulties.

Mr. Hope suggested that this is something the Board should be concerned about, and may want to advise Mayor Kelly and HRM staff.

A discussion ensued and the Board concurred that habitat restoration funds should be earmarked for the areas where the damage has happened.

Subsequently, **it was agreed** that the Chair would forward a letter, on behalf of the Board, to Mayor Kelly with a copy to Brad Anguish, Director of Environmental Management Services. The letter will outline the situation involving the infilling of Cranberry Lake and Transportation and Public Work's recommendation that restoration funds for this damaged habitat go elsewhere. The letter will also recommend that HRM take proactive approach to ensure this doesn't happen in the future.

6.2 Water Test Results Interpretation

Ms. Williams advised that, previously, she suggested inviting someone to give a brief presentation to the Board on how to interpret water sample results, and an explanation of what parameters are most relevant to the Board when reviewing test results. She noted that Mr. Taylor's presentation partially answered her questions.

Mr. Mandaville indicated he had information in this regard he believed would be quite helpful, and added that he would forward to her via e-mail.

7. Date of Next Meeting

The next regular meeting date is October 20, 2004

8. Adjournment

The meeting adjourned at 9:40 p.m.

Sheilagh Edmonds
Legislative Assistant