

HALIFAX WATERSHED ADVISORY BOARD
MINUTES
September 17, 2008

PRESENT:

Dr. Wayne Stobo
Mr. David Ripley
Mr. Ross Evans
Mr. Walter Regan
Ms. Ellinor Williams
Mr. Derrill Hynick
Mr. Scott Harron
Dr. Barry Thomas

REGRETS:

Councillor Mary Wile
Mr. Nathaniel Smith

STAFF:

Mr. Brian White, Planner
Ms. Melody Campbell, Legislative Assistant

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1. CALL TO ORDER

The meeting was called to order at 6:40 p.m. in Halifax Hall.

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

Added Item:

- 9.1 Presentation of Case 01179: Application by Caohmin Consulting on behalf of Trax Atlantic Developments Inc. for a Development Agreement to permit a mixed-use residential community "Rockcliffe Village" on a 34 acre property (PID 00313189) located on Northwest Arm Drive and Cowie Hill Road, Halifax

This item is a presentation and will be addressed after the approval of the minutes.

3. APPROVAL OF THE MINUTES - August 20, 2008

Change Page 5 - Board next "month"

MOVED BY Mr. Regan, seconded by Ms. Williams, that the minutes of August 20, 2008, as amended, be approved. MOTION PUT AND PASSED.

9. ADDED ITEMS

Added Items will be addressed at this time as it is a presentation.

- 9.1 **Case 01179: Application by Caohmin Consulting on behalf of Trax Atlantic Developments Inc. for a Development Agreement to permit a mixed-use residential community "Rockcliffe Village" on a 34 acre property (PID 00313189) located on Northwest Arm Drive and Cowie Hill Road, Halifax**

Mr. Paul Sampson, Planner, introduced the presentation to the Board.

Mr. Kevin Riles, Caohmin Consulting, provided the presentation to the Board. Mr. Riles introduced the members of the team working on the proposed development. Mr. Riles advised his phone number is 431-1700 and his email is kriles@rilesgroup.com and he added he welcomes any feedback. Ms. Elizabeth Kennedy, Jacques Whitford Limited, provided information on the environmental issues to the Board.

Following the presentation the following issues were addressed:

- The wind generator on the concept plans could be an opportunity to create energy. The size of the turbine has not been determined. This information will be brought

- back to the board.
- Front doors to the single homes will face the street, the front doors to the townhouses will face the back lane.
 - Sidewalks will be located on one side of the street.
 - The use of green roofs has not been determined.
 - The determination of the trail standards will be made in conjunction with the input of HRM Parks staff.
 - The Herring Cove Sewage Plant will have sufficient capacity to handle the sanitary sewage of the proposed development. Overflow into MacIntosh Run will be improved but not eliminated.
 - Underground parking will be located mainly under the condo buildings. There will be 242 underground parking spots and approximately 15 above ground at each condo building. This will further be determined in consultation with HRM staff.
 - The Central Park area is a passive and recreational site. The concept is for the area to contain a natural outdoor skating rink, a gazebo, playground, and trails.
 - The plan is to leave as many original trees as possible.
 - There has been some consideration to solar heating, although it is not part of the plan.
 - There is little possibility of fish living in the pond areas.
 - Wetlands have a capacity to accommodate additional flow.
 - After a determined time, HRM will maintain the area.
 - It will be very difficult for HRM to add more piping to the proposed drainage system due to its isolated location.
 - The property is granite, there is no slate on site.
 - The water table is below the bedrock, contains perched sites with some sitting water.
 - Water quality testing will be determined during the development agreement process.
 - Vegetated swales will be created.
 - The ponds are intermittent with water at or below surface. Calculations due to a storm event have not yet been done as to not alter the area. This testing would anticipate what the three water bodies could handle.
 - The capacity of the system is 4900 cubic metres of a 100 year storm for a 24 hour duration.
 - Phosphorous will be maintained.
 - Native plants will be used in the water areas, such as cattails and rushes.
 - The Board suggested that any trails over streams or water bodies should be crossed over by a bridge and not by infilling.

Dr. Stobo expressed his appreciation for the presentation and added that this is an impressive proposal.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Relationship with HRM - Expectations, areas of focus and reporting

Dr. Stobo advised that the Halifax Watershed Advisory Board has initiated this discussion to work on the relationship with HRM and to receive staffs' feedback on the effectiveness of the Board. Mr. Kurt Pyle, Supervisor, Planning Applications, and Ms. Kelly Denty, Supervisor, Planning Applications were in attendance for the discussion.

Dr. Stobo initiated the discussion by advising that many of the Board's recommendations for developments are not addressed in the staff reports that go to Council. He added that the Board needs to receive feedback from HRM staff as to why these recommendations are not part of a report, and if part of a report why they are not acted upon by HRM.

Ms. Williams questioned who gets the reports that are prepared by the HWAC. She was advised by Mr. Pyle that HWAC reports are sent to Planning Staff, Community Council and the proponent. She raised concern over the timelines as she had noted the Moody Lake report.

Dr. Stobo noted that some Planners advise the Board that they need recommendations in two weeks and he added that this is difficult for the Board as it only meets once a month. Once a proposal is heard, recommendations have to be drafted and discussed and voted on as a group. As a volunteer Board, HRM has requested its expertise and now staff are adding pressure to get the Board's recommendations. Dr. Stobo advised that the Halifax Watershed Advisory Board prepared a checklist for HRM staff and many of the items on the checklist are not being addressed during the proposal submissions. Often proposals come forward with no topographical maps, no stormwater management plan, or erosion control plans. Mr. Pyle indicated that the other Boards incorporate the recommendations into their minutes, which can speed up the process. Dr. Stobo advised that he is not comfortable with incorporating the recommendations into minutes as some recommendations may be lost in translation. He added that a report ensures that the recommendations are directly approved by the Board. Mr. Pyle advised that staff are currently meeting with Council to discuss the process and role of Boards and Planning Advisory Committees and added that getting rid of the Boards is not the intent. Dr. Stobo advised that the Boards should become part of this process which will enable them to meet with Council and receive feedback.

Ms. Williams raised concern that recommendations through minutes can be interpreted in a different manner than through a report. Ms. Williams added that HRM has to decide what it requires from the board and prepare a mandate.

Mr. Ripley added that planners pick and choose the information they receive from the Board. Ms. Denty advised that sometimes this is done, as the HRM mandate may not be able to cover all of the recommendations of the Board. If HRM does not have the jurisdiction to enforce some recommendations, they may not be brought forward.

Dr. Stobo advised that the HWAB was requested to comment on any issues relating to watershed and advise Council of environmental impact. Mr. Little, Senior Planner, advised that if there is no policy or mandate under the Municipal Government Act, HRM cannot enforce the recommendations.

Dr. Thomas advised HRM staff that if recommendations are being made and not brought forward, the reasoning should be brought back from staff to the Board for information. He added that the HWAB needs feedback from HRM staff. He added there may be other alternatives that Council or staff can do with the recommendations, such as send letters to the Province requesting regulation. He added that he agrees that reports from the Board are much more beneficial than recommendations made in the minutes.

Mr. Harron advised that feedback from HRM staff is essential for the Board to operate. He stated that if some issues cannot be addressed due to lack of policy, they should still be considered worthy.

Mr. Hynick advised that the reports by the HWAB are technical in nature and are beneficial to the recipient. The level of detail is important, as the Board cannot give recommendations without providing critical information.

Mr. Ripley advised staff that the Board should know beforehand what they can or cannot comment on. He added that many of the issues that the HWAB have brought forward but were not part of the policy are now becoming mainstream, one example is the oil grit separator.

Dr. Stobo advised that the lack of jurisdiction and policy direction should be discussed with Council. He added that Council needs to be proactive on environmental issues. Water testing should be requested of the Developer by HRM. He noted issues that HRM could enforce are not being dealt with, such as erosion control.

Ms. Williams stated that if an issue cannot be commented on, it still has value. The Board's reports can bring in ideas to move forward. She advised that the Board should not be requested to restrict comment.

Mr. Regan stated that as a volunteer on HRM Boards and Committees, he is trying to improve his community and provide community protection. He noted that the Board needs to keep sending the message of change. He added that the Red Book is out of date and HRM policy is out of date. He stated that the HWAB's checklist is fine, but it is not being followed by HRM staff. He also noted a turnover of staff in HRM Planning. Mr. Pyle advise the Board that a meeting was held with the planners advising them of the checklist set out by the Board, and staff were advised that it needs to be followed.

Dr. Stobo questioned the legal aspect of the development agreement. Ms. Denty advised

that the Development Agreement is a signed contract, although if recommendations are in the Development Agreement that are not a part of the policy, HRM has no authority to enforce the recommendation.

Mr. Regan advised that the Municipal Government Act needs to be changed. Ms. Denty advised the Board that they could prepare a wishlist and present it to staff. This process would be beneficial and become part of the parking lot as changes to the Municipal Government Act are brought forward. Mr. Regan advised that As-of-Right development needs to be addressed. Mr. Regan advised that often HWAB meetings could be longer, and City Hall may not be the best venue as it closes at 9:30 p.m. and there could be many more issues for the Board to discuss. He advised that reports are often late coming from HRM. He added that the Halifax Water Commission will be bringing their reports to the HWAB.

Mr. Evans advised that the Municipal Government Act has to change. The members of the Board make logical comments that need to be heard.

Mr. Hynick advised that environmental testing must be done and enforced. He added that HRM will inherit problems due to lack of regulation.

Ms. Denty advised the Board that HRM staff are working on the best practices for HRM, as it applies to the Red Book, As-of-Right and Development Agreements.

Mr. Ripley advised that HRM staff have provided a great discussion and this should continue. He advised that the Board needs to know how it can be more effective. Ms. Denty advised the Board members to send in a wishlist of changes to the Red Book and the Municipal Government Act to staff. Mr. Little advised that staff issues and its interaction with the Board continues. He advised that it would be beneficial to receive feedback regarding how staff can assist the Board.

Mr. Regan advised of some issues that need to be brought forward. He advised that the topsoil by-law needs to be passed. A \$5000.00 bond should be requested of Developers. He added that HRM Planners need to be educated. He clarified that the 20 metre is a setback not a buffer and this is not to be considered as part of the parkland dedication. He added that Watershed Studies need to be done by Developers and added that a sufficient study is in the value of approximately \$300,000.00.

Dr. Stobo thanked Ms. Denty and Mr. Pyle for attending the Halifax Watershed Advisory Board. HRM staff advised that they are pleased to offer any assistance and the Board and advised that Board members can contact them at any time. Brian Little - littleb@halifax.ca, Kurt Pyle - pylek@halifax.ca, Kelly Denty - dentyk@halifax.ca.

4.2 Concept Plans

This issue is to be brought forward to the next HWAB meeting, as it was noted in the August 20th minutes (Item 5.3).

4.3 HWAB Guidelines and Checklist

Copy of HWAB's Guidelines and Checklist - The Chair has requested confirmation that this item has been sent to Mr. Hannam of the Halifax Water Commission as indicated in the August 20th minutes (Item 9.1, Page 4).

5. DEFERRED AND STATUS SHEET ITEMS - NONE

6. NEW BUSINESS - NONE

7. CORRESPONDENCE - NONE

8. REPORTS - NONE

9. ADDED ITEMS

9.1 Case 01179:Application by Caohmin Consulting on behalf of Trax Atlantic Developments Inc. for a Development Agreement to permit a mixed-use residential community "Rockcliffe Village" on a 34 acre property (PID 00313189) located on Northwest Arm Drive and Cowie Hill Road, Halifax

This item was addressed earlier in the meeting. See page 3.

10. DATE OF NEXT MEETING

The next meeting of the Halifax Watershed Advisory meeting will be held on October 15, 2008.

11. ADJOURNMENT

The meeting adjourned at 9:35 p.m.

Melody Campbell
Legislative Assistant