

HALIFAX WATERSHED ADVISORY BOARD
MINUTES

March 17, 2010

PRESENT: Ms. Ellinor Williams, Chair
Mr. Walter Regan, Vice-Chair
Mr. Scott Harron
Mr. Ross Evans
Mr. Barry Thomas
Councillor Peter Lund
Councillor David Hendsbee

REGRETS: Mr. David Ripley
Mr. Derrill Hynick

STAFF: Mr. Richard Harvey, Senior Planner
Mr. Miles Agar, Planner
Mr. Tyson Simms, Planner
Ms. Sheilagh Edmonds, Legislative Assistant
Ms. Julie Vandervoort, Legislative Support

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1. CALL TO ORDER

The Chair called the meeting to order at 6:34 p.m. in the Media Room, City Hall.

2. APPROVAL OF THE MINUTES

The Chair noted that Mr. Evans had been present at the January 20, 2010 meeting and this should be reflected in the minutes.

MOVED by Mr. Regan, seconded by Mr. Harron that the minutes of January 20, 2010, as amended, be approved. MOTION PUT AND PASSED.

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

Additions:

9.1 Case #015976, Amendments to Development Agreement, Rockcliffe Village, Northwest Arm Drive, Halifax (Mainland)

9.2 Case #15850, Rezoning, Prospect River Court, Hatchet Lake

MOVED by Mr. Regan, seconded by Mr. Evans that the agenda, as amended, be accepted. MOTION PUT AND PASSED.

4. ITEMS TO BE ADDED TO NEXT AGENDA: None.

5. BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET ITEMS:

5.1 Business Arising:

5.1.1 HWAB Report for Approval - Case 012884 - 5 Sawlor Rd. Waverley Road

The Chair mentioned the water quality monitoring report and stated the Board wished to pass on thanks to staff for a good report.

6. BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET ITEMS: None

7. NEW BUSINESS

7.1 Case 01238: Development Agreement by Hatfield Farm, Hammonds Plains Road, Hammonds Plain

- A memorandum dated February 1, 2010 was submitted by Mr. Miles Agar, Planner, and Mr. Tyson Simms, Planner.

The application was by Mr. Brian Hatfield to amend the existing Hatfield Farm development agreement (1840 Hammonds Plains Road, Hammonds Plains) to enable an expansion of commercial recreation activities on the property.

Councillor Hendsbee entered the meeting at 6:37 p.m.

Mr. Agar and Mr. Simms gave a Power Point Presentation and addressed the Board, explaining the background of previous agreements from 1993 to 2005. The Planners outlined the three-phase commercial/mixed use application and stated they sought input from the Board on the impact of this development on watercourses and the watershed. They responded to questions from the Board about the direction of the water flow, the ditching along Hammonds Plains Road. Mr. Evans advised that the brook in question was small and dried up in summer; Mr. Hatfield, Applicant, confirmed this. Mr. Agar stated that Department of Environment inspectors had visited the site and had determined this was not a watercourse situation, this was a drainage ditch.

The Chair inquired about the location of the expanded septic field. Mr. Hatfield indicated the location on the map and confirmed that the engineer was satisfied with the distance of the field from Second Lake. Councillor Lund clarified that the septic field will be expanded to C3 and Mr. Hatfield confirmed this and added that there are currently no fixed bathrooms at the front of the property as this was not allowed in previous agreements. He stated that there was a Johnny-on-the-Spot and that he had been trying for two years to get approval for bathrooms and that was the main reason for this application. Mr. Agar confirmed that these issues will be dealt with as the process moves forward, that approvals are required from the Department of Environment before permits are issued.

The Chair expressed concern about where the proposed restaurant facility waste would drain and if the ditch goes to Baptizing Lake. Mr. Hatfield explained that the land configuration does not permit any flow to get as far as the lake. The Chair then inquired about manure storage and Mr. Hatfield replied that eighty per cent of the manure is sold or used in his garden and there is very little kept on site.

Mr. Barry Thomas entered the meeting at 6:45 p.m.

Mr. Regan sought clarification on the current sewage pump-out and Mr. Hatfield stated that it was pumped out regularly depending on usage, that and meters indicate when this is necessary. Mr. Regan also asked about fish passage in the brook; Mr. Agar said that Fisheries and Oceans has confirmed there are no fish. Mr. Regan then asked about the slope of the parking lot; Mr. Hatfield explained the land does not permit a slope away from the brook. Mr. Regan indicated that he was interested in an analysis of the lake water to check for phosphorus.

Mr. Thomas inquired about the well and Mr. Hatfield explained that there was a single well, 400 feet deep, with good quality water that was tested every three months and audited. Councillor Lund raised a concern about the sufficiency of the water supply. Mr. Agar responded that this level of detail was not available at this stage of the application.

Mr. Regan sought details about the proposed swimming pool. Mr. Hatfield said that it would depend on what was feasible, that his plan was for a saltwater pool with water brought in.

The Chair summarized the discussion and advised those in attendance that the

application would be before the Board again at the next meeting and the Board would finalize recommendations shortly after and send them to Mr. Agar.

At the suggestion of Mr. Regan, the Board agreed to move item 9.1 up as the next item on the agenda.

9.1 Case #015976, Amendments to Development Agreement, Rockcliffe Village, Northwest Arm Drive, Halifax (Mainland)

- A memorandum dated March 12, 2010 by Mr. Paul Sampson, Planner, was circulated.

Mr. Dennis Rushton, Applicant, and Mr. Bill Campbell, representing the Applicant, were in attendance to address questions from the Board.

Mr. Richard Harvey, Senior Planner, gave a presentation on the Application by RV Atlantic Holdings Limited to amend the development agreement for Rockcliffe Village, a mixed-use development at Northwest Arm Drive and Cowie Hill Road Extension, Halifax (PID# 00313189).

Mr. Harvey referred the Board to the memorandum, Schedule B, Conceptual Site/Master Plan. Mr. Harvey advised that a section on the map between A and B has been ruled a drainage ditch by the Department of the Environment; the section is not a watercourse. Mr. Harvey added that there is a twenty metre set-back in keeping with policy.

The Chair asked who dug the drainage ditch originally and Mr. Rushton answered that it had probably been done when the area was a quarry. Councillor Lund inquired about the possibility of the ditch being in-filled and the impact on water recharge. A discussion ensued about existing vegetation in the set-back. Mr. Campbell replied that the law is to maintain what vegetation is there now, homeowners can't strip it. Mr. Evans indicated that the area is mainly granite, with little soil. There was concern expressed about homeowners potentially bringing in topsoil or otherwise supplementing the vegetation. The Chair suggested that the Board could recommend that any supplementation must be done in such a way to enhance protection of the watercourse.

Mr. Regan asked if the proposed quarry pond could be tested and Mr. Rushton replied that there were a lot of ponds on the site. Mr. Regan suggested that it was important to test the water at the start of the brook. He also noted that the last rowhouse appeared to be within the twenty metre set-back. Mr. Campbell stated that he would check on this point. Mr. Regan mentioned that he had spoken with Mr. Lawrence White, P. Eng, of Sherwood Enterprises Incorporated and Mr. White had answered many of his questions. The Chair concluded the discussion by advising staff that the Board would provide recommendations next month.

The Board then agreed to deal with agenda item 9.2 at this time.

9.2 Case 15850: Rezoning, Prospect River Court, Hatchet Lake

Mr. Tyson Simms, Planner, distributed a memorandum on this matter, stating it was for information purposes only as this was not an application before this Board. He added that he would send the corresponding maps to Ms. Sheilagh Edmonds, Legislative Assistant, for her to forward to Board members.

7.2 Gold Mining on the Eastern Shore

Mr. Thomas advised the Board that provincial approval has been given to re-open the Tangier gold mine, that there had been no public consultation and many issues were not addressed. He referred to a Department of Environment document dated March 21, 1997 and titled "Blueberry Hill Mine, Tangier Limited Partnership, Conditions of Environmental Assessment Approval". He noted that the 2009 approval was simply a re-stamping of the original 1997 approval. He expressed concern about a large rock pile from a previous mine that is leaching and about the potential for constant noise from rock-crushing near the village and a school. He indicated he was aware that mining is provincial jurisdiction but tailings will contaminate the watershed and run into the West River and he thought the Board should be aware of this project and other proposed mining within the boundaries of HRM.

Mr. Regan mentioned that the Board had a mandate to comment and should comment as the West River was very important. Councillor Hendsbee indicated that the Board had no jurisdiction, only moral suasion. Councillor Lund agreed, stating the Board's mandate was advice on developments. Mr. Harvey advised that HWAB relays concerns to Council and Council forwards those concerns to city staff or other appropriate agencies, that there is no mandate for the Board to write directly to a provincial agency. Mr. Regan stated he felt the Board should write directly to the province, highlighting concerns about water. A brief discussion ensued as to whether this was within the Board's mandate. Mr. Thomas offered to send the 1997 document to Ms. Edmonds to forward to Board members for their information. It was agreed that Mr. Thomas would draft a letter to Council outlining the Board's concerns and bring this draft to the Board for further discussion.

At 8:16 p.m. Councillor Hendsbee retired from the meeting.

7.3 Watershed Advisory Boards - Committee of Council Reform Workshop

- A memorandum dated March 9, 2010 by Cathy Mellett, A Clerk/Manager, Office of the Municipal Clerk, was circulated.

It was noted that Board appointments were extended to November 2010. The Chair requested that this item be tabled until the May HWAB meeting so she could participate in the discussion. The item will be placed at the top of the agenda.

It was decided to deal with items 7.5 and 7.4 in the order that follows.

7.5 SWEPS (Shubenacadie Watershed Environmental Protection Society) - Request for Representation on HWAB

The Chair noted that she had just received this request shortly before the meeting and

hadn't had an opportunity to review it but the matter would be dealt with more fully at the next meeting. Staff clarified the appointment process: the Board provides recommendations to Community Council and Community Council appoints. There was agreement that a SWEF representative would be appropriate and that the Chair would follow up on this.

MOVED by Mr. Regan, seconded by Councillor Lund that HWAB recommend that a Shubenacadie Watershed Environmental Protection Society representative join the Halifax Watershed Advisory Board. MOTION PUT AND PASSED.

There was general discussion on last-minute presentations and how agenda items and same-night recommendations might best be structured. It was agreed that looking at the other Water Advisory Boards and their processes would be helpful.

7.4 Annual Election of Chair and Vice-Chair

Ms. Williams turned the Chair over to the Vice-Chair.

MOVED by Mr. Evans, seconded by Councillor Lund that Ms. Williams be nominated Chair of HWAB. MOTION PUT AND PASSED.

Mr. Regan called three times for other nominations. There being none, Ms. Williams was declared Chair unanimously.

Ms. Williams then assumed the Chair.

MOVED by Councillor Lund, seconded by Mr. Evans that Mr. Regan be nominated Vice-Chair of HWAB. MOTION PUT AND PASSED.

The Chair called three times for nominations. There being none, Mr. Regan was declared Vice-Chair unanimously.

8. CORRESPONDENCE: None

9. ADDED ITEMS: None

9.1 Case 015976, Amendments to Development Agreement, Rockcliffe Village, Northwest Arm Drive, Halifax (Mainland)

This item was dealt with earlier in the meeting, see page 5.

9.2 Case 15850: Rezoning, Prospect River Court, Hatchet Lake

This item was dealt with earlier in the meeting, see page 5.

10. DATE OF NEXT MEETING: April 21, 2010

11. ADJOURNMENT

The meeting adjourned at 9:12 p.m.

Julie Vandervoort
Legislative Support