

**Western Region Community Council**  
**November 22, 2004**

**TO:** Western Region Community Council

**SUBMITTED BY:** \_\_\_\_\_  
Dr. Wayne Stobo, Chair, Halifax Watershed Advisory Board

**DATE:** October 7, 2004

**SUBJECT:** **Case 00667: Application by Kimberley Lloyd Developments to rezone PIDs 40162497, 40347685 and 40345777 of the Governor's Glenn subdivision.**

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**INFORMATION REPORT**

**ORIGIN:**

Case 00667 was provided to the Halifax Watershed Advisory Board for the July meeting by HRM planner Jamie Smith. It was presented to the HWAB by HRM planner Luc Ouellet at the September meeting and recommendations were formulated. The proponent possessed as-of-right development for this property as a R-1 residential area, but wishes to apply for re-zoning of the above PIDs to R-2 status to allow for a mix of single and two unit dwellings. Since the Municipal Planning Strategy for the Timberlea/Lakeside/Beechville area does not allow R-2 development in the as-of-right provisions, a development agreement is required.

**RECOMMENDATIONS:**

The Watershed Advisory Board appreciates this opportunity to review the Kimberley Lloyd Developments proposal. The developer is to be congratulated on its' intent to hire a landscape architect for this development and for intending to install street trees along the roadways. The HWAB is also aware that a major Maritimes Strategic NSERC (National Sciences and Engineering Research Council) grant has been awarded to a local university to conduct a baseline water quality study of Governor's Lake and much of the sampling has been completed. The Board's recommendations are related specifically to the protection of the watershed and the natural environment. In this instance, the Board has particular concerns with the potential impact of runoff on Governor's Lake and the capacity of the Nine Mile River sewage treatment plant (STP) to treat the sewage from this expanded development. Since the STP is an HRM facility, it is incumbent on the HRM to establish that the plant has the capacity and unacceptable degradation of water quality in the Nine Mile River does not occur as a result of the additional treated sewage effluent entering the river.

**Recommendations:**

1. The Board's guidelines include a 20 metre (ie. 60 feet) undisturbed buffer zone adjacent to all watercourses and waterbodies; this buffer zone extends to the edge of the water. The current proposal does not propose an undisturbed buffer of this distance. The Board supports the proposed 60 foot setback and the 35 foot undisturbed buffer as a minimal distance, but also recommends that development of the waterfront should be restricted and subject to NSDE&L and DFO review and guidelines. Further, the Development Agreement should include a requirement for a landscaping plan be completed and submitted for review and approval by the HRM, and a covenant be included in the property deeds related to preserving the undisturbed buffer area.
2. The Board acknowledges that the property owners bordering the lake will need access to their waterfront, and may wish to have wharves/docks on the lakefront, but recommends that utility roads to the lakefront be prohibited on individual lots; access should be gained by pathways rather than roads and the pathways designed to ensure that surface runoff will flow through natural vegetation prior to entering the lake. Construction of wharves and docks should minimize alteration of the waterfront and be according to NSDE&L guidelines.
3. The Board recommends the development of a road and boat launch on the parkland site the proponent proposes to give to the HRM. This will provide public access to the lake for recreational purposes and may discourage the development of private launch sites. The roadway and launch areas should be designed to enhance the removal of contaminants and sediment from surface runoff (e.g. surfaced with a gravel and grass combination rather than an impervious surface).
4. The Board recommends that stormwater drainage from the roadway adjacent to the park not be piped, but rather be directed by a swale lined with rip-rap rock and grass (eg. Green Gabion) to encourage 'polishing' of the stormwater before it enters the lake. Further a Stormwater Treatment Device should be incorporated if possible and be maintained according to the Manufacturer's specifications. Annual maintenance reports should be provided to the HWAB.
5. The Board recommends that a study be conducted of pre- and post-development site runoff with the objective of achieving zero increase in peak discharge from the fully developed site (as per NSDE&L Storm Drainage Works approval policy, section 5).
6. The proponent intends to build a new sewage pumping lift station. The Board recommends that it have an overflow storage capacity (eg. holding tank) and an automatic alarm system which conforms to NSDE&L standards.

#### BACKGROUND:

The PIDs in question are part of the Governor's Glenn development. The proposal is to re-zone a number of lots, from R-1 to R-2. The change would result in an increase in the number of housing units from 40 (R-1 lots) to 52 (mixture of R-1 and R-2 lots). Governor's Glenn Subdivision utilizes municipal water and sewer services, the sewage being treated at the

municipality's Nine Mile River treatment plant. A number of the lots in this Phase 4 of the development abut Governor's Lake. The Timberlea/Lakeside/Beechville Land Use Bylaw requires a minimum 25 feet setback of all buildings and structures from "the rim of any watercourse or waterbody". The proponent proposes that the housing units will have a minimum setback of 60 feet from Governor's Lake, but propose landscaping 20-25 feet of this setback adjacent to the buildings, hence complying with the Land Use Bylaw, and also providing an undisturbed buffer of 35 feet. As part of the Development Agreement, the proponent is offering to donate a piece of property with 100 feet of water frontage on Governor's Lake as a community park. The proponent also proposes a service easement on the eastern side of the parkland area and to direct stormwater into Governor's Lake via a pipe; the pipe is to be terminated 20 feet from the shore to allow for dispersal of the stormwater over the ground. Governor's Lake is part of the Nine Mile River watershed.

No pre- or post-development water quality sampling or analysis is proposed by the developer for Governor's Lake. NSDE&L has indicated to a HWAB member that they have concerns with the capacity of the Nine Mile River STP and the potential impact on Governor Lake water quality.

copied to: Luc Ouellet, Planner  
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