

HALIFAX REGIONAL MUNICIPALITY

HALIFAX/HALIFAX COUNTY WATERSHED ADVISORY BOARD

MINUTES

JUNE 19, 2002

PRESENT: Dr. Wayne Stobo, Chair
Mr. Keith Manchester
Mr. David Dwyer
Mr. Glen Williams
Dr. S. Ray
Dr. Walton Watt
Mr. Peter Murray
Ms. Ellinor Williams
Mr. Bill Ernst
Mr. Ross Evans
Dr. Barry Thomas
Mr. Jim Holmes

ABSENT: Mr. Frank Hope (regrets)
Mr. Walter Regan (regrets)
Mr. Mark Leaman
Mr. Lawrence White

ALSO PRESENT: Ms. Susan Corser, Planner
Ms. Lynne Le Boutillier, Assistant Municipal Clerk

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The meeting was called to order by the Chair at 6:30 p.m., Training Room, City Hall.

1.0 **APPROVAL OF AGENDA, ADDITIONS AND DELETIONS**

The following items were added to the agenda under New Business:

- C 4.1 - Wentworth Estates Planning Strategy
- C 4.2 - Redraft Covering Letter to Community Councils
- C 4.3 - Mapping

Under 5.0 - Concept Plans - Brookhill Estates Subdivision, Grand Lake

Added to the Information Items were the following:

- C Nova Scotia Utility and Review Board - Mitre Construction
- C Stoneridge on the Park

The Chair proposed moving item 4.1, Wentworth Estates Planning Strategy and an Information Item, Stoneridge on the Park to the top of the agenda, as Paul Morgan, a HRM Planner was in attendance for these items.

The agenda, as amended, was adopted on motion of Mr. Williams and Ms. Williams.

2.0 **APPROVAL OF MINUTES**

The minutes of the May 15, 2002 meeting were adopted, as circulated, on motion of Mr. Dwyer and Mr. Holmes.

4.0 **NEW BUSINESS**

4.1 **WENTWORTH ESTATES PLANNING STRATEGY**

Previously circulated to the members with a memorandum dated June 11, 2002 from Ms. Corser were the following:

- C Staff response to the Chebucto Community Council regarding H/HCWAB's recommendations for Project 00086 - Secondary Planning Strategy for Wentworth - information item.
- C Action summary from Chebucto Community Council's session of June 10, 2002 referring staff's response (re Wentworth Estates) back to H/HCWAB.

It was noted that a response is required for the Chebucto Community Council's July 8, 2002 session.

Mr. Paul Morgan, Planner, Community Regional Planning reviewed with the members staff's report dated June 3, 2002. Attached to this report was a copy of the Board's twelve (12) recommendations contained in a report to Chebucto Community Council dated April 17, 2002 and the Environmental Policies proposed under the Wentworth Secondary Planning Strategy.

While Mr. Morgan had not been in attendance at the June 10, 2002 Chebucto Community Council meeting, he understood that the Community Council members wanted to clarify whether a problem(s) exist or whether the Board and staff are essentially in agreement. Mr. Morgan, referring to the June 3, 2002 report's Discussion Section, noted that it is staff's opinion that the Board's recommendations and the environmental policies proposed under the draft Secondary Planning Strategy conform with four exceptions. He sought comment from the Board on these four areas to help clarify matters.

Referring to the Board's recommendation 8, related to water quality testing, he noted how specific this recommendation was as compared to Policy EP-1 (e). He indicated that staff would not normally write specifics into a policy document, but would include in a management plan and/or development agreement, stages involving more detail.

The Board reviewed each point with Mr. Morgan and the following conclusions were reached:

- C It was not the Board's intention to eliminate **crossings of watercourses**. The Board did not have a problem with Policy EP-4, however it would like to see the details of the proposal or development agreement, as the Board would like to review how the crossings will be constructed, to ensure the bridges/culverts don't obstruct normal flows in the watercourse(s). It was also noted that the Policy does not refer to any limit on the number of crossings. Mr. Morgan assured the members that when the storm water management plan is provided, it will contain specifics for the Board's review. If the Board felt at that time there were too many crossings proposed, they could advise Community Council.

Ms. Corser referred to comments Mr. Regan had sent to her in his absence. He indicated that he had no problem with watercourse crossings for trail purposes provided three sided culverts were required; the crossing(s) were designed to handle the 100 year flood; and the Board gets to comment on the proposed crossings and the storm water management plan.

- C While the Board recommended a **qualified limnologist** be retained, there was some concern regarding the existence of any in Nova Scotia or agency that would certify them. Having the term “qualified limnologist” in the document may make enforcement impossible. It was recalled that this recommendation resulted from the Board’s concern that a number of environmental studies were conducted by consultants which were inadequate. As an alternative, the Board could insist that there be adequate consideration of limnology in assessments rather than specifying an individual, as the intention was simply to ensure the limnology aspects are studied adequately. The Board concluded that it was just necessary to ask for someone involved in the environmental assessment, be a limnologist.
- C Mr. Morgan noted the Board’s recommendation that the Municipality not allow this development to proceed until adequate **tertiary treatment facilities** exist to process the sanitary effluent generated is probably the toughest for staff. He referred to the impact on development if such a recommendation was adopted. He illustrated how this might actually have a negative impact on the environment, by driving development further out to unserved areas.

For the benefit of Mr. Morgan, the Chair gave some background, i.e. as a watershed advisory board it should not be supporting development where raw sewage goes in the Harbour. He concurred that the recommendation could result in forcing development outside the serviced area or it could encourage HRM to put in place its sewage treatment plans faster.

During discussion of the tertiary component, it was noted that Regional Council has decided on Enhanced Primary Treatment. The Chair noted that the Board does not know much about these processes and their definitions. It has been simply trying to increase Council’s sensitivity by keeping the issue before it and thus emphasizing they have to resolve the matter.

The Chair canvassed the members on whether they wished to back away from their position. It was suggested that the Board explain its intention was to encourage sewage treatment plants, not limit development and acknowledge that development will continue within the HRM’s core but indicate the Board’s distaste for having untreated sewage entering the Harbour.

In the response to Chebucto Community Council, it will be conveyed that the intent is to try to encourage HRM to move forward as quickly as possible to get adequate sewage treatment facilities in place.

- C While the Board had recommended no development be permitted on **slopes in excess of 20%**, unless it can be demonstrated that such development would not create a hazard..., Policy EP-8 specifies 25%. It was pointed out that there is not much difference. The Board agreed it had no problem harmonizing with Policy EP-8. It was noted that such proposals would have to be reviewed on a very site specific basis. The Board would like to have a chance to review such development proposals. The Board concluded it concurred with the Policy statement contained in Policy EP-8.

The Chair will draft a memo to Community Council conveying the above.

During the course of discussion, Mr. Ernst questioned whether it was worthwhile for the Board to comment on proposed plans or wait until the development agreement stage. The merit of commenting on proposed plans, especially plans which involve such a large area, was debated at length. It was concluded that the time and effort put in at an early stage, i.e. commenting on proposed policy and/or strategy, is worthwhile. It was recognized that there may be a temptation to get into too much detail, however.

INFORMATION ITEM - DECISION OF NOVA SCOTIA UTILITY REVIEW BOARD (NSURB) - MITRE CONSTRUCTION, ROSEWOOD AVENUE, TIMBERLEA

Before Paul Morgan left the meeting, he was asked to comment on this information item. Mr. Morgan noted that both staff and the Board had given advice to the Western Regional Community Council, in their advisory roles. In this instance, the Board recommended the application for rezoning be rejected, while staff supported the request. Community Council took the advice of the Board and Community Council's decision was appealed to the NSURB. The NSURB upheld the Community Council's decision. Mr. Morgan referring to the wording of the decision noted that extracts from the Board's minutes and correspondence are included in the text.

Mr. Morgan testified at the Hearing. He noted that the lawyer for the appellant, making reference to point 24, felt the Board should have postponed making a decision until they had heard from the proponent's engineer. Although Mr. Morgan recognized a citizens advisory committee has no obligation to listen to such an individual, he suggested in future if there is someone who wishes to speak on a matter, it would be better practice to allow them to. The Chair concurred Mr. Morgan had a valid point. He reflected that the Board had adopted the practice of speaking with the Planner first and have spokesmen for the proponent at a subsequent meeting to save the developer associated costs. However, in this particular instance, since development was proposed for a flood plain, it was felt having an engineer in attendance would not have influenced the Board's decision.

3.0 **BUSINESS ARISING FROM MINUTES/STATUS SHEET**

3.1 **GLENBOURNE SUBDIVISION**

In response to a query from the Chair regarding this item, which predated amalgamation, Ms. Corser provided an e-mail dated April 11, 2002 providing background information. The development agreement had never been before the Board. No watercourses are affected by the development.

3.2 **C & D WASTE MANAGEMENT - RDM**

Circulated with Ms. Corser's memo re added items, were recommendations drafted by Ms. Williams based on the Board's review at the May meeting.

Several changes were made to the recommendations which Ms. Williams will incorporate into a revised draft.

3.3 **HALIFAX CONSTRUCTION AND DEBRIS RECYCLING LTD.**

Mr. Dwyer volunteered to draft the recommendations for this item based on the minutes of tonight's meeting and redraft of the recommendations for the RDM item. He could not guarantee that the draft would be available for the next meeting. Ms. Corser noted that C & D Waste Management deferred discussion of the subject. She suspected it will not come back to Regional Council before their summer break. Dr. Watt noted that this proposal does not appear to be as developed as RDM's.

It was felt that a lot of the recommendations will be in common with the previous item (RDM), but there are some differences between the two sites, i.e.

- No lake in the area, but an intermittent brook.
- The size of the area is a tenth of the one at Harrietsfield.
- No need for an interceptor swale to collect water entering the site as recommended for the RDM site.

Proposed recommendations included:

- Perimeter swale around site to collect any run off from the site. Runoff to be directed into sedimentation pond.
- The sedimentation pond be relocated below the road.
- On the downside of active cells there needs to be a leachate collection system.
- Develop a plan for the collection of leachate from the active cells with the inclusion of a monitoring location prior to entering into a sedimentation control pond.

- Interceptor swale should include road surrounding area not necessarily the access road.
- Install fence around the processing area to contain any litter.
- Water testing (RCAp) at end of sedimentation control pond.

Although it is outside the Board's mandate, a footnote be made regarding the need for adequate fire protection given this site is surrounded by forests. Reference could be made to the potential for fires at such sites and perhaps a larger settling pond be considered, whose second function would be as a source of water in the event of fire.

3.4 **SOBEYS FALL RIVER**

Copies of a draft letter prepared by Mr. Williams were circulated to the members. Mr. Williams noted that the Department of Environment have taken three water samples from May 14 to 27th. The analysis results have been provided to Enforcement. Sobeys may be charged.

He noted there had been some discussion regarding putting in a small pond on the site, containing lime to control the acid runoff. Mr. Williams felt this would be only an interim measure to slow down the runoff.

The Chair reflected that everything with regard to this problem is pending, for example disposal at Moir Pond, etc.

Some changes were made to the draft.

Regarding enforceability issues, the Chair noted that under the terms of the development agreement the HRM has some clout.

3.5 **TREE CUTTING GUIDELINES**

Mr. Dwyer's draft was circulated in the agenda package. Item deferred due to time constraints.

4.0 **NEW BUSINESS (cont'd)**

4.2 **REDRAFT COVERING LETTER TO COMMUNITY COUNCILS**

A review of the draft, provided by Ms. Williams, was deferred.

4.3 **MAPPING**

Mr. Murray displayed a map of the core area of HRM which identified areas developed

or not, associated with water bodies. He noted that the Community Colleges, in particular COGS, have students desiring projects. If the Board drew up a list of projects, they could be done free-of-charge. Mr. Murray suggested the members might wish to give this further thought.

5.0 **CONCEPT PLANS**

5.1 **BROOKHILL ESTATES SUBDIVISION**

Ms. Corser provided a concept plan for Brookhill Estates Subdivision, Grand Lake for information purposes, with her memo of June 11, 2002 enclosing added items for today's agenda.

6.0 **DATE OF NEXT MEETING**

The next regularly scheduled meeting will be held July 17, 2002.

7.0 **ADJOURNMENT**

Meeting adjourned at 9:35 p.m.

Lynne Le Boutillier
Assistant Municipal Clerk