

**HALIFAX REGIONAL MUNICIPALITY**

---

**HALIFAX WATERSHED ADVISORY BOARD  
MINUTES  
September 17, 2003**

**PRESENT:** Dr. Wayne Stobo, Chair  
Mr. Walter Regan  
Ms. Ellinor Williams  
Dr. Sankar Ray  
Ms. Christine Anne Smith  
Mr. Frank Hope  
Mr. Lawrence White  
Dr. Spencer Lee  
Dr. Barry Thomas

**REGRETS:** Mr. Bill Ernst  
Ms. Janis Rod  
Mr. Keith Manchester  
Mr. Peter Murray

**STAFF:** Ms. Susan Corser, Planner, Regional Planning  
Ms. Patti Halliday, Legislative Assistant

**Table of Contents**

1.	APPROVAL OF AGENDA, ADDITIONS AND DELETIONS .....	3
2.	APPROVAL OF MINUTES - AUGUST 20, 2003 .....	3
3.	NEW BUSINESS .....	3
3.1	Environmental Management Services - Overview of the Business Unit - Brad Anguish, Director & Dr. Tony Blouin .....	3
3.2	Case 00495 - Application by J. P. Robichaud to Permit Townhouses by Development Agreement at Lot 4A - Sackville Cross Road .....	4
3.3	Amendment to Guidelines for Flood Plains (Ms. Williams) .....	5
3.4	Terms of Reference - Item #7 (Mr. Regan) .....	5
3.5	Regional Planning Workbook - Directing the Action" - Susan Corser .....	6
3.6	Bedford Power Project (Chair) .....	6
4.	BUSINESS ARISING FROM MINUTES/STATUS SHEET (ATTACHED) .....	7
4.1	Highway 103 Twinning .....	7
4.2	Westgate - Sewage Treatment Plant .....	8
4.3	Presentation - Availability of Drinking Water in HRM (Pockwock and Lake Major) (Ms. Smith) (deferred from Aug. 20/03) .....	8
4.4	Glen Arbour Golf Course - Audubon Program .....	8
5.	CONCEPT PLANS .....	8
6.	ITEMS TO BE ADDED TO THE NEXT AGENDA .....	8
7.	DATE OF NEXT MEETING - WEDNESDAY, OCTOBER 15, 2003 .....	8
8.	ADJOURNMENT .....	9

**1. APPROVAL OF AGENDA, ADDITIONS AND DELETIONS**

There were no additions or deletions to the agenda.

**6. ITEMS TO BE ADDED TO THE NEXT AGENDA**

There were no items requested to be added to the next agenda.

**2. APPROVAL OF MINUTES - AUGUST 20, 2003**

**MOVED by Mr. Regan, seconded by Dr. Lee, that the minutes of August 20, 2003, be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.**

**3. NEW BUSINESS**

**3.1 Environmental Management Services - Overview of the Business Unit - Brad Anguish, Director & Dr. Tony Blouin**

Mr. Brad Anguish, Director, Environmental Management Services, made a presentation to the Board providing an overview of his business unit. Copies of his presentation were circulated to the Board members.

In responding to questions of the Board, Mr. Anguish and Dr. Blouin made the following points:

- C Staff will confirm whether or not acid rain is included in the environment initiative of climate adaptation and mitigation.
- C The ratio of available fresh water to usage is one of the high level water measures included in the HRM scorecard. With regard to water quantity, the Halifax Regional Water Commission should have that information.
- C With regard to working with other levels of government, staff have been conducting focus groups to encourage this further.
- C HRM would be prepared to be the front leader in saying DOE standards are not strict enough and, therefore, will set higher standards within HRM. However, caution has to be exercised in some areas because it becomes a tax issue. The preferred method of approaching this issue would be to lobby for stricter DOE standards.
- C With regard to the suggestion of implementing higher than DOE standards in development agreements where needed, HRM would have to be consistent and provide good justification and rationalization why it was being done.
- C In terms of the Board's role in Environmental Management Services' initiatives, the watershed advisory boards have always been advisors to Council and HRM departments on water related issues and this role will continue. The water resource

policies will determine if there are expanded roles.

In response to a question of Mr. Anguish as to whether or not the Board feels it has an impact on HRM as a whole as a result of its work, the Board made the following comments:

- C The Board is somewhat effective but no where near what it should be as it is only dealing with developments conducted under development agreements and as-of-right developments are not receiving proper review.
- C The Board has been reasonably effective in many ways as it has helped push the boundary in areas such as buffer zones.

Dr. Stobo thanked Mr. Anguish and Dr. Blouin for their presentation.

**3.2 Case 00495 - Application by J. P. Robichaud to Permit Townhouses by Development Agreement at Lot 4A - Sackville Cross Road**

- C A memorandum from Andrew Bone, Planner, to the Board, regarding the above, was before the Board for its consideration.

Mr. Andrew Bone, Planner, presented the report to the Board, noting the developer would like to develop two four-unit townhouse buildings. The building is proposed to be constructed outside the 100 year flood plain, however the developer is proposing to build a portion of the access road within the flood plain. Mr. Bone noted the previous application for this site, which was reviewed by the Board in January, has been withdrawn by the applicant.

Mr. Bone requested the Board's opinion on water issues as this development is immediately adjacent to the Little Sackville River.

Mr. Regan stated this proposal is much better than the first one and impact on the Little Sackville River can be mitigated. Attention will need to be given to snow removal and runoff from the pavement and the flat surface. Dr. Stobo stated the impact of the asphalt parking lot on the flood plain also needs to be addressed.

In response to a question of Dr. Ray, Mr. Bone stated the March 31<sup>st</sup> storm event had very minimal impact on the flood plains on the Little Sackville River. Mr. Regan added the water level never exceeded the banks in this location. However, he recommended that the pavement be kept at grade.

Mr. Bone stated he believes that most of the flood plain will become municipally owned land and will not be developed as part of this application.

As a result of the Board's discussion, the following recommendations were made:

- C The road and parking surfaces (including garages) should be directed to an oil grid separator prior to being discharged to the natural environment.
- C The developer is encouraged to plant vegetation of an indigenous nature around the development, including the edge of the parking areas.
- C HRM is encouraged to acquire as large a portion of the flood plain as reasonably possible.
- C The development of an improved sediment and erosion control plan by a qualified engineer is recommended as this is an in-fill area of clay.
- C Roadways, parking areas, and sidewalks in the flood plain area should be maintained at the current grade level as much as possible.
- C The flood plain area should not be used as a storage area for snow, and any area designated for snow storage should be properly graded so it goes into the oil grid separator.
- C A qualified engineer should reassess the boundaries of the flood plain.
- C No accessory buildings should be permitted in the flood plain area.
- C Due to the proximity of visitor parking to the flood zone and the river, it should be moved beyond the two buildings.

It was agreed that Mr. Regan would draft the recommendations and the Board will review them next month.

### **3.3 Amendment to Guidelines for Flood Plains (Ms. Williams)**

- C A draft amendment to guidelines for flood plains prepared by Ms. Williams was circulated to the Board for its consideration.

In review of the draft amendment to the guidelines, the following changes were agreed upon:

- C In the second paragraph, a period is to follow the phrase “extent of flooding downstream” and the remainder of the paragraph deleted.
- C In the third paragraph, the phrase “and wildlife resource” is replaced with the word “system.”
- C In the last paragraph, a “)” should follow “etc.” and the remainder of the sentence is deleted.

It was agreed that this item would be placed on the Status Sheet.

### **3.4 Terms of Reference - Item #7 (Mr. Regan)**

Mr. Regan stated his concern was with Item 7.1 of the Terms of Reference, in particular, the phrase “*any plan, program or proposed development activity*” and questioned if this picks up as-of-right development. Ms. Corser noted it was never the intention that the Board would

receive as-of-right developments. Dr. Stobo requested that Ms. Corser inquire into this matter and see if HRM would have the capacity to enact any Board recommendations on as-of-right developments. In response, Ms. Corser stated it would only be within the authority of land use by-laws and building by-laws. She noted development agreements can be more or less stringent as they are negotiated agreements. Ms. Corser further noted that developers have approached the DLAB for advice on as-of-right developments in the past.

In response to a question of Ms. Williams, Ms. Corser noted the Water Resource Management Strategy addresses a lot of the deficiencies as it proposes recommendations such as increased buffers around all water bodies. Staff are working on determining the priority in which by-laws and regulations will have to be amended to achieve these recommendations.

It was agreed to leave the Terms of Reference as is and to address as-of-right developments on an individual basis, and, if the Board had major issues with a particular development, it could make recommendations to the developer.

### **3.5 Regional Planning Workbook - Directing the Action" - Susan Corser**

Ms. Corser provided the Board members with copies of the Regional Planning Workbook. She also provided copies of the presentation that has been provided to various groups, which she briefly reviewed for the Board. Ms. Corser noted the workbook is also available on the HRM web site and can be completed online. The deadline for submission is October 6, 2003.

Dr. Thomas inquired where some of the facts contained in the colour brochures were obtained, such as the comment that 75 percent of well water in HRM needs treatment. Ms. Corser agreed to confirm the source of this information for him. It was also agreed that copies of both newsletters would be made available at the next meeting for those wanting them.

### **3.6 Bedford Power Project (Chair)**

The Chair provided copies of the *Registration Document with the Nova Scotia Department of Environment and Labour for The 385 MW Bedford Power Project* to the Board, which he reviewed. He stated the issue is that they are proposing to take 2.7 million gallons of water a day from the municipal system of which, at the end of the day, 20 percent will be dumped into the municipal sewer system. When the temperature is lower, it will be 1.9 million gallons per day. Dr. Stobo noted they also want to have 2 million gallons of fuel oil stored on site, and the storage containers will be within 100 metres of Rocky Lake.

Dr. Stobo stated, sometime in September, the DOE will indicate what level of environmental assessment review needs to be conducted before this is approved. If the Board wishes to respond, a letter should be sent to the Mayor, copied to the Minister of Environment.

In discussion of the matter, the following comments were put forth:

- C This proposal should not go forward as it is not an environmentally friendly facility.
- C If this development goes forward it will have major implications to the municipal water system, the municipal sewage system, and a potential environmental impact on Rocky Lake due to the on-site storage of fuel.
- C This proposal will increase the acid rain loading on the associated environmental systems. At the projected levels, they will be generating a significant amount of additional acid rain impact on the regional environment. This will be more detrimental if they have to revert to the fuel oil.
- C Water affluent going into the sewage system would be at elevated temperatures which could damage the sewage treatment facility.

The Board agreed that the Chair will write the letter to the Mayor, with copies to the Minister of Environment, Brad Anguish, Director, Environmental Management Services, and Carl Yates, General Manager, Water Commission, outlining the Board's concerns.

#### **4. BUSINESS ARISING FROM MINUTES/STATUS SHEET (ATTACHED)**

##### **4.1 Highway 103 Twinning**

In discussion of the WRWEO Proposal to the Department of Transportation and Public Works for an Aquatic Monitoring Program for the Highway 103 Twinning Project, the Board agreed to put forth a recommendation which Ms. Williams agreed to draft.

The Board recommended that:

- C A pre-construction baseline water quality program and a two year minimum post-construction water quality monitoring program (to assess the impact of road salt on the receiving waterways), four seasons per year, be developed in a select number of lakes between Exits 3 and 5 of Highway 103. Since there will be in-filling of Cranberry Lake and Cranberry Run, the Board would recommend that both of those water bodies be included.
- C There be benthic sampling in these lakes pre- and post-construction. This acknowledges the need for several years of sampling post-construction.
- C Approved erosion and sediment control plans be established for all lakes and watercourses potentially impacted.
- C The principle of no net lost be instituted, thus for any in-filling of lakes, watercourses or wetlands, provision should be made to enhance habitat elsewhere.
- C The monitoring should cover the RCAP.
- C Total phosphorous should be sampled to the microgram per litre level.

Mr. Hope advised the Board that since the last meeting, a response was received from the Province which he read to the Board, stating the WRWEO is well on its way to generating the funds required to do the work, and with the Board's endorsement, it would put them over the top in terms of getting approval from group sponsors.

The Board agreed the recommendations should be forwarded to the Mayor, copied to the Ministers of Environment and Transportation and Public Works and the Manager of Habitat, Department of Fisheries and Oceans. Mr. Hope agreed to email Ms. Williams some background information on the twinning project to provide to the Mayor.

**4.2 Westgate - Sewage Treatment Plant**

This item was not addressed.

**4.3 Presentation - Availability of Drinking Water in HRM (Pockwock and Lake Major) (Ms. Smith) (deferred from Aug. 20/03)**

This item was deferred to the October meeting.

**4.4 Glen Arbour Golf Course - Audubon Program**

Dr. Thomas inquired if any members were able to locate the information requested at the last meeting. The Chair provided further documentation to Dr. Thomas to attach to the draft letter. Ms. Corser agreed to provide Dr. Thomas with the construction date of the golf course. Dr. Thomas agreed to contact Mr. Mandaville to request permission to use his material and to bring the revised draft letter incorporating the additional information back to the Board at its next meeting.

**5. CONCEPT PLANS**

None.

**6. ITEMS TO BE ADDED TO THE NEXT AGENDA**

This item was addressed earlier in the meeting.

**7. DATE OF NEXT MEETING - WEDNESDAY, OCTOBER 15, 2003**

Dr. Lee submitted regrets for the October meeting.

**8. ADJOURNMENT**

The meeting adjourned at 9:30 p.m.

Patti Halliday  
Legislative Assistant