

HALIFAX REGIONAL MUNICIPALITY  
HALIFAX COUNTY/HALIFAX MAINLAND WATERSHED ADVISORY BOARD

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6:30 p.m.  
Board Room 1  
2750 Dutch Village Road  
April 21, 1999

PRESENT: Dr. Wayne Stobo, Chair  
Mr. Keith Manchester  
Mr. David Dwyer  
Ms. Colleen McNeil  
Mr. Walter Regan  
Dr. Jack Burney  
Mr. Peter Shacklock  
Mr. Glen Williams  
Mr. William O'Toole  
Mr. Lawrence White  
Mr. Michael Guilcher

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

REGRETS: Mr. Ross Evans, Mr. Jim MacLean, Mr. Jim Holmes, Mr. Frank Hope and Mr. Mack McMenemy

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

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

- Item 4.3 - Maskwa Aquatic Club
- Item 4.4 - North West PAC
- Item 4.5 - Staff Support
- Item 4.6 - BWAC
- Item 4.7 - Research Proposal by Sharon Ho
- Item 4.8 - Islamic Community Centre (Mosque)
- Item 4.9 - Rezoning - Mouth of Little River - Petpeswick Inlet

The Chair sought permission from the Board to reorganize the agenda so Item 3.17, Midyat Investments Mainland South was dealt with first on the agenda.

2.0 **APPROVAL OF MINUTES**

The minutes of the March 17, 1999 meeting were amended as follows:

- Page 5, 3<sup>rd</sup> paragraph, second sentence - change Mr. to Ms.
- Page 13, item 4.5 Sobeys - Fall River Area - reference to "apparently 15 tons" should be replaced with "a large quantity".

The minutes, as amended, were adopted on motion of David Dwyer and Glen Williams.

3.0 **BUSINESS ARISING FROM MINUTES**

3.1 **MARITIMES AND NORTHEAST PIPELINES**

Mr. Phil Francis, Policy and Planning Engineer and a staff member on the HRM's Sable Gas Committee, was invited to the Board meeting to give an update on the gas line project. The Chair outlined to Mr. Francis the Board's role as an advisory committee to HRM on watersheds, so he could better zero in on areas of interest to the Board related to the environment.

In his update Mr. Francis noted that the provision of natural gas, within the Municipality, is a very major project. At present two companies are vying for the right to distribute natural gas. The National Energy Board Hearing on the lateral gas line to Halifax begins May 10<sup>th</sup>.

HRM has intervener status. This hearing will not deal with routes, but the choice of a distributor.

He displayed to the Board a map illustrating the route from Goldboro, Guysborough County to the U.S. Associated with this main project, is a lateral to the Tufts Cove Generating Plant. This project is federally regulated.

Of particular interest to the Board was the route the lateral takes upon entering the Municipality. The route travels between Millers Lake and Soldier Lake, under the Shubenacadie Canal, through Burnside to Tufts Cove. Mr. Francis assured the Board that the route has been the subject of a detailed environmental assessment. He noted that the Environmental Assessment Hearing is combined with the National Energy Board Hearing. Mr. Francis listed the names of the various environmental reports to date. The Hearing had been delayed as further environmental studies were requested. He had brought with him the table of contents of the various reports. Should the members wish to review the reports, they can be obtained by contacting Mr. Francis. Mr. Williams noted that he has reviewed two large volumes of the lateral pipeline project study.

The Sable Gas Committee has reviewed the aforementioned reports and felt them to be comprehensive. The Committee would take forward any matters the Board identifies.

The route of the lateral within HRM requires 45 water course crossings, some will be dry crossings, others borings and some wet crossings. There is a section on each crossing identifying how they will be done.

Mr. Williams referred to the letter he wrote to the Canadian Environmental Assessment Agency alerting them to the need for:

- 1) additional test drillings for acid slate to be conducted between the urban boundary and Millers Lake
- 2) and methods proposed for the handling and disposal of acid slate excavated during the installation phase be reviewed. No site was identified for its disposal. Mr. O'Toole suggested the Bedford Waterfront Development Corporation site.

Mr. Francis requested a copy of the correspondence for the Sable Gas Committee and any correspondence received back will be provided as well.

Mr. Williams tabled a newspaper clipping from the Chronicle Herald, April 16, 1999 regarding the problems of sulfide bearing slate associated with the Fall River Sobeys

store.

While the main line does not cross the Sackville River Watershed, the secondary laterals does in three places. Mr. Regan questioned how they would cross. Mr. Francis noted they are generally done within the street right of way, which comes under the HRM's authority. While the Chair had no doubt that standard construction methods would be employed, he had more of a concern regarding the process, in the event the need for mitigation is identified. He was assured by Mr. Francis that the Sable Gas Committee will review the plans and there will be an opportunity for input. In the event the Sackville River was crossed, final authority would lie with the Department of the Environment.

He noted that construction was originally scheduled to be completed by November 1999, but due to the need for additional reports which resulted in a delay in the Hearing, the completion date has been revised to November 2000. Contracts for construction of the secondary laterals could be awarded by fall, with construction to commence next spring in anticipation of the gas being available by November 2000.

Mr. Francis proposed that perhaps Glen Williams could act as Coordinator for the Board, by keeping him informed of the various issues which arise. If necessary, they will be raised at the Hearing.

Referring to the reports earlier listed by Mr. Francis, which fed into the Environmental Assessment, it was felt a list of these reports should be provided to the Clerk and she in turn could provide to the members with the next agenda package. Mr. Manchester will e-mail the report titles.

In summary, the Board's main concern related to the handling of the acid slate.

### **3.17 CASE 00066, MIDYAT INVESTMENTS MAINLAND SOUTH**

Mr. Barry Zwicker of Wallace MacDonald Lively, the consultants engaged by Midyat Investments Ltd. was present to review with the Board the new application for rezoning and Development Agreement related to the McIntosh Run Lands, Spryfield.

This application was the subject of discussion at the March meeting and the Board drafted recommendations related to the original proposal dealt with in the fall of 1997.

The original report and maps associated with the 1997 proposal had been provided in the agenda package, together with a copy of the Board's recommendations.

Mr. Zwicker reviewed with the Board the proposal for the site and environmental concerns related to water.

The major difference from the original proposal is that 198 acres of land will be dedicated to the HRM for conservation purposes. Of the remainder of the 359 acre parcel, 100 acres are proposed for development in 5 to 10 years, with 61 acres in a Holding Zone for development sometime in the future. The development has been made more compact and the length of streets per unit reduced, which should minimize runoff from streets and results in less impervious surfaces.

Mr. Zwicker noted that all the development will drain into MacIntosh Run versus Colpitts Lake, with the exception of some backyards. One of the policy directives in the Planning Strategy relates to concerns about Colpitts Lake which feeds into Williams Lake.

Mr. Zwicker noted that construction will essentially be isolated to the plateau versus any slopes.

While the conservation area is towards the south, the whole project is encompassed by a buffer.

Referring to the topographical maps, he felt the design was as sensitive environmentally as they could come up with.

While some information is available on how they plan to deal with storm water, a more detailed Storm water Management Plan will be developed in future if the application is approved. Major components relate to keeping runoff from the watershed of Colpitts Lake; outfalls disbursed at a number of locations towards MacIntosh Run (not Colpitts Lake, as indicated in the staff report) and since it is essentially rock not clay, sedimentation will be easier to control.

In response to a query from Mr. Regan, Mr. Zwicker indicated there are no feeder brooks in the area, except for Governors Run.

Mr. Regan referred to storm interceptors and indicated that he hoped they will be included in the final plans. Mr. Zwicker agreed they work very well if maintained properly.

Mr. Regan questioned whether there was any chance of a flash flood of MacIntosh Run. Mr. Zwicker explained how the storm water system will be designed to accommodate major storms. Mr. Regan noted that in addition to planning for volume, where the storm sewers discharge into MacIntosh Run, should be considered. The Sackville Rivers Association could help them look at river dynamics.

Ms. McNeil noted that when the Board reviewed the original proposal, the major concern identified related to the untreated sewage from the development entering the Northwest Arm. She wondered if any type of sewage treatment has been discussed. Mr. Zwicker noted that this is outside the ability of any one land developer to address. He noted that HRM is currently trying to prioritize where the first sewage treatment plants will be located. He felt that the first one is likely to be constructed in the Downtown, with Herring Cove being second on the priority list. At present he felt that all that can be done is encourage treatment.

The Chair indicated that the Board appreciates the practicalities involved, but has to make this note.

Following the departure of Mr. Zwicker and a brief break, the Board discussed the proposal. The Chair noted that it would seem that the revised plans address all the concerns noted in the Board's previous recommendations, with the exception of the need to treat sanitary sewage. Rather than drafting a new set of recommendations, he proposed that the Board's concerns be simply noted in the minutes and a copy provided to Gary Porter.

It was reiterated that the recommendations made by the Board on the previous proposal appear to have been accommodated with the exception of untreated sewage being an outstanding issue.

Mr. Regan questioned if the Board will have any further input. In the event they proceed with a Development Agreement, a Storm Water Management Control Plan would be required, which the Engineering Department looks at, but the Board is not likely to see the proposal again.

Mr. White expressed concern that the sanitary sewage generated by this development will worsen the problems related to capacity problems in the Roaches Pond area, which results in overflow into MacIntosh Run. He noted that a large portion of the problem relates to infiltration and it might be worthwhile to note the importance of dealing with the infiltration. He felt it was the Board's responsibility to not only comment to the proponent but to the HRM.

In summary, the Chair noted that the Board feels that in terms of the sanitary system there is an infiltration problem which will be exacerbated by this development and will thus have an impact on Roaches Pond. Some resolution of the infiltration problem and/or upgrading of the Roaches Pond Pumping Station would go a long way to deal with storm conditions.

The Board considered whether the HRM could ask the developer to install sewage holdings tanks. Whether this is the developers responsibility or HRMs was questioned. It was agreed that an alternative would be a holding tank established within the new development to control flow during storm events.

### 3.2 **WATER QUALITY MONITORING - GLEN ARBOUR**

Item deferred as Ms. Corser has not yet followed up with Dr. Blouin on his role in interpreting test results and Mr. Guilcher has had no discussions with staff.

The Chair noted that Mr. Mandaville was going to put the Glen Arbour data on the Internet. Apparently there is some data missing. It was left with Peter Shacklock and Susan Corser to resolve the data gaps with Mr. Mandaville. It was noted that their Internet address is <http://www.chebucto.ns.ca/Science/SWCS/SWCS.html>.

### 3.3 **INCLUSION OF PENINSULAR HALIFAX UNDER A WATERSHED ADVISORY BOARD**

No response has yet been received from Mr. Meech.

### 3.4 **CO-CORRECTIONAL FACILITY**

Mr. Regan referred to the tour the Co-correctional Facility Advisory Committee had of the N.S. Hospital and Sackville Correctional facilities.

Reference was also made to a newsletter the Committee had sent out to Bedford and Sackville area residents, copy of which will be provided with the next agenda package.

A meeting was held in Bedford last night with representatives of the Committee. A lot of complaints were aired by the public including:

- C the facility being forced on Bedford (no public input)
- C no environmental study done
- C access road location

The contract has been let. The project was granted to Read Management. Actual construction being done by Tidewater.

The Chair reported on a telephone conversation he had with the Chair of the Advisory Committee, Mr. Walker. Apparently the Committee has concerns regarding the



environment and would be happy to receive any input from the Board. It was pointed out to Mr. Walker that the WAB is only an advisory group, not a decision making body, and by Mr. Walker that the development is outside the jurisdiction of the WAB. It is within BWAC's jurisdiction. A subsequent conversation with Dr. Silver, Chair, BWAC identified that BWAC would not have any problem with the Board taking initiative regarding this proposal. BWAC only wishes to be kept fully informed of the Board's initiatives.

The Chair sent Dr. Silver all of the Board's correspondence to date on the Co-correctional facility.

Dr. Stobo also noted that to date he has been unsuccessful in meeting with the Minister of the Environment.

### 3.5 **CONCEPT PLANS**

As requested by Mr. Bigelow, Mr. Regan had drafted a letter requesting that concept plans involving watercourses and wetlands be directed to the Board. Ms. McNeil intends to send the correspondence out and provide a copy with next month's agenda package. The Chair questioned whether the letter dealt with the time frame within which the Board can respond, i.e. a month minimum. As this had not been identified in the correspondence, it was suggested that it be so amended.

A discussion followed on the fact that in addition to concept plans, subdivision plans should also be included. Ms. Corser noted that the subdivision review time frame is more flexible than the two week period for concept plans.

Ms. Corser noted that Sharon Bond has not yet responded to earlier correspondence related to the concept plan process and time frame. She noted that it would appear the Board has been dropped from the Development Services' circulation list, as a number of large proposals bordering water courses have not been directed to the Board. She will enquire why this practice has been discontinued. She will send Sharon Bond a reminder.

Once the correspondence to Mr. Bigelow has been amended by Ms. McNeil, she will e-mail it to Susan Corser for review.

### 3.6 **REPOSITORY**

Circulated with the agenda package was a list of items presently in the Board's section of the HRM's Corporate Library. Members were encouraged to provide the Clerk with any other materials they feel should be kept in this repository.

**3.7 WATER COMMISSION PLANS**

No response yet received from Mr. Meech.

**3.8 GREENRIDGE MOBILE HOME PARK, EASTERN PASSAGE**

Staff reported that the development was approved at the April 8<sup>th</sup>, Public Hearing. The appeal period ends April 26<sup>th</sup>. The proponent agreed with all the recommendations of the Board pertaining to recreational lands, buffering and conservation areas adjacent to the water course.

**3.9 WESTERN COMMONS STUDY**

This item will be taken off the agenda and brought forward in six months time if no response has been received from Mr. Morgan.

**3.10 VLADI PRIVATE ISLANDS LTD. PROPOSAL**

Staff reported that Kevin Barrett is drafting the report and accompanying development agreement. It will be tabled with the Marine Drive, Canal, Valley Community Council in due course. The Development Agreement fully incorporates the Board's recommendations. For example, the small island at the distal end of the development will be completely undeveloped based on the set back requirements.

**3.11 HECC JURISDICTION**

Susan Corser anticipates the report going to HECC May 20<sup>th</sup>. Ms. Corser has not yet spoken with Audrey Manzer, Chairman of the DLAB, who prefers the use of political boundaries versus watershed boundaries. It is Ms. Corser's intention to introduce the pros and cons of both. Apparently HECC would prefer to deal with only one WAB.

**3.12 STORM WATER MANAGEMENT POLICY**

The Chair recalled this subject related to a \$50,000 item in the Capital Budget. To date no response has been received from the Mayor.

**3.13 N.S. WATERSHED ADVISORY BOARD**

The Chair referred to the draft summary received of the Workshops. He has alerted them to some misinterpretations. The item will be taken off future agendas. It was noted that a number of the members are on the mailing list, in the event anything further is forwarded.

### 3.14 **PROTOCOL DISTRICT 2**

Circulated to the members, not included with the agenda package, was the document presented to the Marine Drive, Canal, Valley Community Council.

Mr. Williams noted that the Councillors expressed concern that the proponent could spend \$10,000 to \$15,000, with no guarantee the HRM will approve the Development Agreement. This concern has been flagged and the matter has been directed to Angus Schaffenburg, the original planner, Mr. Williams had worked with. Mr. Williams hopes to be able to sit down with the Development Officer and planner to discuss administrative problems further next week.

It was noted that a March letter to the Minister of Environment has yet to be responded to.

### 3.15 **MEMBERSHIP - WATERSHED RELATED GROUPS - WILLIAMS LAKE CONSERVATION COMPANY**

Circulated with the agenda package was a letter from the Williams Lake Conservation Company. It was noted that there has been a misunderstanding of the process. The Board can't offer the group membership. As a conservation type group they can request from Community Council membership at any time by sending a letter to the Municipal Clerk that a representative of theirs be appointed to the Board.

It was suggested that a further letter be written noting the misunderstanding and instructing them to write the Municipal Clerk advising of their desire to appoint an individual to the Board to represent their group. The Municipal Clerk in turn would send to the Community Council for approval.

Ms. Corser noted that the next meeting of Chebucto Community Council is May 3<sup>rd</sup> and the matter could be dealt with then. While any group can ask for membership, they have to ask Community Council to make the appointment.

### 3.16 **IMPACT GOLF COURSES HAVE ON WATERCOURSES**

Circulated with the agenda package was a Golf Course Check List, Ms. McNeil had

prepared based on the slides used in Mr. Ernst's presentation at the March meeting. The check list contains the various things the Board should be looking at when reviewing a golf course proposal. In addition, Ms. McNeil was given a book by Mr. Erest which lists mitigation type measures, which the Board may also wish to use as a reference. Copies of the booklet will be provided to the Clerk for the Reference Library and to Walter Regan and David Dwyer. Ten additional copies will be available at the May meeting, for any members desiring a copy.

Ms. McNeil also recalled that Mr. Ernst referred to Guidelines being drafted for Environment Canada staff. Eventually a copy should be available for the Board to use as a guideline.

### **3.18 BENNERY LAKE - AD HOC COMMITTEE**

Ms. Corser noted that this Ad Hoc Committee will not be meeting until April 28<sup>th</sup>. Part of the process in developing a formal proposal is public consultation. Tony Blouin is also considering someone from SWEPS in addition to this Board's participation. The Chairman felt it would be worthwhile for someone from the Board to become involved. Ms. Corser will have something further to report at the May meeting.

### **3.19 GOVERNOR'S LAKE NORTH MASTER PLAN STUDY AREA**

Mr. Regan attended the above noted Open House, which was organized by Mr. Morgan. A large subdivision is being proposed for Governor's Lake in the Beechville area. Members from the community were invited to the Open House to comment. The development would proceed as a CDD, not as of right. Mr. Regan noted that the developer seems to be environmentally conscious. He anticipates that the proposal tabled will come before the Board for comment. No major concerns were apparent to him.

### **3.20 MUNICIPAL WETLAND STEWARDSHIP WORKSHOP**

Ms. Corser reported on the excellent conference held yesterday. Its primary target was planners and development officers and there was no room to involve a larger audience. Jim Holmes had expressed an interest in attending on behalf of the Board. Due to the good response, the organizers are considering offering another session to a wider audience. She thought it would have been particularly useful to have elected officials attend.

While the morning session had been somewhat elementary, the afternoon case studies had been excellent.

Ms. Corser will prepare a written follow-up and express the Board's interest in attending if the workshop were to be offered again.

### 3.21 **CWRA CONFERENCE**

Copies of the CWRA Annual Conference agenda were circulated to the members. Susan Corser, Colleen McNeil and the Chair continue to work on the paper to be presented June 23<sup>rd</sup>. In addition to the oral report, a written report is required for publication.

The Chair has been in contact with the Program Director and has been advised that a grant of \$200 will be given, which equates to a one day registration fee.

### 3.22 **MAP IDENTIFYING DISTRICTS**

As requested Ms. Corser provided copies of a map identifying districts within HRM. This map can be used in concert with the color map distributed earlier to the members, as they are roughly to the same scale.

## 4.0 **NEW BUSINESS**

### 4.1 **EAST PETPESWICK GOLF COURSE**

This item was deferred, as Ms. Corser is still awaiting information from the applicant. David Dwyer referred to a Public Information Meeting held April 14<sup>th</sup> on this proposal which was very well attended and went very well.

### 4.9 **REZONING AT MOUTH OF LITTLE RIVER, PETPESWICK INLET**

Mr. Dwyer described to the Board a proposal to subdivide a 50 to 60 ft. wide strip of land approximately 100 to 200 feet in length into nine lots. Ms. Corser will circulate the subdivision plan with the May meeting agenda.

### 4.5 **STAFF SUPPORT**

The Chair advised that as it has been his practice in previous years, he has written both Ms. Corser's and Ms. Le Boutillier's supervisors commending them on the support they have given the Board.

### 4.2 **OPEN HOUSE SESSION - HEMLOCK RAVINE PARK NORTH MASTER PLAN STUDY AREA**

The members were encouraged to attend the above noted Open House, April 22<sup>nd</sup>. He felt it would be very useful for the Board's future deliberations. This item will be included on the May agenda for a report.

#### 4.3 **MASKWA AQUATIC CLUB**

Mr. White described the condition of the retaining wall which is collapsing into Kearney Lake. A copy of a report on the retaining wall repair was circulated to the members.

Mr. White noted that the Board of the aquatic club is anxious to have the work done as soon as possible. Mr. White was advised that HRM Building Inspection Department would not be involved in approving the work, but approval from NSDOE would be required. They in turn would seek input from a watershed advisory group. In order to save time, Mr. White sought input from the Board on the repairs being proposed.

During review of the process, Mr. Regan felt that it should be ascertained from the quarry that the rock proposed to be placed in the lake in front of the existing wooden wall, is acid free.

In conclusion, it was indicated that the Board would be willing to approve the repairs as outlined as long as the necessary contact is made with the DOE, the Coast Guard and the infill rock is certified acid free. The Chair suggested that if Mr. White mentioned to the Coast Guard that this was a repair job, the request would be processed quicker.

#### 4.4 **NORTH WEST PAC**

The Chair summarized for the Board the meeting he and Dr. Silver, BWAC's Chair had with the NWPAC. Both Chairs had given a brief summary of what the HC/HMWAB and BWAC's mandates were and what they are striving to do. It was obvious from the response that the members were unaware of our function. He was confident that the NWPAC now has a better appreciation of the Board's role.

Ms. McNeil felt that it would be advantageous to introduce the Board to the other PACs. If this can't be done in person, a letter be written, similar to the one provided to the construction associations, outlining the Board's role. Some revamping would be required. The Clerk will provide a list of PACs.

#### 4.6 **BWAC (BEDFORD WATERS ADVISORY COMMITTEE)**

After the meeting with the NWPAC, the Chair met with Dr. Silver and Mr. Kerr and discussed the two bodies cooperating. It was decided that as a starting point approved minutes should be provided. The Clerk will add BWAC to the Board's distribution list. Dr. Stobo noted that the terms of reference for BWAC are somewhat wider than the Board's, ie. they not only deal with waters related matters but environmental aspects and safety.

#### 4.7 **RESEARCH PROPOSAL BY SHARON HO**

The Chair was in receipt of a research proposal from Sharon Ho, School of Environmental Studies, who is working on her Master's thesis. She would like to interview groups and individuals for her thesis. Dr. Stobo has filled out and returned her questionnaire and indicated interest in participating further.

#### 4.8 **ISLAMIC COMMUNITY CENTRE (MOSQUE)**

Mr. Regan noted that a mosque is being proposed for a 20 acre site in the vicinity of Kearney Lake Road and Hammond Plains Road. He noted that it is adjacent a brook and in an area already experiencing flooding problems.

Mr. White noted that this development is in the jurisdiction of BWAC and they are in the process of dealing with these issues. At last week's meeting, a presentation was made by a representative of Fowler, Baldwin and Mitchell and was attended by area residents and members of the Islamic community. BWAC would not give a positive recommendation on the rezoning, until a number of items were addressed. The consultants had been reluctant to do a detailed study before the rezoning was approved.

### **TRAILER PARKS**

Mr. Regan wondered if trailer parks are required to come to the Board when a Development Agreement is involved. Apparently Development Agreements are required for trailer parks, thus applications would come before the Board.

#### 5.0 **CONCEPT PLANS**

None.

#### 6.0 **SUBCOMMITTEE**

##### 6.1 **SUBCOMMITTEE ON PARAMETERS OF WATER QUALITY TESTING**

Dr. Burney had nothing further to report, as the March meeting was canceled. There was to be a meeting yesterday, but it has been postponed until April 27<sup>th</sup>. Dr. Burney has put down some ideas in writing which have been forwarded to Dr. Stobo, but have not yet been discussed by the Sub-committee. He hoped after the April 27<sup>th</sup> meeting, a predraft version should be available for comment.

Reference was made to a letter David Haley was preparing for the Deputy Minister. Dr. Burney will contact Mr. Haley to confirm whether it was sent and if so provide a copy to the Clerk for distribution at the May meeting.

#### 7.0 **DATE OF NEXT MEETING**

The next meeting will be held Wednesday, May 19, 1999.

#### 8.0 **ADJOURNMENT**

Meeting adjourned at approximately 10:10 p.m.

Dr. Wayne Stobo  
Chairman

Lynne Le Boutillier  
Assistant Municipal Clerk

(June1/99)



