

**HALIFAX REGIONAL MUNICIPALITY
HALIFAX COUNTY/HALIFAX MAINLAND WATERSHED ADVISORY BOARD**

6:30 p.m.
Conference Room 1
Dutch Village Road
October 20, 1999

PRESENT: Dr. Wayne Stobo, Chair
Mr. Keith Manchester
Mr. Walter Regan
Dr. Jack Burney
Mr. Jim MacLean
Mr. Peter Shacklock
Mr. Ross Evans
Mr. Glen Williams
Mr. Mack McMenemy
Mr. David Haley
Mr. Michael Guilcher
Mr. Jim Holmes
Mr. Chris Booth

REGRETS: Ms. Colleen McNeil and Mr. David Dwyer

ALSO PRESENT: Councillor Graham Read
Mr. Roger Wells, Planner
Ms. Thea Langille-Hanna, Planner
Mr. John Sheppard, Manager, Environmental & Development
Ms. Lynne Le Boutillier, Assistant Municipal Clerk

ITEMS:

1.0	Approval of Agenda, Additions and Deletions	3
2.0	Approval of August 18, 1999 and September 30, 1999 minutes	3
3.0	Business Arising from Minutes	
3.1	East Petpeswick Golf Course	9
3.2	Concept Plans - Letter to Peter Bigelow	9
3.3	Membership - District 17 and Williams Lake Conservation Company	10
3.4	Prince's Lodge Master Plan Area - Conceptual Design Brief - Response of Dr. Silver	10
3.5	Rezoning at Mouth of Little River - Petpeswick Inlet	10
3.6	Municipality of East Hants documents	10
3.7	Submission by Keith Cattle re application for rezoning - 1 Roblea Drive, Porters Lake) - Update	10
3.8	Home Depot Proposal - Lacewood Drive, Clayton Park West	3 - 6
3.9	Western Common Study	11
3.10	Governor Lake Development	11
4.0	New Business	
4.1	Case 00148, Development Agreement to allow a community commercial use at 477 Cobequid Road, Lower Sackville	6 - 9
4.2	Sewage Treatment Plant Nutrient Filters/Precipitators	11
4.3	Length of Terms of Office	9
4.4	Discussion of sending correspondence to the Province about DOT rectifying the situation of acid rock along the sides of highways in the Bayers Lake Business Park	11
4.5	Stormwater Drainage into Shubenacadie Water System	11 & 12
4.6	Jail	13
4.7	P3 Schools	13
5.0	Concept Plans	13
6.0	Subcommittees	13
6.1	Subcommittee on parameters for Water Quality Testing	13 & 14
7.0	BWAC Approval Minutes - July 14, 1999 and August 11, 1999	14
8.0	Status Sheet	14
9.0	Meeting Schedule - Hearings & Planning Advisory Committee	14
10.0	Date of Next Meeting	14
11.0	Adjournment	15

1.0 APPROVAL OF AGENDA, ADDITIONS AND DELETIONS

The following items were added to the agenda under New Business, 4.0:

- Item 4.5 Stormwater Drainage into Shubenacadie Water System
- Item 4.6 Jail
- Item 4.7 P-3 Schools

Also under Business Arising, Item 3.10, Governor Lake Development.

It was proposed that items 3.8, Home Depot Proposal, 4.1, Development Agreement, 477 Cobequid Road be dealt with first, as staff and representatives of the proponents were in attendance.

The agenda, as amended, was adopted by consensus.

2.0 APPROVAL OF MINUTES

With regard to the minutes of August 18, 1999 the following errors were noted. On page 4, the word 'been' should read 'be' last sentence of last point. Also on page 5, third paragraph, second to last sentence, change 'wet lands' to 'wetlands'. Page 7, several references to 'right-a-way', rather than 'right-of-way'. Fourth paragraph, change 'it' to 'its'. Page 8, third paragraph, 'plan' should read 'plans'; fourth paragraph, 'typography' should read 'topography'.

Concern was also expressed regarding the last five paragraphs of Item 4.3. Sentences will be reordered so that it is clear what remarks are associated with the Governor Lake proposal versus the Prince's Lodge Master Plan Area.

The August 18, 1999 minutes, as amended, were adopted on motion of Mr. Williams and Mr. Shacklock.

A revised page 11 of the September 30, 1999 minutes were circulated to the members. The September 30th minutes were adopted, as circulated, on motion of Mr. Regan and Mr. Guilcher.

3.8 HOME DEPOT PROPOSAL - LACEWOOD DRIVE, CLAYTON PARK WEST

Mr. John Sheppard, Manager, Environment and Development and Michael J. Willett, Vice-President, Development and Mr. Earle Richardson, Clayton Developments were in

attendance to address concerns raised at the September 30, 1999 meeting regarding what a runoff coefficient of 0.55, i.e. did it relate to rate or volume.

In his explanation, Mr. Sheppard explained that there are three factors which are taken into consideration when calculating stormwater flows off an area of land. The formula estimates runoff under a certain set of defined conditions.

- C Area which drains by gravity
- C Intensity of rainfall - statistics used to determine for any given area.
- C Runoff factor

He explained that in the instance that 100% of rainfall falling on an area flows off the land into a pipe, for example, the coefficient factor would be 1.0. If no runoff, the coefficient factor would be zero. In the case of Schedule K or the Home Depot proposal, the coefficient factor is 0.55 for a one in five year storm. This is a normal coefficient factor for single family and two unit developments, with no hold-back provision. In Industrial situations the coefficient factor would be .85 to .95. Runoff depends on soil, topography, how much asphalt, roof surfaces, etc. The more impervious the ground surface, the higher the coefficient factor. By multiplying the 'coefficient factor' by 'intensity' by 'area', a rate of flow is determined.

Mr. Sheppard noted that the techniques to store water being proposed by Home Depot are very effective. Roof and parking lot storage has been proposed. He noted that HRM designs its storm sewers to handle a one in five year rain event. By storing, water can be released at a controlled rate.

Concern was expressed as to where the remaining 45% goes. Does it recharge the groundwater? Not necessarily. Mr. Sheppard noted that there would be less groundwater recharge than with a one or two unit home type development. There will be more runoff from the site, but it will runoff more slowly.

The Chair explained to Mr. Sheppard that the runoff is being directed to a highly disturbed stream, through a couple of piped areas into the Susies Lake Watershed. Mr. Sheppard explained that by lowering the peak flow off the property, there will be less negative impact on the watercourse. The closer the post-development flow is to pre-development flow, the less effect on the natural environment. He speculated the runoff is likely 20% with 80% entering the ground now. Since the area is essentially fractured rock, the Chair agreed.

Mike Willett noted that the average co-efficient being used for Clayton Park West is .55. Parking lots and commercial areas at a .8 coefficient will be balanced off by natural areas

and parks with perhaps a .2 coefficient. With the storage facilities for the Home Depot site, they have been able to bring the coefficient down to .55.

Referring to the parking lot's design for water storage, Mr. MacLean questioned whether the design allows for sheet flow or a concentrated flow once the storage capacity is exceeded. It was noted that after a certain amount of storage, the water will overflow in a sheet flow.

The Chair concluded that since the concerns regarding the .55 coefficient have been addressed, the recommendations for the Home Depot proposal will be finalized this evening.

Later in the meeting, following the departure of the Home Depot representatives, copies of draft recommendations prepared by the Chair were circulated to the members.

The members reviewed the draft and the following changes were made:

- C It was decided that the second paragraph on page 2 relating to the runoff coefficient of 0.55, is no longer required.
- C The second recommendation will now read "The **performance of** stormceptors should be monitored quarterly for the first two years and the reports reviewed for impact. The monitoring frequency **should be** reassessed at the end of that time and an appropriate longer-term maintenance plan **should** then be established.
- C Recommendations 5 and 9 be combined as they both deal with acid slate. However the word ' should' be replaced with 'will' in point 9.
- C Recommendation 10 was changed to read, "An appropriate Erosion Control Plan be developed to minimize **sediment leaving the site.**
- C Recommendation 11 added. "An appropriate Stormwater Control Plan should be developed and submitted to HRM for approval for all water contained on site.

Mr. Regan felt that the Board should look at the 0.55 runoff coefficient at a subsequent meeting.

Mr. Wells noted that the recommendations will be provided to Clayton Developments Limited and they will have to return to the Board to explain how they propose to meet these recommendations.

The Board requested that they also be provided with a copy of the Development Agreement upon completion.

The Chair will make the above-noted changes to the draft.

4.0 NEW BUSINESS

4.1 CASE 00148, DEVELOPMENT AGREEMENT TO ALLOW A COMMUNITY COMMERCIAL USE AT 477 COBEQUID ROAD, LOWER SACKVILLE

A report dated June 22, 1999 regarding this subject was originally circulated with the August agenda package. Due to the strike, it had been deferred. Only a 'special' meeting was called in September to deal with a limited number of items. There was some urgency to draft recommendations this evening, as a staff report goes to the November 3rd Northwest Community Council's PAC (NWPAC), thus the Board's normal practice could not be followed. It was therefore agreed that the Board's comments would be limited to that contained in the minutes, with no separate recommendations document being prepared.

Copies of a larger, colored concept plan were viewed at the meeting. Photographs of the area in question were circulated.

A Conflict of Interest was declared by Jim MacLean as he was a friend of Ivan Crnogorac, the proponent and had done some work on the application. He was also the adjacent property owner. It was agreed that he could answer questions on behalf of the developer and if the Board wanted to know anything specific about the lot. Mr. MacLean would not take part in the discussion, however.

Essentially the site in question is six acres in size and borders Sucker Brook. The proponent is proposing to construct a 9,000 sq. ft. commercial building. This building would provide office space for Metric Framing Limited, plus three additional commercial spaces. Parking is planned for both the front and side of the building, with outdoor storage at the rear. Since the property is not serviced with municipal sewer, a septic system will be required. Three acres of the site will not be developed.

Staff was looking for the Board to review the submission and comment on the proposal with respect to the potential impact on Sucker Brook as required under Policy UR-24 and Policy IM-13. In particular Ms. Langille sought direction on:

- C What type of buffer zone is required to Sucker Brook. The proponent may wish to expand his outdoor storage area in future. The current proposal involves 2 acres of the six acre site, but could be three acres in size under the C-2 Zone.

- C Requirements for their lot grading plan.
- C Measures to be taken during construction to reduce the impact on Sucker Brook.

It was noted that only a small portion of the six acre lot is proposed for development. The area, in the vicinity of Sucker Brook, is well vegetated (treed) and thus good natural filtration is anticipated. It was indicated by staff that the intention is for the existing vegetation to be maintained. Six to eight feet of fairly level fill has accumulated over the years where the development is to be built.

Sucker Brook connects First Lake to Rocky Lake. Low water flow during summer months had been observed. There is in total a 10 to 12 feet drop off from the front of the property to the back of the lot (including fill and natural slope). The natural slope is over the course of approximately 400 feet.

Referring to the septic system, it is anticipated it would be in front of the building for ease of maintenance. The Department of Environment would have to give its approval of the system's design (contour) and the location. DOE will not provide direction until the development agreement is approved. The Engineering Department feels a front or side location would be best, as you would not want the runoff of the rear storage area going into a septic field. If in back, it would make expansion impractical. Since houses in the vicinity are on city water, they would not be affected by the septic field.

Ms. Langille noted that the proponent has indicated that in future he may desire an extension to the back, for use by contractors. She noted that a building of up to 10,000 sq. ft. is allowed in this zone and any expansion would come back to the Board, as an amendment to the development agreement would be required. It was proposed by the Board that it be written into the development agreement that any further expansion on the site would have to come back to the Board. Ms. Langille indicated that the proponent is seeking a little bit of flexibility in the development agreement regarding expansion of the outdoor storage area. It is currently proposed that the area not be paved but graveled.

Concern was expressed about whether any hazardous goods would be on site. Staff noted there are guidelines for uses under a C-2 designation. The draft development agreement has been set up to allow Community Commercial uses. Establishments related to welding, plumbing and heating are listed under this designation. Concern was expressed regarding welding in this area. Ms. Langille will look up the definition of welding. It is not necessarily an obnoxious use. Mr. MacLean indicated that he anticipates concrete panels, associated with concrete frame work being stored outdoors. Concern was expressed that oil is associated with concrete forms and if this is the case, whether storage on an impervious surface should be required to keep the contaminants out of the groundwater. It was suggested that oil may no longer be allowed on these forms. Mr. MacLean will check into. Should the storage area be eventually paved, it was suggested

that an oil separator be required.

Referring to the Public Information Meeting of June 23, 1999, Ms. Langille was asked if anyone expressed concern regarding flooding. Apparently only one resident had attended and no concern was expressed. The individual had more concern regarding the visual impact of the development. Flooding is not anticipated. Lot grading plans are required to avoid this.

Reference was made to Sucker Brook having a run of suckers and trout and the importance of protecting them.

Concern was expressed with regard to the potential to further infill the property. Reference was made by staff to the C-2 Zone lot coverage being limited to 50%.

During preparation of the recommendations, it was noted that the Board's Guidelines call for a minimum 15 meter undisturbed buffer zone, but depending on the sensitivity of the water course, 30 meters have been recommended. Due to the gentle slope of the topography and thus the difficulty of establishing where the highwater mark was, a 30 meter buffer zone was felt preferable.

The following recommendations were prepared by the Board:

- C 30 meter undisturbed buffer from designated highwater mark in concept plan provided. (as defined in the Board's Guidelines, i.e. undisturbed soil and vegetation)
- C DOE must approve septic system.
- C If any further development or expansion beyond area currently proposed, a review be conducted with the proposal being returned to the Board for further advice.
- C If any hazardous materials on property, there be no outdoor storage.
- C Proper stormwater drainage plan is to be designed and approved if storage area paved at anytime.

A discussion followed on whether the applicant should make provision for a potential expansion at this time, i.e. 250' back rather than the currently proposed 150'. No one indicated they had a problem with this, as the development would still be outside the 30 meter undisturbed buffer zone. Mr. Haley felt that a stormwater management plan should be required for the larger size development, even if paving is not included. It was emphasized that sheet drainage would be preferable to a single, concentrated flow point to reduce the overall impact on the Brook.

In future it was indicated to Ms. Langille that the Board would like to see aerial photos and contour maps associated with developments.

4.3 LENGTH OF TERMS OF OFFICE

Mr. Dwyer had requested that this topic be added to the October agenda. The Chair made reference to the recent advertisement in the Chronicle Herald/Mail Star for members to various Committees, Boards and Commissions of HRM. It had been brought to his attention by the Clerk that the terms of reference for the Board stipulate that for the initial appointment to the Board, half the members were to have a two year term and half a three year term. Subsequent terms would be three years in length, with no limit on the number of terms a member could serve. This staggering of terms was never implemented and since the matter has been raised, he proposed that since approximately half the members are founding members and the balance appointed subsequent to amalgamation, the original members terms be for two years and the balance be for three years. He polled those present to determine if there was anyone present not interested in continuing on the Board. All those present indicated they wished to continue. Those not in attendance will be contacted by the Clerk regarding their intentions to continue. A list will be prepared by the Chair and the Clerk. It is the practice of HRM that appointments come due November 1st of each year.

3.0 BUSINESS ARISING FROM MINUTES

3.1 EAST PETPESWICK GOLF COURSE

Circulated with the agenda package were copies of the Board's recommendations pertaining to the East Petpeswick Golf Course for their information.

While Mr. Dwyer had sent his regrets for the meeting, he asked that it be conveyed to the Board that he inspected the East Petpeswick Golf Course area October 1st. He reported that they were in the process of rebuilding the road and leveling areas for sodding. On October 14th he spoke with Mr. Baker's brother, who confirmed that sodding had been done after October 1st, but as of November 1st, no further work is planned.

3.2 CONCEPT PLANS - LETTER TO PETER BIGELOW

In the absence of both Ms. Corser and Ms. McNeil, Mr. Regan recalled he wrote Mr. Bigelow as to whether he wished the Board to comment on 'as-of-right' proposals. Whether Ms. Corser received a response was in question. Ms. McNeil will be asked to look into this matter by contacting Mr. Bigelow.

3.3 MEMBERSHIP - DISTRICT 17 AND WILLIAMS LAKE CONSERVATION COMPANY

A report was directed to the Chebucto Community Council asking them to recognize the

Williams Lake Conservation Company as a community based organization involved in watershed protection and related activities within the HRM and thus qualify for representation on the Board, as allowed for in its Terms of Reference. At the October 13, 1999 meeting of the Chebucto Community Council the Williams Lake Conservation Company was recognized.

The Chair introduced to the Board, Mr. Chris Booth. Mr. Booth will ask the organization to provide a letter to the Municipal Clerk's Office confirming that he is their representative. In the interim, he will be provided with a copy of the Board's Guidelines and Terms of Reference.

3.4 PRINCE'S LODGE MASTER PLAN AREA

In the absence of Mr. White this item deferred. He was going to ask BWAC if they would be interested in a joint meeting regarding this master plan. While reference is made in BWAC's minutes of July 14th to them reviewing the conceptual design, their approved September minutes were unavailable to determine if this matter was raised by Mr. White.

3.5 REZONING AT MOUTH OF LITTLE RIVER - PETPESWICK INLET

Deferred in absence of Mr. Dwyer.

3.6 MUNICIPALITY OF EAST HANTS DOCUMENTS

Mr. Regan will bring to the next meeting.

3.7 SUBMISSION BY KEITH CANTLE RE APPLICATION FOR REZONING - 1 ROBLEA DRIVE, PORTER LAKE

Copies of a letter drafted by the Chair in response to Mr. Cantle, dated October 3, 1999 were circulated to the members. It was noted that Regional Council at its October 5, 1999 meeting accepted staff's recommendation not to approve the application of Neil and Margaret Williams to rezone their property from Residential A to Rural Enterprise.

3.9 WESTERN COMMON STUDY

Mr. Morgan was to provide the Board with copies of the above noted study, ie. one for the Library and two for general circulation. The Clerk will remind him.

Councillor Read asked if the Board had been involved in the study. He was advised that

the Board had not been asked to review. Once the Board is in receipt of the report, the Chair indicated they will review the Study and send recommendations and comments to the Community Council.

3.10 GOVERNOR LAKE DEVELOPMENT

Although the above noted development was brought before the Board in August, the Chair noted that no recommendations have been drafted to date. He will endeavour to draft recommendations for the Board to review at the November meeting. In the interim, the Clerk will check to see at what stage the process is.

Councillor Read felt that the Western Common Study should be considered in conjunction with this development. He felt that the Board should consider the proposal in context of what is happening adjacent the area.

4.0 NEW BUSINESS (contd.)

4.1 SEWAGE TREATMENT PLANT NUTRIENT FILTERS/PRECIPITATORS

Circulated with the agenda package was an e-mail from Shalom Mandaville regarding the above subject for the members' information.

4.4 CORRESPONDENCE TO PROVINCE REGARDING RECTIFYING THE SITUATION OF ACID SLATE ALONG HIGHWAYS IN BAYERS LAKE BUSINESS PARK

Mr. Evans reported that he has been advised by Department of Transportation staff that the acid slate has been there so long that it is best to leave it undisturbed.

4.5 STORMWATER DRAINAGE IN SHUBIE WATER SYSTEM

Mr. Williams raised concerns he has regarding stormwater management particularly affecting the Shubie Water System. He referred to the impact of the Sobeys development and the P3 School construction in the vicinity of Lake Fletcher. During the lengthy discussion which followed on this subject, it was obvious that there are situations throughout the HRM of this nature. Reference was made by Councillor Read to the Halifax Harbour Cleanup and the fact that it is not only sanitary sewage which has a negative impact on the Harbour but also stormwater. He felt an education process is needed to point out that while stormwater might not smell, it contains oils and pesticides, etc. which have an impact on the Harbour.

Reference was made to other P3 school construction sites which are causing problems

and the fact that these developments are exempt from the Municipal controls which govern other developments in the HRM.

The Board debated what they can do in such situations. It was noted that a number of members of the Board are representatives of various organizations which likely share this same concern. It was suggested these groups might wish to come to the Board and share their concerns and the Board could help bring some focus to them. It was suggested the Board could act as a conduit to Community Councils, for example.

Reference was made by Mr. Manchester to the Vaughan Report, which was study of the Shubie Canal System, done 20 years ago. Apparently HRM can't find a copy of this study which is actually a whole series.

Reference was made to the motion the Board adopted at its October 1998 meeting supporting funding of Storm Water Treatment Policy and Source Control Implementation Strategy. A letter was subsequently sent to the Mayor relating to this \$50,000 item in the 1999 Capital Budget. Glen Williams and Councillor Read requested that the Clerk provide them with a copy of the correspondence.

It was concluded that what Mr. Williams would like to see the Board do, as an advisory board, is indicate that the Board is not pleased with the stormwater management policy of HRM, particularly in some specific areas. Rather than be too general in nature the approach decided upon was to write about the specific concerns expressed regarding the Shubie Canal System. Mr. Williams will draft a letter, making reference to the Board's previous correspondence on this subject.

Members, such as Jim MacLean, who had expressed particular concerns regarding other areas such as First Lake, were encouraged to draft similar correspondence for review at the November meeting.

Reference was made to Maureen Ryan working on a stormwater master plan for the whole area. Councillor Read volunteered to ask for the status of the review.

4.6 **JAIL**

Mr. Regan referred to the official announcement that the Jail is moving to Burnside.

4.7 **P3 SCHOOLS**

Reference was made to the huge amount of silt leaving the construction site of a P3 School being built in Sackville. As earlier noted, the Province exempted the P3 Schools from complying with municipal regulations. It is rumoured that charges may be laid against

the Department of Education by the Department of the Environment. Nothing has apparently been done for silt control in this instance.

It was requested that the Board write a letter of concern to the Minister of Environment, Minister of Education and Mayor. The Chair noted that any member can table such a letter at any time. They need only contact the Clerk for inclusion on the agenda. He noted that the terms of reference indicate the Board can take a leadership role, as they had done regarding the jail location.

A discussion followed on correct protocol. Councillor Read felt it would be appropriate to draft the correspondence to the Mayor, with carbon copies to the Minister of Environment and Minister of Education.

Councillor Read noted that a Councillor has already brought up the concern at Regional Council that HRM has no say or input in location of P3 schools. A letter of similar concern by the Board would add more weight.

5.0 CONCEPT PLANS

None.

6.0 SUBCOMMITTEES

6.1 SUBCOMMITTEE ON PARAMETERS FOR WATER QUALITY TESTING

Previously circulated to the members in mid September was a draft report entitled "Recommendations for Monitoring Freshwater Quality to Assess Impact on Development in the HRM" for their review. Dr. Burney indicated to the Board that the subcommittee felt it could not progress further without input to confirm they were going in the right direction. If the Board okays the draft, the subcommittee would like to circulate it to the DLAB (Dartmouth Lakes Advisory Board) and BWAC (Bedford Waters Advisory Committee) for their comments, as it is intended that the Policy be adopted for use across the HRM.

The paper was briefly reviewed and it was felt that the sub-committee had fulfilled its mandate. It was agreed that a letter should be written to the DLAB and BWAC explaining the Board's desire to see policy consolidated across HRM and seeking their comments.

A couple of small changes will be required to the draft in relation to the reference to "part-time volunteer co-ordinator", for instance should read "part-time coordinator of volunteers. Such a reference appear on page 8, paragraph (h). Reference is also made in the Executive Summary to this Coordinator. Dr. Burney will make the necessary changes to the draft to provide consistency of terminology.

A discussion followed on whether HRM's Development and Planning Departments are familiar with the initiative. It was noted that Susan Corser had attended a subcommittee meeting and Tony Blouin, a HRM Planner was a member. Mr. Blouin has been encouraging a consolidated policy across HRM.

7.0 BWAC APPROVED MINUTES

Copies of BWAC's approved minutes for July 14, 1999 and August 11, 1999 were circulated with the agenda package.

8.0 STATUS SHEET

Copies of the Status Sheet were circulated with the agenda package.

Mr. Williams updated the members on latest developments pertaining to the progress of the pipeline.

Referring to the Protocol - District 2, progress was delayed because of the strike. He should have something for the next meeting as a meeting is to be held with Sandy Cameron.

9.0 MEETING SCHEDULE - HEARINGS & PLANNING ADVISORY COMMITTEE

Circulated at the meeting was a meeting schedule dated October 18, 1999.

10.0 DATE OF NEXT MEETING

The next meeting is scheduled for November 17, 1999.

10.0 ADJOURNMENT

The meeting adjourned at approximately 10:45 p.m.

Wayne Stobo
Chairman

Lynne Le Boutillier
Assistant Municipal Clerk

(Nov22/99)

