

## **HALIFAX REGIONAL MUNICIPALITY**

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### HALIFAX/HALIFAX COUNTY WATERSHED ADVISORY COMMITTEE

October 17, 2001

#### MINUTES

PRESENT: Dr. Wayne Stobo, Chair  
Ms. Colleen McNeil  
Mr. Bill Ernst  
Mr. Glen Williams  
Mr. Walter Regan  
Mr. Ross Evans  
Mr. Keith Manchester  
Ms. Ellinor Williams  
Mr. Frank Hope  
Mr. Jim Holmes  
Dr. Barry Thomas  
Mr. David Dwyer

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

REGRETS: Mr. Leaman, Mr. Mandaville, Mr. Murray and Ms. Corser

**TABLE OF CONTENTS**

1.0	Approval of Agenda .....	3
2.0	Approval of Minutes .....	3
3.0	Business Arising from Minutes .....	3
3.1	Parameters for Water Quality Testing .....	3 & 4
3.2	Case 00173 - Rezoning Application on Rosewood Avenue in Timberlea - Nine Mile River Amendment/Watershed Area .....	5
3.3	Sobeys Musquodoboit Development Agreement .....	5 & 6
3.4	Ashburn Golf Course Expansion - Baseline Water Quality Testing .....	6
4.0	New Business	
4.1	Wetland Infilling .....	7
4.2	Shaw Peat System .....	7
5.0	Concept Plans .....	7 & 8
6.0	Deate of Next Meeting .....	8
	Information Items .....	8 - 10
7.0	Adjournment .....	10

The meeting was called to order by the Chair at 6:35 p.m. He apologized for the need to cancel the September meeting.

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

The Chair proposed following the September 19, 2001 agenda. The information items associated with the October 17, 2001 agenda would also be discussed.

The following items were added under New Business:

- Item 4.1 Wetland Infilling
- Item 4.2 Shaw Peat System

**2.0 APPROVAL OF MINUTES**

The following changes were made to the July 18, 2001 minutes:

Mr. Ernst's name misspelled.

Page 11, 3<sup>rd</sup> paragraph, second to last sentence. Change 'qualified' to 'clarified'.

The minutes, as amended, were adopted on motion of Mr. Williams and Mr. Hope.

Referring to the July 18 minutes, item 3.2, Sewage Management Discussion Paper, it was requested that copies of the comments drafted by Ms. McNeil on behalf of the Board, be circulated as an information item in the next agenda package. Ms. McNeil advised that the correspondence had been sent off on behalf of the Board.

**3.0 BUSINESS ARISING FROM MINUTES**

**3.1 PARAMETERS FOR WATER QUALITY TESTING**

Referring to the July 11, 2001 BWAC minutes, the Chair noted that BWAC passed a motion that a letter be sent to the Board in response to the Ad Hoc Committee's recommendations for monitoring freshwater quality to assess impact of development in the HRM. A letter was subsequently received dated July 17, 2001. Copies to be circulated as an information item with the November agenda package. (*Was circulated at July meeting.*)

Reference was also made to an e-mail from Mr. Mandaville dated September 14<sup>th</sup>.

No response has been received from the Dartmouth Lakes Advisory Board.

There was considerable discussion regarding how to proceed. One option was to resubmit the Ad Hoc Committee's report to HRM, along with the letter from BWAC for consideration re the Water Resource Management Policy (Study).

Referring to the Information Report, provided with today's agenda package, the Chair pointed out that while the original completion date for the Water Resource Management project was March 2001, the revised work plan indicates a completion date of January 2002. Dr. Stobo has been advised by Dr. Blouin that the draft report has been provided to the consultants.

It was proposed by the Chair that he draft a letter to Dr. Blouin, enclosing a copy of the report and response from BWAC and ask the consultants to take into consideration.

Mr. Regan indicated that while he felt it would be important for the Water Resource Management Policy to adopt the ad hoc committee's report, he felt the report was to be a standalone document. He felt it important that HRM knows that it is not just the Board's submission in relation to the policy study.

The Chair felt this could be addressed in the covering letter, ie. the Board is recommending the document be incorporated as part of the Water Resource Management Policy, noting it is all inclusive and does not just deal with wastewater and stormwater and has broader applications than just post development.

The pros and cons of incorporating BWAC's comments into the report or simply attaching to the report were debated. It was concluded there is not enough time to reconvene the sub-committee for this purpose. It was proposed that in the covering letter it be pointed out that while BWAC had supported the proposal, some enhancements were suggested for inclusion, which should be considered in drafting the final document.

**MOVED BY Dr. Thomas and seconded by Mr. Dwyer that the Chair write a covering letter to accompany the Ad Hoc Committee's report. MOTION PUT AND CARRIED UNANIMOUSLY.**

**3.2 CASE 00173 - REZONING APPLICATION ON ROSEWOOD AVENUE IN  
TIMBERLEA - NINE MILE RIVER AMENDMENT/WATERSHED AREA**

The following items were circulated in the September agenda package:

- C Draft report to Western Region Community Council containing a recommendation not to approve the rezoning application.
- C A second version of the draft report to Western Region Community Council containing

- the recommendation not to approve the rezoning application and three additional recommendations of HRM.
- C Draft report to Western Region Community Council containing two recommendations. Besides recommendation not to approve the rezoning application, there are three additional recommendations to HRM.
  - C Letter (incorrectly addressed to proponent, though intended for Paul Morgan) dealing with the three requests to HRM.

The Board was asked to indicate their preference, ie. for the first report just containing the recommendation not to approve the application to rezone or the second version, requesting HRM provide a back up generator for the sewage pumping station on Rosewood Avenue; HRM investigate reports of discharge and odor problems associated with the pumping station; and HRM request the DOT to investigate the condition of the culvert under Highway 103.

**MOVED BY Mr. Regan and seconded by Mr. Dwyer that the Board adopt version one of the report, which just contained the recommendation not to approve the rezoning application. MOTION PUT AND PASSED UNANIMOUSLY.**

The letter intended for Paul Morgan was discussed. It was decided that the correspondence should be sent to the Mayor, with a copy to Paul Morgan, HRM Planner and Community Council members.

### **3.3 SOBEYS MUSQUODOBOIT DEVELOPMENT AGREEMENT**

- C** Copy of correspondence from the Musquodoboit Harbour Area Rate-Payers & Residents Association dated August 16, 2001 to Mitch Dickey, HRM Planner regarding their review of the Development Agreement, identifying where it does not conform to provisions agreed to at the PAC meeting, March 1, 2001 and submission from the H/HCWAB.

Mr. Dwyer referred to his role in the review of the Development Agreement and receipt of a call from Mr. Willard D'Eon, CBCL. Mr. Dwyer provided Mr. D'Eon with a copy of the August 16<sup>th</sup> correspondence. Mr. D'Eon has indicated it would be his preference to have five sampling points. In part, these will allow him to identify the existing conditions. The Chair agreed that the five testing sites would be better, but cautioned that you can't just take one sample. At the minimum, a statistical sampling requires five samples.

Mr. Dwyer reflected that the Board will likely run into similar situations in the future and there is a need to be more specific, i.e. require the developer to commence sampling prior to

construction, etc. He proposed guidelines be drafted on the conducting of sampling. The Chair agreed that the Board had missed some issues in this regard and it would be desirable to have a sampling protocol.

Mr. Dwyer questioned if there is any way to include in the letter the Chair is drafting regarding the Water Resource Management Policy that issues related to conducting a baseline study or guidelines on the monitoring be considered for incorporation. There are no sampling protocols in the Ad Hoc Committee's report. Mr. Ernst cautioned that no single sampling protocol will apply. They would have to be site specific. Mr. Regan proposed a typical sampling would be below and above the development and for statistical validity a minimum of five seasonal samples would have to be taken.

Mr. Ernst felt the title of the Ad Hoc Committee's report was misleading, ie. Water Quality Parameters/Recommendations for Monitoring Freshwater to Assess Impact of Development in the HRM. He maintained that parameters will not be useful unless you have different protocols. The Chair agreed and will include in the correspondence to be addressed to Dr. Blouin that the report deals with parameters not guidelines.

**3.4 ASHBURN GOLF COURSE EXPANSION - BASELINE WATER QUALITY TESTING**

- C email between the Secretary, Paul Dunphy, Director, Planning & Development Services and Kevin Warner, Development Officer
- C email between Ms. McNeil and Dr. Stobo
- an email from Mr. Mandaville related to the above was omitted in the mail out - to be provided in the November agenda package.

The Chair noted that Mr. Warner has indicated that since no applications have been received for the expansion, there is no need for a baseline study. This was inconsistent with the fact that HRM has received a set of testing results; thus some testing had already been conducted. It was the review of that data that suggested the sampling protocols were inadequate. HRM was asked to retest.

In the absence of Ms. Corser, there was no way to determine if any progress has been made. The item was deferred to the next meeting.

Ms. McNeil questioned whether a response has been received from HRM. No response was recalled, thus the reminder the Secretary had made to Paul Dunphy.

#### 4.0 **NEW BUSINESS**

##### 4.1 **WETLAND INFILLING**

Mr. Dwyer referred to an article he had from the September 19, 2001, Halifax Herald entitled "Dumping Eating Away at Seaforth Marshland". Reference was made to ongoing work on the Chezzetcook Trail System. A developer has received permission to fill the wetland beside the trail. Unless a wetland is more than two hectares, this can be done under the present legislation, i.e. anything under two hectares is exempted and only an environmental screening is done. An environment assessment is required over two hectares.

The Chair reflected that it was the Board's position that wetlands not be infilled. He proposed drafting a letter to Regional Council indicating the Board's concerns with the law, as the Board felt wetlands of any size should not be infilled.

The Chair felt that the development should have come before the Board. It was noted that they don't require HRM's permission. They went directly to the Province.

**MOVED BY Mr. Dwyer and seconded by Mr. Evans that a letter be written to HRM that any proposed infilling of a marsh in the HRM should be reviewed by one of the Watershed Advisory Boards. Motion carried unanimously.**

Mr. Manchester volunteered to draft the correspondence. A copy of the draft will be provided in next month's agenda package. A copy of the correspondence the Mayor will be provided to Brian Thompson, DFO and NSDOE's Regional Office.

##### 4.2 **SHAW PEAT SYSTEM**

Dr. Stobo circulated to the members information he had received regarding a Shaw Peat Treatment System. Copies of the Design Manual and Pilot Program System Evaluation are to be filed with the Corporate Library. This system utilizes peat versus sand filters used in the bag filter system. Dr. Stobo reflected that he did not see any reference to an independent monitoring study being done.

#### 5.0 **CONCEPT PLANS**

It was noted that it has been sometime since the Board has received any concept plans. It was recalled, for the benefit of new members, that the concept plans are brought to the Board essentially for information purposes as there isn't enough time in the process for comment to

be made by the Board. It was also noted that there is essentially not enough detail provided in the concept plans to allow for comment.

**6.0 DATE OF NEXT MEETING**

The next meeting will be held Wednesday, November 21, 2001.

**INFORMATION ITEMS:**

**SEPTEMBER'S AGENDA PACKAGE**

- C Response to Dr. Kleinknecht re Glen Arbour Water Pollution
- C BWAC approved minutes - May 9 and July 11, 2001. In the July 11, 2001 minutes the Chair referred to item 4.6, page 8 re Jurisdictions and the motion adopted to ask NWCC whether an investigation can be made to change the boundaries for the responsibilities of the H/HCWAB, BWAC and DLAB based on watersheds verses old political boundaries. The Chair recalled that the Board had recommended boundaries based on watersheds, but nothing had happened. It was recalled that there is an outstanding issue regarding the Board's boundaries and the DLAB's associated with Lake Major. The Board has been awaiting an official request.
- C Meeting Schedule - A Meeting Schedule dated October 12, 2001 was circulated at the meeting.
- C Status Sheet September - Refer October's Status Sheet
- C Monitoring Effluent Plumes: Onsite Disposal Systems, memo from Mr. Mandaville dated August 13, 2001.
- C World-class ELA (Experimental Lakes Area), Canada: Brief history and major current projects - Mr. Mandaville
- C e-mail from Shalom Mandaville re Minneapolis bans most uses of phosphorus fertilizers - hot news of October 02, 2001

**OCTOBER'S AGENDA PACKAGE**

- C BWAC Approved Minutes, August 8, 2001 (attached)/September 12, 2001 circulated at meeting. The Chair pointed out the reference to the comments and advice received



from Mr. Regan re the Golf Academy and Driving Range - Rezoning 799 Kearney Lake Road in the August 8, 2001 minutes and Committee's appreciation of his comments.

- C Meeting Schedule - Revised Schedule dated October 12, 2001 circulated.

October 15, 2001 - Sackville Streetscape Area Advisory Committee - Mr. Regan indicated he had attended the meeting. He outlined to the members his involvement in the process and what has been achieved to date.

Reference was made to the Joint Public Hearing, October 30, 2001 re request to amend the MPS and Land Use By-law for Timberlea/Lakeside/Beechville for a golf course community by development agreement. It was noted this was the first time the Board had heard of this proposal.

- C Status Sheet:

During the review, the following items were deleted:

Subcommittee on Parameters for Water Quality Testing  
Petpeswick Golf Course Stormwater & Erosion Assessment  
Bennery Lake Watershed

Referring to the **Glen Arbour** item, the Secretary was asked to contact Susan Corser to see if a position has been developed. A report is desired for the next meeting.

**Bonding:** Mr. Evans requested this be deferred.

**Membership:** The Secretary advised that Mr. McKenzie has submitted his resignation. This leaves a vacancy for District 18. No response has been received on replacements from the Friends of First Lake for Jim MacLean or the Williams Lake Conservation Company for Chris Booth. It was noted that some of the organizations which originally appointed members to the Board are no longer active. As a result, in order for the members to be reappointed, Clause 'd' of the Terms of Reference may have to be used which reads "such other members as determined from time-to-time by Community or Regional Council in consultation with the Board". Responses have not been received from S.W.E.P.S. (Dr. Stobo) or the Shubenacadie Canal Commission (Mr. Manchester) reaffirming their representative. A up-to-date membership list to be provided with the next agenda package.

**Jurisdiction Update** - The Chair has yet to contact Ms. Manzer, Chair DLAB or Dr.

Gordon.

**Petpeswick Golf Course** Stormwater & Erosion Assessment - Mr. Dwyer was pleased to report the culvert situation has been taken care of by the property owner. No need for Ms. McNeil to write to Ms. Spencer.

**Ashburn** - Ms. Corser will be asked to provide more information for the November meeting re the request to HRM to provide additional data.

**Bennery Lake Watershed** - While no one from the Board in attendance attended the Public/stakeholders Information Meeting, Mr. Regan advised that he had sent in a lot of comments. He was provided with the minutes of the meeting, parts of which related to these comments. There were very few other comments and it appears they will be proceeding.

#### 7.0 **ADJOURNMENT**

The meeting adjourned at 8:50 p.m.

Lynne Le Boutillier  
Assistant Municipal Clerk