



**Regional Watershed Advisory Board
MINUTES
September 20, 2017**

PRESENT: Walter N. Regan, Chair
Kelly Schnare, Vice Chair
Russell Dmytriw
Rose Featherstone
Tim Boudreau
Kevin Hooper

REGRETS: Derek Vallis
Jennifer Rocard
Aaron Ezekiel

STAFF: Shannon Miedema, Energy and Environment Program Manager
Cameron Deacoff, Environmental Performance Officer
Shilo Gempton, Planner II
Krista Vining, Legislative Assistant
Sharon Chase, Legislative Support

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, reports, supporting documents, and information items circulated are online at halifax.ca.

the meeting was called to order at 5:00 p.m. and adjourned at 7:04 p.m.

1. CALL TO ORDER

Chair Walter Regan called the meeting to order at 5:00 p.m. in the Helen Creighton Room, 2nd floor, Alderney Public Library, 60 Alderney Drive, Dartmouth.

2. APPROVAL OF MINUTES – August 9, 2017

MOVED by Russell Dmytriw, seconded by Tim Boudreau

THAT the minutes of August 9, 2017 be approved as presented.

MOTION PUT AND PASSED.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

The agenda was approved as distributed.

4. BUSINESS ARISING OUT OF THE MINUTES – NONE

5. CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE

6. CONSIDERATION OF DEFERRED BUSINESS – NONE

7. CORRESPONDENCE, PETITIONS & DELEGATIONS – NONE

8. INFORMATION ITEMS BROUGHT FORWARD – NONE

9. REPORTS/DISCUSSION

9.1 STAFF

9.1.1 Education Session- HRM Watershed Planning Policy Framework

It was confirmed that the Green Network Plan was moving forward regardless of recent changes in Planning and Development.

Shilo Gempton, Planner II reviewed the policy framework. A copy of the staff report is one file. They outlined some of the key definitions in policy as used in the land use bylaws. They also reviewed the federal, provincial and municipal acts that affect the policy framework. Municipal acts include: municipal charter, municipal planning strategies, regional municipal planning strategies and land use by-laws. Chapters two and eight in the regional municipal planning strategy refer to water. Watershed planning policy incorporates: the regional plan, regional plan policies for watershed planning, watershed studies program and the watershed management and water quality monitoring review. There are also secondary planning strategies for example the Halifax Municipal Land Use by Law that are specific to certain areas, Bedford West being another example.

Within the Regional Plan there are 21 municipal plans determined geographically, 22 land use bylaws and secondary plans may exist as required. Land use bylaws were amended in 2006 to reflect riparian buffer, coastal elevation and wetland requirements. There is generally a 20m buffer, although slope will affect the buffer distance. Some activity is allowed on the buffer for example: boardwalks, fences, boat ramps and other exceptions were noted. Regulations for coastal areas were reviewed. Coastal elevation is a 3.8m vertical setback with some exceptions noted. Regulations for wetlands were reviewed where there is a wetlands schedule in the land use bylaws with no development permitted within the wetland. Shilo reviewed the distinction between watercourse setbacks and buffers noting that under current regulation, variances cannot be considered for buffers in a land use bylaw, as of right development.

It was clarified that setbacks apply to structures. Buffers may be considered within a development agreement which requires discretionary approval. The Board asked that a clearer definition of riparian be included. Staff welcomes feedback on definitions to be considered for future bylaws and updates of land use bylaws. They will bring these to the Board as they come up.

9.1.2 Water Quality Monitoring Review

The following was before the Board:

- An extract of Regional Watersheds Advisory Board draft August 9, 2017 minutes
- A copy of the staff information report to the Environment and Sustainability Standing Committee dated June 2, 2017 re: reinstating lake monitoring and sampling program

The Board inquired about the status of the outstanding motions. Both motions are on hold with a recommendation by the Legislative Assistant that they be withdrawn. The motions are considered redundant based on business already happening and could potentially slow down the work or bog down the processes in place. The Board's intent was to use the motions to endorse and support the work being done. The Board asked how they could best inform staff of their opinions. The motions should be replaced with a strong statement to ensure RWAB's support is noted. The Board discussed how this misunderstanding could be avoided in future. Proposed motions can be brought ahead and reviewed by the Chair and Legislative Assistant to facilitate properly crafting the motion for consideration. Staff attending the Board's meeting can provide an update on the Environment and Sustainability Standing Committee (ESSC), their work is also available online and worth reviewing.

MOVED by Russell Dmytriw, seconded by Kevin Hooper

THAT the Regional Watersheds Advisory Board withdraw their motion of August 9, 2017 recommending that the Environment and Sustainability Standing Committee recommend that Halifax Regional Council request a staff report on reinstating and expanding the watercourse quality monitoring program and fund it appropriately.

MOTION TO WITHDRAW PUT AND PASSED.

It was noted that a staff report is underway within the Watershed Planning Review.

MOVED by Russell Dmytriw, seconded by Kevin Hooper

THAT the Regional Watersheds Advisory Board withdraw their motion of August 9, 2017 recommending that the Environment and Sustainability Standing Committee recommend that Halifax Regional Council request a staff report on implementing and integrating watershed management planning on a watershed by watershed basis.

MOTION TO WITHDRAW PUT AND PASSED.

MOVED by Russell Dmytriw, seconded by Kevin Hooper

THAT the Regional Watersheds Advisory Board strongly supports implementing and integrating watershed management planning on a watershed by watershed basis.

MOTION PUT AND PASSED.

Cameron Deacoff, Environmental Performance Officer provided an update on the Water Quality Monitoring Review. They looked at past programs and summarized the purpose, description and uses. A copy of the staff presentation is on file.

The programs reviewed were:

- HRM Corporate Monitoring Program 2006-2011
- HRM Watershed Studies Program 2006-2015

- Blue Flag Beach Monitoring Program since 2012
- Development Monitoring
- Planning Processes Supplement 2015-2017

Cameron Deacoff reviewed the ways the results of these programs were used or not. The Water Quality Monitoring Review will address how studies are applied and what policy recommendations should come forward. It is a second chance to revisit and take action on these studies. There is still data and information that can be applied moving forward.

The Board asked if there was a specific trigger that leads to development monitoring. There is no policy, but public input and community interest would influence the decision. They also discussed what happens if the developer did not meet the requirements; would this trigger a policy review or watershed assessment and how is the developer held accountable. It was noted that there is some overlapping jurisdiction with the Province and that the municipality approaches these issues in the interests of planning and development.

The Board will be advising staff in their review and all ideas and suggestions are encouraged.

Staff asked the Board to consider the following questions for their next meeting regarding Water Quality Monitoring:

1. Why should HRM have a water quality monitoring program?
2. If a program is developed, what should it achieve?
3. If a program is developed, how should HRM assess whether the program is achieving its aims?

9.1.3 Sawmill Creek Daylighting Project

Krista Vining, Legislative Assistant with the assistance of the Chair reviewed the status of the Sawmill Creek Daylighting Project. Phase 1 is well under way with Facilities Design, Construction and Parks and Recreation working with Halifax Water. Phase 2 will involve major daylighting and culvert work from Pinehill to Halifax Harbour. There may be an opportunity to advise during this phase. It was suggested that the existing motion around Sawmill Creek be withdrawn. Shannon Miedema, Energy and Environment Program Manager mentioned that they hold a monthly meeting with the Chair of the Environment and Sustainability Standing Committee (ESSC) and that they would be willing to convey the Board's feedback and ideas at that time.

The Board was concerned with the change in the water levels during the project. They wanted to know how the public is informed of project impacts and how Halifax Water is held accountable to the citizens. They would like to see transparent timelines on these daylighting projects. The Board would like to be able to provide feedback on the execution of phase 1 from their perspective after its completion. They understand that the time has passed for any other feedback. It was suggested that the Board would like to invite a speaker from Halifax Water to attend a future meeting to increase their knowledge of the utility.

MOVED by Tim Boudreau, seconded by Kevin Hooper

THAT the Regional Watershed Advisory Board withdraw their motion to advise on the Sawmill Creek day-lighting project to allow for further discussion on bringing forward a recommendation on future phasing.

MOTION TO WITHDRAW PUT AND PASSED.

The Board was reminded to look at the three questions posed by staff for the next meeting.

- Why should HRM have a water quality monitoring program?
- If a program is developed, what should it achieve?
- If a program is developed, how should HRM assess whether the program is achieving its aims?

The Board was encouraged to read posted ESSC minutes and to send any proposed motion concepts to the Chair and Legislative Assistant who can assist in creating a full picture of what they hope to achieve.

10. ADDED ITEMS – NONE

11. DATE OF NEXT MEETING – October 11, 2017 at 5:00 p.m., Maxine Tynes Room, Alderney Public Library, 60 Alderney Drive, Dartmouth

12. ADJOURNMENT

The meeting adjourned at 7:04 p.m.

INFORMATION ITEMS- NONE

Sharon Chase
Legislative Support