

HALIFAX REGIONAL MUNICIPALITY

BEDFORD WATERSHED ADVISORY BOARD

Wednesday, March 8, 2006

Minutes

PRESENT: Mr. Cedric Pilkington, Vice Chair
Mr. Kevin Dean
Mr. Rick Hattin
Dr. Sankar Ray
Mr. Lem Murphy
Ms. Kate Hadden
Ms. Elaine Loney

REGRETS: Mr. Don Lowther, Chair
Councillor Len Goucher
Mr. Anthony Reeder

STAFF: Mr. Angus Schaffenburg, Planner II
Ms. Thea Langille-Hanna, Planner
Mr. Tony Blouin, Manager Environmental Performance
Ms. Stephanie Parsons, Legislative Assistant

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1. CALL TO ORDER

The Vice Chair called the meeting to order at 7:00 p.m.

2. APPROVAL OF THE MINUTES - February 28, 2006

MOVED by Mr. Murphy, seconded by Dr. Ray that the minutes of February 28, 2006 be approved. MOTION PUT AND PASSED UNANIMOUSLY.

3. APPROVAL OF AGENDA, ADDITIONS AND DELETIONS

C A copy of an e-mail dated March 6, 2006 re - CCME's Phosphorus Policy from S.M. Mandaville was circulated to the Committee for information.

Move

Item 6.1.2 to be the first order of business.

Item 6.1.1 to be the second order of business.

MOVED by Mr. Murphy, seconded by Dr. Ray that the agenda be approved as amended. MOTION PUT AND PASSED UNANIMOUSLY.

6.1.2 Case 00762- Application by Cresco Homes Ltd. to amend the Bedford MPS and LUB

C A memo dated February 21, 2006 regarding Case 00762 was before the Committee.

Ms. Thea Langille - Hanna provided a brief overview of the application as per the memo dated February 21, 2006.

Mr. Kevin Riles, President and Chief Executive Officer, Caohmin Consulting, advised that he is the Chief Project Manager and introduced the project team:

- C Mr. Dan Goodspeed, the architect for the project
- C Mr. Marcel Deveaux, Senior Vice President, O'Halloran Consulting, completed the transportation and traffic studies
- C Mr. Ray Landry, Engineer, Servant, Dunbrack, Mackenzie and Macdonald Ltd., completed the Surveying, Stormwater Management, Erosion and Sedimentation Control and Servicing Plans
- C Mr. Bruce Strum, President, Strum Consulting, completed the environmental

assessment.

Mr. Riles gave an overview of the proposal and noted the following:

- C The subject property is located on the Bedford Highway between Glenmont Avenue and Southgate Drive in Bedford.
- C The proposal is for a mixed use village style development consisting of a commercial building, townhouses, a multiple unit building and a single unit dwelling as well as a neighbourhood pocket park.
- C There has been discussion regarding the drainage ditch that runs through the proposed location of the park and whether or not the Nova Scotia Department of Environment classifies it as a watercourse. They are still awaiting a response for the Department of Environment.

A copy of the revised site plan without the pocket park was circulated to the Board.

- C The revised plan shows a natural park that would be vegetated with green space.
- C One of the major challenges for the developer is the cost of extending sewer and water services. The original estimate has increased from approximately three hundred thousand dollars to five hundred thousand dollars.

Ms. Langille-Hanna advised that there is a 100 foot set back requirement from the watercourse because the Environmentally Sensitive Areas Map identifies a watercourse on the site. Policy E8 allows a reduction to a 50 foot setback, if it can be demonstrated that the property can not be reasonably developed by complying with the 100 foot site disturbance provisions and that there be no net loss in effectiveness to the buffer.

In response to questions from Mr. Hattin, Mr. Goodspeed advised of the following:

- C The original concept was to have a retaining wall such that the water coming from the brooke would be used to supply water to a water fountain, however based on his observation the water from the brook has been decreasing and not enough to support a fountain.
- C Due to the increased servicing cost additional density is required and therefore they cannot develop the site within a 100 foot setback requirement.

Mr. Dean commented that there is no natural buffer remaining between the Tides Subdivision retaining wall and the stream. The buffer is less than 50 foot.

Ms. Langille-Hanna advised that there were non disturbance criteria in the development agreement and that she would investigate the matter.

Mr. Riles commented that adhering to the 100 foot setback would require the removal of 15 parking spaces. Underground parking would be cost prohibitive.

Mr. Goodspeed added that in order to met the 100 foot setback requirement, the size of the commercial building would be reduced.

During the ensuing discussion the Board agreed that the proposal does not demonstrate that it cannot meet the 100 foot setback requirement. The consultant has not provided supporting data to indicate that the property can not be developed within the setback requirements.

MOVED by Mr. Murphy, seconded by Mr. Dean that the Bedford Watershed Advisory Committee recommend that the developer resubmit the proposal demonstrating that it cannot meet the 100 foot setback requirement and provide reasons . MOTION PUT AND PASSED.

6.1.1 Draft Policy On River Day lighting

- C A copy of a staff report entitled Policy on Day lighting of Rivers, dated January 31, 2006 to Regional Council was before the Committee for discussion.

Mr. Tony Blouin provided a brief overview of the draft Daylightng of Rivers Policy as per the staff report dated January 31, 2006.

He noted that any proposed daylightng project that involved HRM capital funds would be subject to the priority rating criteria for municipal capital projects relating to wastewater and stormwater.

A discussion ensued regarding the transfer of title of property once a watercourse is re-opened and whether or not the ownership goes back to the province. If a watercourse is open the land belongs to the province, if a closed watercourse is re-opened and the pipe is removed the question is who does the land belong to. There is a need to review the legal requirements, as property owners may not be willing to relinquish title.

The Board also made the following suggestions:

- C Staff encourage NS Department of Environment Labour to not allow the piping of a watercourse.
- C The word “feasible” be removed as per page four of the report.
- C Approval of day lighting projects should be considered from a habitat funding point of view from Fisheries and Oceans Canada.

In response to the suggestions offered by the Board, Mr. Blouin advised that he will clarify the

implications of the transfer of title with legal services. Further it may not be always feasible to daylight a watercourse, it will differ from case to case. Through a development proposal staff would request that consideration be given to not closing a watercourse.

MOVED BY Mr. Dean, seconded by Mr. Hattin that the Bedford Watershed Advisory Committee endorse in principle the draft proposed policy on daylightng of rivers as per the January 31, 2006 staff report. Further that staff give consideration to the following:

- C Staff encourage NS Department of Environment Labour to not allow the piping of a watercourse.
- C The word "feasible" be removed as per page four of the report.
- C Approval of day lighting projects should be considered from a habitat funding point of view from Fisheries and Oceans Canada.

MOTION PUT AND PASSED UNANIMOUSLY.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Status Sheet

4.1.1 Infilling of Moirs Pond

No update. Item to remain on the status sheet.

4.1.2 Kearney/Quarry/Paper Mill Dams

No update. To remain on status sheet.

4.1.3 Bedford West Water Quality Monitoring Program

No update. Item to remain on the status sheet.

4.1.4 Halifax Regional Municipality Lake Sampling Program

No update. To remain on status sheet.

4.1.5 Storm Water Management: Union Street Area

No update. To remain on the status sheet.

4.1.6 Paper Mill Run

No update. To remain on the status sheet.

4.1.7 Case 00833 - Application by Full Gospel Church to re-zone PID#41140989 from Residential Reserve (RR) Zone to Institutional Zone (SI) and develop the site as a church by development agreement

No update. Item to remain on the status sheet.

4.1.8 Case 00690 Amendments to the Bedford MPS and LUB for the Crestview CCDD site.

No update. Item to remain on the status sheet.

4.1.9 Gateway Investments

No update. Item to remain on the status sheet.

4.1.10 Case 00723 - Application by United Gulf Development

To be removed from status sheet.

5. CORRESPONDENCE, PETITIONS AND DELEGATIONS - NONE

6. REPORTS

6.1 STAFF REPORTS

6.1.1 Draft Policy On River Daylighting

Refer to page 5.

6.1.2 Case 00762- Application by Cresco Homes Ltd. to amend the Bedford MPS and LUB

Refer to page 3.

6.2 SUBCOMMITTEE REPORTS

6.2.1 Water Quality Inventory Committee - Paper Mill Lake: Watershed Water Quality Program

Mr. Pilkington advised that the testing has not been completed. He further advised the deadline for the HRM grant application is March 31, 2006.

This item to remain on the status sheet.

6.2.2 Paper Mill Lake Advisory Committee

No update.

7. ADDED ITEMS - NONE

8. NEXT MEETING - April 12, 2006

9. ADJOURNMENT

The meeting adjourned at 8:33 p.m.

Stephanie Parsons
Legislative Assistant