

HALIFAX REGIONAL MUNICIPALITY

BEDFORD WATERSHED ADVISORY BOARD

Wednesday, April 19, 2006

Minutes

PRESENT: Mr. Don Lowther, Chair
Mr. Cedric Pilkington, Vice Chair
Mr. Kevin Dean
Mr. Lem Murphy
Ms. Kate Hadden
Ms. Elaine Loney
Councillor Goucher

REGRETS: Mr. Rick Hattin
Dr. Sankar Ray
Mr. Anthony Reeder

STAFF: Ms. Thea Langille-Hanna, Planner
Ms. Stephanie Parsons, Legislative Assistant

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1. CALL TO ORDER

The Chair called the meeting to order at 7:01 p.m. in the Nauss Room, Leburn Center, Bedford.

2. APPROVAL OF THE MINUTES - March 8, 2006

MOVED by Mr. Murphy, seconded by Mr. Pilkington that the minutes of March 8, 2006 be approved. MOTION PUT AND PASSED UNANIMOUSLY.

3. APPROVAL OF AGENDA, ADDITIONS AND DELETIONS

Additions

- 7.1 Birch Lake - Blue Mountain Park
- 7.2 Kearney Lake Clean Up - Dam Restoration

The agenda was accepted as amended.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Status Sheet

4.1.1 Infilling of Moirs Pond

Councillor Goucher advised that it is his understanding that the ownership of the the pond is in the process of being transferred to HRM.

Item to remain on the status sheet.

4.1.2 Kearney/Quarry/Paper Mill Dams

The Chair advised that Quarry Lake Dam can be removed from the status sheet.

Kearney Lake and Paper Mill Dams to remain on the status sheet.

4.1.3 Bedford West Water Quality Monitoring Program

Mr. Pilkington questioned why the Board has not received water monitoring results this year. Ms. Langille-Hanna advised that she will determine the status of the program and report back to the Board.

Item to remain on the status sheet.

4.1.4 Halifax Regional Municipality Lake Sampling Program

The Chair advised that an update is scheduled for the May 10, 2006 meeting.

To remain on status sheet.

4.1.5 Storm Water Management: Union Street Area

Councillor Goucher advised that HRM maintains its position that it will not get involved in flood reduction. He advised that any flood protection measures will have to be funded from outside support.

To remain on the status sheet.

4.1.6 Paper Mill Run

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

Ms. Thea Langille- Hanna, advised that the application is not ready for review by the Board. The applicant is currently reviewing the impact of the Regional Plan on the proposal.

Councillor Goucher commented that it is to his understanding that Environmental Services is in the process of building a rock retaining wall in the area and suggested that staff followup with Mr. John Sheppard. Ms. Langille-Hanna advised that she will forward the comment to Mr. Bone, the planner assigned to the case.

Item to remain on the status sheet.

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

Ms. Langille-Hanna advised that the case will be brought forward with revised plans at the May 10, 2006 Bedford Watershed Advisory Board meeting.

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

- A memo dated March 31, 2006, re Case 00762 was before the Board.

Ms. Langille-Hanna advised that the applicant made changes in accordance with the Boards comments last month.

Mr. Kevin Riles, President and Chief Executive Officer, Caohim Consulting advised the Board that the purpose of this presentation is to review the economic justification of complying with Policy E-8.

Mr. Bruce Strum, Strum Consulting, advised that a study was conducted to determine if the buffer zone could be reduced without causing a net loss to the buffer zone in order to meet policy E-8. He advised the Board of the following:

- The Nova Scotia Department of Environment and Labour advised that they considered the ditch at 838 Bedford Highway to be a watercourse.
- There is no vegetation on the north or south side of the stream.
- There is no buffering.
- The conclusion of the study is that there would be no net loss with a 50 feet buffer zone.
- He suggested that there should be some remediation within 12-15 metres of the stream.

Board members suggested that the watercourse be piped. Ms. Langille-Hanna commented that the Department of Labour can grant approvals to pipe watercourses through their permitting process, this can be further explored.

Mr. Riles advised that there is no net loss if the buffer is reduced to 50 percent. The extra servicing cost and adhering to the 100 feet set back requirement reduces the development envelope. To make the project viable the buffer needs to be reduced to 50 feet.

Councillor Goucher advised that the cost of servicing the Crosby and Glenmount areas increased significantly from the time the Princess Lodge was completed. Princess Lodge was completed under budget. HRM projected the cost of the Crosby and Glenmount area on the cost of the Princess Lodge, however, the lowest tender came in at 250 percent higher than the estimate.

Mr. Goodspeed commented that balancing the setback requirements while responding to the needs of the client resulted in an increase in density. The parking and commercial

building has been placed outside the 50 foot buffer from the watercourse. The commercial building was also reduced by 1000 square feet.

Ms. Langille-Hanna noted for the record that the staff report indicates that the proposal is for 12 townhouses which is incorrect, there are 18 townhouses proposed.

Responding to questions from the Board, Mr. Riles advised that:

- The area around the stream can be remediated naturally within fifty feet, the funds allocated for the park can be used, if Regional Council concurs.
- We would not assume any liability as the property belongs to HRM

The Board noted the following concerns/comments:

- the ditch is too steep
- they would like to see the aesthetics improved
- that the water course be piped between the drive way and the existing culvert

The Board agreed that they have no concerns regarding the 50 ft set back.

Ms. Langille-Hanna advised that remediation and safety concerns can be addressed, since the developer has agreed to an expense that they have not been approved for.

MOVED by Mr. Murphy, seconded by Mr. Dean that the Bedford Watershed Advisory Committee advise staff that Case 00762 has met the requirements of Policy E - 8 and recommend a 50 foot setback from the buffer zone. MOTION PUT AND PASSED.

MOVED by Mr. Dean, seconded by Ms. Loney that the Bedford Watershed Advisory Board recommend that staff accept Cresco's offer to remediate the buffer zone with natural vegetation and that it be incorporated into the Development Agreement. MOTION PUT AND PASSED.

MOVED by Mr. Dean, seconded by Ms. Loney that Bedford Watershed Advisory Committee request that staff investigate the possibility of piping the watercourse between the drive way and existing culvert, improve the aesthetics by stabilizing the banks and adding natural vegetation, further that the size of the ditch be reduced. MOTION PUT AND PASSED.

5. CORRESPONDENCE, PETITIONS AND DELEGATIONS

5.1 Letter dated March 21, 1999 to Councillor Kelly , from Thomas Covey

(Councillor Goucher)

Councillor Goucher requested that Storm Water Management Kearney Lake Road, Covey Property be added to the status sheet. The Committee concurred.

6. REPORTS

6.1 STAFF REPORTS

6.1.1 Proposed Policy Plan - Amendments to the Bedford Municipal Planning Strategy - re Bedford Highway

- A memo dated March 23, 2006 re Case 00690, 00723 and 00762 - Amendments to the Bedford Municipal Planning Strategy was before the Board.

Ms. Thea Langille-Hanna provided a brief overview of the above noted cases and suggested a proposed policy as per the memo. Each case requires individual site amendments, however staff suggest creating a new policy to be included into the Bedford Municipal Planning Strategy rather than creating three new policies. All three sites contain watercourses or are in proximity to watercourses. She further advised the Board of the following:

- The existing plan policy is within the residential development boundary.
- There are limited municipal services.
- There are small scale commercial and residential developments which are scattered.
- The Bedford South Master Plan has altered the development pattern and now there are mixed uses of low to medium densities.

The three sites are close and will change the streetscape of the area. The intent would be to create a mixed use development by development agreement on the three sites. Each site would be evaluated separately on common policies. Staff is proposing one policy. There is a risk that if Council rejects one application, it automatically rejects the other applications, although the concerns may not be the same.

A discussion ensued regarding the impact of Council rejecting one application, all three applications would automatically be rejected under one policy and delay the developer. Ms. Langille Hana advise that there is little impact on the end result, she is processing all three applications at the same time.

MOVED by Mr. Murphy, seconded by Mr. Dean that the Bedford Watershed

**Advisory Committee recommend that staff create separate policies for each site.
MOTION PUT AND PASSED.**

6.1.2 Terms of Reference - Membership

- A memo dated April 12, 2006 with an attached e-mail dated March 7, 2006 was before the Board.

In reference to the e-mail dated March 7, 2006 a member of the public is requesting the Board to consider appointing a representative from District 10, since it is between Districts 15 and 16 and is in the Bedford Watershed Area.

A brief discussion ensued and the Board agreed that they would maintain the current composition of the Boards Membership.

The Chair thanked the Legislative Assistant for rescheduling and organizing the meeting.

A brief discussion ensued regarding the vacancies on the Board. The Legislative Assistant advised that there are currently two vacancies and provided applications to members for distribution to persons who maybe interested in serving on the Board.

6.2 SUBCOMMITTEE REPORTS

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

Councillor Goucher commented that the data needs to be analyzed and that the results need to be published.

6.2.2 Paper Mill Lake Advisory Committee

The Chair advised that the Committee did not meet last year and suggested that Councillor Goucher arrange a meeting.

7. ADDED ITEMS

7.1 Blue Mountain/Birch Cove Park

The Chair advised that he and Ms. Loney attended a presentation regarding the Blue Mountain/Birch Cove proposed Park. The Chair submitted a CD containing the report and requested that the Legislative Assistant make copies for the members. Ms. Loney advised the Board that Environmental Design and Management Limited completed an assessment

of the area to determine the impact of the park on the proposed Highway 113. The proposed park would include core wilderness areas and have multiple access points.

A discussion ensued regarding the amount of Crown Land and the fact that the majority of the lands in the area are privately owned. Councillor Goucher advised that the draft HRM Regional Plan proposes a Regional Park, however if acquiring lands is required it is anticipated that HRM will not have the funds to acquire land. The Regional Plan identifies the area as not being available for development.

7.2 Kearney Lake Clean Up - Dam Restoration

The Chair advised the Board that Kearney Lake will be drained this fall. The residents are interested in organizing a residents association to clean the lake. He asked the Board if they were interested in participating in the clean up process, all agreed that the Bedford Watershed Advisory Board should participate.

8. NEXT MEETING - May 10, 2006

9. ADJOURNMENT

The meeting adjourned at 9:05 p.m.

Stephanie Parsons
Legislative Assistant