

**HALIFAX REGIONAL MUNICIPALITY**

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**BEDFORD WATERS ADVISORY COMMITTEE**

**MINUTES**

**FEBRUARY 13, 2002**

**PRESENT:** Mr. Don Lowther, Chair  
Mr. Bob Kerr  
Mr. Brad Gibb  
Councillor Goucher  
Mr. Victor Li  
Mr. Richard Hattin  
Mr. Kevin Dean  
Mr. George Hepworth

**ALSO PRESENT:** Angus Schaffenburg, Planner  
Lynne Le Boutillier, Assistant Municipal Clerk

**REGRETS:** Mr. White, Ms. MacNeil, Mr. Matheson and Dr. Ray

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1.0 **CALL TO ORDER**

The Chair called the meeting to order at 7:00 p.m., LeBrun Centre, Bedford.

2.0 **INTRODUCTION OF NEW MEMBER**

Mr. George Hepworth, a new member, was introduced to the Committee.

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

Item 7.1, Wentworth/Bedford South Secondary Planning Strategy was moved up on the agenda.

Item 7.2, New Sandy Lake Watershed Association was added under New Business.

Item 7.3, Resignations

4.0 **APPROVAL OF MINUTES**

The December 12, 2001 and January 9, 2002 minutes were approved, as circulated, on motion of Mr. Dean and Mr. Li.

7.0 **NEW BUSINESS**

7.1 **WENTWORTH/BEDFORD SOUTH SECONDARY PLANNING STRATEGY**

- C Memorandum dated January 15, 2002 from Paul Morgan to North West Community Council to which the draft Secondary Planning Strategy dated January 2002 was attached.

In attendance for tonight's meeting from Clayton Developments were Mike Hanusiak, Vice-President, Strategic Planning, Earle Richardson, Vice-President, Operations in charge of Construction Services, Andrew Connor, Development Administrator and Kevin Neatt, Development Technician.

Mr. Paul Morgan, HRM Planner in his overhead presentation referred the members to Schedule 1, Community Concept Plan, Land Use Analysis, page 12 of the Secondary Planning Strategy. He noted that the Committee had seen the previous concept plan for the 623 acre site. He pointed out that while the concept plan is similar to the original one, since Clayton Developments has taken over, some revisions have been made to make it more acceptable. He noted that the secondary planning strategy is in effect the official guideline which will become part of the MPS of both Bedford and Halifax. In response to a query of Mr. Hattin, he confirmed the secondary planning strategy in fact

supersedes the MPSs. He hoped the Committee would provide recommendations on the document, i.e. approve as is, reject or modify. The recommendations would be forwarded to the NWPAC. Mr. Schaffenburg noted that under the Municipal Government Act, the PAC is the group which advises Community Councils on such matters. The recommendations are needed as soon as possible. A PAC meeting is being held Monday night.

Councillor Goucher noted that the new concept plan essentially is more in conformance with the Bedford MPS, i.e. six units per acre, etc. It was noted that while the Bedford MPS specifies 60% single family units, this plan has 50% single family units. Mr. Hanusiak identified locations for multiple unit developments, noting that there will be no single family homes along Uteck Blvd., as no access from single family homes will be permitted.

Park and open space areas were identified. Reference was made to the desire expressed by the public to preserve water courses, the cascading falls, old Coach Road, etc. A large open area in the centre of the development bisected by Uteck Blvd. was identified. It was noted that the twenty (20) acre parcel is to be used for passive recreation, similar to Point Pleasant Park, while the other half, sixteen (16) acres is planned for active recreation, perhaps associated with a school on an adjacent eight acre site. Along the edge of the development, a number of potential tot lots were identified, which would benefit the existing community.

Mr. Hattin reflected that in the area of the proposed school site, there had been a lake or pond, a lot of which is now gone.

As noted in the memorandum to North West Community Council, Mr. Morgan indicated that one consolidated document for both the Halifax and Bedford portions has been provided. If the secondary planning strategy proceeds to Regional Council, they will be asked to approved two documents, however. The lands on the Bedford side are zoned as a Comprehensive Development District, thus a development agreement would be required. A similar approach would be taken on the Halifax side. The idea is to plan the entire community comprehensively.

Since the area is split between two community councils, there will be situations requiring joint approval of the agreement(s) in instances where the demarcation line is straddled. Anything having watershed implications would come back to the Committee for input.

The members' attention was drawn to Chapter 2, Environmental Protection, page 8 of the report.

Several references are made in this section to storm water management. Concern was

expressed by members that turning the area into a moonscape did not fit with this objective. Adjacent developments were given as illustrations. Reference were made to three, 200 foot long cascading ponds disappearing. Members did not want this approach taken in this area. Councillor Goucher noted they had proceeded under Halifax's Schedule K.

Referring to the Environmental Protection Section, Mr. Kerr did not see any protection given to existing trees. Mr. Morgan referred the Committee to Policy EP-4. Mr. Kerr felt that as much of the natural vegetation should remain until actual lots are developed so the whole area is not denuded. It was outlined to the Committee, by Clayton Development representatives, that a lot of this moonscaping results from requirements under the Grade Alteration By-law, utilities requirements, insurance aspects and cost of developing. Reference was made to the "Red Book" which contains Municipal Service System Specifications. Attempts are being made to make these standards more environmentally friendly. Reference was made to Policy EP-6. This is particularly important for this area, due to the amount of blasting which will be required.

Councillor Goucher noted that there is nothing to stop a property owner from cutting trees on their own property, however developers have to deal with HRM when seeking a contract development agreement.

A discussion followed on a suggestion made by Mr. Kerr that a clause be introduced that "no tree cutting should occur on the property prior to ...". Mr. Morgan indicated that given problems encountered in the past, he has given this consideration and sought legal opinions on how to word. He determined that the municipality has no authority to prohibit the cutting of trees on private lands. The municipality can indicate that it will not be prepared to consider any development agreement if trees are cut beforehand. Councillor Goucher felt there would not be any harm putting in such a clause if Clayton Developments is amiable. A Clayton Developments' representative cautioned that there would be a need for a surveyor to cut trees, etc.

Reference was made by several members to the good track record Clayton Developments has in the area. An example given related to the challenges they faced in developing Portland Hills. Nevertheless, it was felt that if the clause was included and Clayton Developments sold their holdings, the clause would still be in effect.

Reference was made to past practices, utilized in the Town of Bedford, to protect trees. Snow fences were used in large developments to identify no cut zones. Councillor Goucher reflected that this approach did not always work, however. Mr. Kerr emphasized that he was not suggesting a non-disturbance zone, but excessive tree cutting be controlled.

Later in the meeting, it was stressed that preservation of hardwoods was of particular

importance. It was recognized that once black spruce is disturbed by development, they will likely not survive. It was requested that a map, illustrating the location of hardwood and softwood, be provided.

Reference was also made to a request at a Public Meeting held at Basinview School for an aerial photograph of the area.

Mr. Li asked what the definition of 'significant' was. He noted that if an agreement goes to court, this is important. He felt that such words should be avoided and something more concrete used. Mr. Morgan noted that subjective words are used to allow for some latitude in negotiations. He noted that development can't take place without environmental impact. Mr. Dean noted this document is really a high overview document. The detail will come out during the development agreement phase.

Mr. Hattin sought clarification as to what Mr. Morgan was looking for from the Committee. Mr. Morgan noted the document will be taken to Community Council for a recommendation and then proceeds to Regional Council. As a policy document, only Regional Council can approve it. Any advice given by the Committee will be taken into consideration by staff, but staff did not guarantee the advice would be included in the document. Staff would make Community Council and Regional Council aware that the advice was given.

More details were provided by the Clayton Developments' representatives following Mr. Morgan's presentation. It was also noted by Mr. Hanusiak that additional details will be provided to the Committee at a later date. He noted that Clayton Developments has been trying to anticipate concerns related to the development. Reference was made to the earlier presentation made to the Committee at the September 2001 meeting. He noted that in the past five months they have gone past the concept plan stage. Clayton Developments need to feel that they are proceeding on the right track, before proceeding further.

Councillor Goucher explained to the Committee and staff why he desires to see the two documents rather than one. He wanted to ensure that BWAC and the NWPAC have an adequate opportunity for input.

During the course of his slide presentation, Mr. Hanusiak noted the level of detail available since the original concept plan was presented. The presentation dealt with the following:

- C The three definitive watersheds in the area.
- C The boundaries of Clayton Developments' holdings which identified the bulk of the property to be within the former Town of Bedford.

C Reference was made to the single family units not being 60% of the project. If this were to be the case, the lot sizes would be required to be in the order of 32' to 40' in width. The present plan calls for no lots less than 40'.

C It was noted that the Bedford MPS limited apartment size to 36 units. Clayton Developments would like some flexibility. They feel less disturbance is created by constructing one building over two. Three areas were identified for such high density development.

C Plans were addressed for the three ravines on the site, stressing Clayton Developments' desire to leave them in place for use as buffer zones between single family and higher density development, etc.

C Similarly their plans call for retaining of watercourses, cascading ponds, the old Coach Road (previous plan called for a 50' buffer, their plan is for a 300 - 400' buffer).

C Reference was made to their protective covenants and their enforcement of these.

C Three stormwater sheds were identified. It was noted that once Clayton Developments comes back again to the Committee at the Development Agreement stage, a plan of action for stormwater management will have been developed. The complexities of getting stormwater to the Bedford Basin and Kearney Lake were outlined.

A question was posed regarding what defines a watercourse. Mr. Hanusiak noted they will sit down with the Department of Environment to iron this out.

C Reference was made to NSDOE not wanting stormwater to flood into natural watercourses and ponds. They suggest the building of artificial ponds. It was noted that the H/HCWAB prefers the use of natural features. The situation will be looked at collectively. It was noted that diverting stormwater to artificial ponds can have a negative effect on nature features. In addition to retention of stormwater, treatment has to be dealt with.

C The breakdown by acres of open space to development was provided and the hierarchy of classifying open space explained (non-disturbance buffers, environmental areas and parkland) and respective ownership issues.

Before coming back to the Committee, Mr. Hanusiak proposed taking the BWAC and H/HCWAB members on a bus tour of their other developments so they can see how

they have dealt with these matters in the past. The effectiveness of remedial measures to reestablish vegetation could be demonstrated. Reference was made to the first 80' of lots being at risk. Based on an average lot being 120' in depth, input is sought from the Committees on how to best handle the remaining 40' at the back of the lots, i.e. how to maintain vegetation.

If modifications are sought to the service system specifications, the Committee was assured the Community Council will be advised. For example, only a 8% to 10% grade for a road is allowed. A higher grade would allow for less blasting.

The Chair invited the members to give their comments. Mr. Li indicated he would like to review the report again and send his comments by e-mail. Mr. Hattin had comments regarding the culvert associated with the Bedford Waterfront Development, etc. Mr. Gibb did not want to see the site turned into a moonscape. Mr. Kerr agreed with Mr. Gibb, but felt the proponents were heading in the right direction.

Councillor Goucher proposed that the best way to get the members comments in, given there was not time this evening to draft a recommendation, was via e-mail. These could be compiled, as it is recognized that it is better for the Committee to take a position than individual comments be presented. The amalgamation of the comments could be ratified or modified at the next meeting for the record. Secondly, it will give those not present an opportunity to provide input.

In closing, it was noted that the members of the Committee were welcome to attend Monday's NWPAC meeting to be held 7:00 p.m., Acadia School.

## **5.0 BUSINESS ARISING FROM MINUTES**

### **5.1 WATER TESTING - PAPER MILL LAKE - TECHNICAL COMMITTEE REPORT**

At the January 9, 2002 meeting copies of the Technical Group's report were provided entitled "Evaluation of data collected from Paper Mill Lake". Mr. Li reflected on the valuable input received from Dr. Fox and Brian Hoyle. He noted that in addition to asking Brian Hoyle to provide data, he was asked to comment based on his experience. An e-mail from Brian Hoyle was attached to the report. Mr. Li concluded that while Mr. Hoyle had a real concern about the numbers being received, since more data was obtained, it was felt that the problem is more attributable to natural occurrences than to pollution. It has been concluded that there is no basis to request extra testing.

After reviewing the report, particularly Mr. Hoyle's summary, Mr. Dean felt more comfortable with the situation at Paper Mill Lake. Councillor Goucher indicated that if the Committee wishes to make a recommendation, he would take it forward to Regional Council if the Committee feels it will improve the water quality of Paper Mill



Lake.

A discussion followed on whether it would be helpful to request that area roads not be salted. Mr. Kerr noted that from his observations of sodium, etc. these elements were well within the limits. Councillor Goucher referring to the Federal Government's initiative to reduce the use of salt, felt that sometime in the future, the matter will come back to the Committee.

## **5.2 LIST OF ONGOING AND NEW PROJECTS**

Mr. Schaffenburg advised that an application for a development agreement has been received for the St. Paul's lands. These lands are adjacent to the petroglyphs. It was noted that "The Barrens" were originally ninety (90) acres. Details of a land exchange with the Province were outlined. It is anticipated that North West Community Council will be asked to set up a Public Participation Committee. It is anticipated that one of the members would be from BWAC, in addition to representative(s) from the surrounding community. Reference was made to the special interest group, Bedford Shaman Wilderness Group likely desiring representation.

Mr. Schaffenburg referred to a misconception that the Province had designated the area for special protection. It has not.

## **7.0 NEW BUSINESS (cont'd)**

### **7.2 NEW SANDY LAKE WATERSHED ASSOCIATION**

Reference was made to a the Inaugural Meeting of the Sandy Lake Watershed Association which took place Sunday, February 3, 2002 at the Sandy Lake Academy.

Mr. Kerr reported on students from Daltech presenting findings as a result of a study they had conducted. This project focused on the shoreline of Sandy Lake and its water quality. The effects of Phase II of the Sandy Lake Park, which involved a trail to the beach and the beach itself will be studied. When these results are available, in the March or April, a copy will be provided to BWAC.

Mr. Kerr reported that a second group of students will study the effect of Sandy Lake Park on the area and Sandy Lake itself. A copy of the results will be provided to BWAC. The Chair noted that they will be studying the watercourse from the vicinity of Atlantic Playland down.

Councillor Goucher expressed concern that the studies are looking at the effects that park has had on the lake, while he had hoped an overall picture of the area would be provided with the funds he had committed. Mr. Lowther assured him the studies were

all encompassing. He noted that there were engineering, environmental and planning students involved.

Councillor Goucher noted that he has a future meeting scheduled with students. The Chair noted that a meeting is planned for his home, Monday, 2:00 p.m. and members were invited to attend. Councillor Goucher indicated he would go.

The Chair concluded that from his observations, the Association recognizes the park has to proceed. Their concern is that it is done properly.

### 7.3 **RESIGNATIONS**

The members were advised of Ms. Tucker and Dr. Fox's resignation.

### 5.0 **BUSINESS ARISING FROM MINUTES (cont'd)**

### 5.3 **KEARNEY, QUARRY AND PAPER MILL LAKE DAMS**

Mr. Dean had nothing new to report. Item deferred until the March meeting, as Mr. White absent.

### 5.4 **INFILLING OF MOIR POND**

Councillor Goucher referred to a response he received from a Minister. The letter confirmed that basically the department was doing their job and the public participation meeting had met the requirements of the Act. He noted that the Minister has indicated to Mr. Christie that he is willing to meet with the group of concerned individual. Once a date is arrived at, Councillor Goucher will organize. Councillor Goucher will be providing Geoff Regan with a copy of the correspondence.

### 5.5 **TERMS OF REFERENCE - REVIEW**

Deferred.

### 5.6 **MEMBERSHIP - UPDATE WILLIAM MATHESON**

Mr. Kerr confirmed that he spoke to Mr. Matheson as requested by the Committee. Mr. Matheson was pleased that the Committee would allow him to remain as a member until he can attend the April meeting.

5.7 **C & D DISPOSAL STRATEGY**

C Minutes of the January 22, 2002 Joint WAB meeting

Due to the late hour, the drafting of the recommendations pertaining to the C & D Disposal Strategy could not be discussed. The Clerk circulated copies of the NSDOE Construction and Demolition Debris Disposal Site Guidelines.

The members were asked to e-mail their comments.

6.0 **PAPER MILL LAKE ADVISORY COMMITTEE**

In addition to the December 3, 2001 minutes provided in the agenda package, copies of the January 28, 2002 minutes were provided at the meeting.

9.0 **DATE OF NEXT MEETING**

The next meeting is scheduled for Wednesday, March 13, 2002, LeBrun Centre.

9.0 **ADJOURNMENT**

The meeting adjourned at 9:15 p.m.

Lynne Le Boutillier  
Assistant Municipal Clerk