

HALIFAX REGIONAL MUNICIPALITY

BEDFORD WATERS ADVISORY COMMITTEE MINUTES JUNE 11, 2003

PRESENT: Mr. Don Lowther, Chair
Mr. Doug Murray
Mr. Kevin Dean
Mr. Victor Li
Mr. Lem Murphy
Dr. S. Ray
Mr. Cedric Pilkington
Mr. William Matheson
Mr. Lawrence White

ABSENT: Mr. Rick Hattin
Mr. Brad Gibb
Ms. Debbie Gillis (regrets)
Ms. Elaine Loney (regrets)
Councillor Goucher (regrets)

ALSO PRESENT: Mr. Brian Hoyle
Mr. Angus Schaffenburg, Planner II
Mr. Bruce Colborne, Development Engineer
Ms. Lynne Le Boutillier, Legislative Assistant

TABLE OF CONTENTS

- Call to Order 3
- Approval of Minutes 3
- Approval of Agenda, Additions and Deletions 3
- Business Arising out of the Minutes/Status Sheet
 - 4.1 List of Ongoing and New Projects 3
 - 4.2 Infilling of Moirs Pond - Update 3
 - 4.3 Status Sheet 3 & 4
 - 4.3.1 Paper Mill Lake - Watershed Water Quality Monitoring Program
- United Gulf 3
 - 4.4 Stormwater Management: Union Street 5 - 8
 - 4.4.1 Paper Mill Run 8 & 9
 - 4.5 CURA - Wayne Barchard 4 & 5
- Update from Water Quality Inventory Sub-Committee 5
- Update from Paper Mille Lake Advisory Committee 10
- New Business 10
- Next Meeting 10
- Adjournment 11

1. CALL TO ORDER

The meeting was called to order at 7:05 p.m. at the LeBrun Centre, Bedford.

The Chair introduced Brian Hoyle, a previous Committee member, who has expressed interest in rejoining the Committee. His appointment by NWCC is pending.

2. APPROVAL OF MINUTES

MOVED BY Mr. Murray, seconded by Mr. Pilkington to approve the Minutes of meeting held May 14, 2003, as circulated. MOTION PUT AND PASSED.

3. APPROVAL OF AGENDA, ADDITIONS AND DELETIONS

The Chair requested that items 4.5 - CURA and 4.4 - Storm Water Management: Union Street Area be moved up on the agenda. He also asked that item 4.4.1 - Paper Mill Run be added. The agenda, as modified, was adopted by consensus.

4. BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET

4.2 INFILLING OF MOIRS POND - UPDATE

In his update, the Chair noted that he has a meeting with Mr. Christie tentatively scheduled for tomorrow morning. He noted that Councillor Goucher met with Mayor Kelly, but apparently there was no positive outcome to that meeting.

4.1 LIST OF ONGOING AND NEW PROJECTS

Mr. Schaffenburg had nothing new to report.

4.3 STATUS SHEET

4.3.1 PAPER MILL LAKE - WATERSHED WATER QUALITY MONITORING PROGRAM - UNITED GULF

The Chair referred to an e-mail from Mr. Don Mason, AMEC indicating they will start testing the Paper Mill Lake watershed.

Mr. Pilkington noted that testing of Sandy Lake has been added. Mr. Pilkington explained that testing of ten lakes is planned to establish a baseline.

The Committee was anxious for the testing to begin.

4.5 CURA - WAYNE BARCHARD

Mr. Li introduced Mr. Barchard of Environment Canada. He had invited Mr. Barchard to the meeting to provide insights in funding which may be available. Reference was made to a pool of money, Environment Damage Fund, to which funds are directed when Environment Canada has a successful prosecution. These funds are meant to be used for remediation or for projects which would improve the environment.

During Mr. Barchard's presentation, he touched upon the following areas:

- C Community based monitoring
- C Various monitoring based activities
- C Money generated from a decision related to the Halifax/Dartmouth Shipyards. Normally such funds would be set aside in the Environment Damage escrow account to restore the habitat, but because it was not practical to restore the Bedford Inlet, the funds were redirected for use by environmental organizations interested in restoring Halifax Harbour in general. This escrow account is jointly administered by Environment Canada and Fisheries and Oceans.
- C Reference was made to the CURA, St. Mary's University initiative, a component of which is the restoration and monitoring of the intertidal area. The funds they are pursuing are from the National Research Council.
- C Reference was made to the Halifax Harbour Watershed Coalition which is made up of thirty (30) environmental groups and the Ecology Action Centre connection.
- C A workshop was held to identify priorities.
- C CURA is presently putting together a proposal for the next stage of the dual stage process. He noted that Bruce Hatcher is involved with a marine affairs proposal, while Anna Marie Hatcher is working with CURA to obtain money from the Health and Social Sciences Research Board. CURA's expression of interest was accepted and now they are in the process of developing a full proposal with the initial funding. Mr. Li noted that \$1 million in funding, over five years is available. A requirement of the second stage of the proposal is partnership with other organizations. Mr. Li noted that he has been involved with the CURA group, so BWAC is connected to the initiative through him. He felt it important that BWAC be involved in the process, in the event funding is obtained.

It was noted that the proposal involves actively studying and researching parts of the watershed within the Committee's jurisdiction. This falls in with the Committee's initiative to develop baseline data on a number of lakes in its jurisdiction.

- Atlantic Coastal Action Program, which consists of organizations supported by

- Environment Canada, conducts water quality monitoring programs using macro invertebrates. Very good data has been provided through this testing and its analysis. He explained why he felt this approach was very effective for the money spent.
- C Reference was made to the requirement, associated with the Harbour Solutions Project, that monitoring be conducted at out falls to determine water quality and if the benthic colonies are improving.
- C Reference was made to data on lakes already collected by Mr. Mandaville, Soil & Waters Conservation Society and Dr. Gordon for the Dartmouth Lakes Advisory Board.
- C Environment Canada's Web site identifies funding available in Canada. Web address is http://www.atl.ec.gc.ca/community/acap/pdf/waterquality_e.pdf.
- C Copy of a brochure entitled "Canada - New Brunswick Water/Economy Agreement - Monitoring Surface Water Quality - A Guide for Citizens, Students, and Communities in Atlantic Canada" by Environment Canada was left with the Chair. Copies to be provided to the members.
- C Reference was made to a Steering Committee, Halifax Harbour Watershed Coalition. Dr. Tony Blouin and Roger Wells, HRM Planner are involved. Mr. Wells' particular interest being the 25 year Regional Plan.
- C Reference was made to another opportunity for funding through the Coalition. The Chair noted he has been approached. He and Councillor Goucher are considering a meeting time.
- Mr. Barchard referred to the Coalition's next meeting being Monday, June 16, 9:00 a.m., Dalhousie University. He referred to a total of \$70,000 in funds they have, a portion of which are earmarked for organizing monitoring programs.

Several questions were posed to Mr. Barchard regarding monitoring issues, access to funds, etc. While Mr. Barchard was able to address the majority of enquires, he would have to find out how funds are accessed.

4.4 **STORMWATER MANAGEMENT: UNION STREET**

In attendance for this item were several residents of Union Street and Bruce Colborne, HRM Development Engineer.

The Chair referred to the site visit he and Councillor Goucher did following the March 31st storm which flooded residences. This was the first time residents, who have lived in the area for twenty-seven to twenty-eight years, had been flooded.

The following observations were made:

- A berm in the vicinity had settled.
- The swale behind Bedford Place Mall contained a lot of rubbish.

- The parking lot behind Bedford Place Mall slopes to the swale and culverts collect and direct water into it, while the Superstore's parking lot slopes towards the front of the lot and stormwater flows directly into the river.
- Curb is missing at the back of the parking lot.

The Chair would like to determine if anything can be done to prevent flooding in the future.

Mr. Colborne noted that there are a couple of things HRM staff is looking into. He referred to flood plain mapping done some time ago. Based on the flood plain mapping, it would be expected that the area would be subject to flooding. He referred to the probability of it happening again.

Referring to the swale (channel), it was felt that it might be useful to determine what is being discharged into the channel. In this instance, it appears the river itself flooded back into the channel. The Chair questioned whether raising the berm would provide some protection. He wondered if anything else could be done to keep the river back from the storm channel itself, i.e. a control which could be put in the channel when the river gets to that point.

Mr. Colborne felt that at the very least, the berm should be returned to its original grade. The Chair noted that it has apparently dropped two feet in height.

The Chair suggested:

- At the outflow of the swale, a set of louvered doors (not water tight) be installed. The structure already exists and could be retrofitted.
- Rubbish in the swale be cleaned out on a regular basis. Mr. Colborne indicated he will make the Operations Group aware of the need for a regular maintenance program and monitoring of the condition of the swale more frequently.
- The swale be deepened or covered in.

Mr. Dean was surprised that given the flooding, in many part of the Municipality, during the storm that an assessment has not already been conducted to determine what can be done to alleviate future problems.

Mr. Colborne noted that the control of the Sackville River system does not fall within the Municipality's jurisdiction. River systems fall under the jurisdiction of the NSDE&L. A huge study would be entailed.

Mr. Dean reflected that each new development has an impact on the river. Mr. Colborne noted that in addition to new developments, there are thousands of acres of undeveloped lands up stream affecting the river's flow. He noted that part of the process, when considering new development, is to review associated stormwater management plans.

The Chair noted that in this instance developed lands are involved, which have been flooded for the first time in thirty (30) years. He questioned who would be responsible for restoring the berm to its original height, i.e. HRM or NSDE&L. He would like to see a Staff Report on the situation.

Referring to the planned Brison development, it was felt that more stormwater will be coming off streets associated with this development and Nottingham's which will enter the swale. Mr. Colborne assured the members and residents that the vast majority of storm water will not go in this direction. Reference was made to some of it being directed to the Centre Street system and under the highway, for example.

It was felt that the Municipality should start the 'ball rolling' to address the residents' concerns. An assessment being the first step.

Mr. Li reflected on issues regarding jurisdiction and the fact that the predictions for 1:20 year storms, etc. are no longer valid. While the assessments are important, he did have feel it prudent to wait before taking action. Mr. Colborne noted there may have been discussions which took place that he is not aware of. Mr. Colborne referred to changes NSDE&L made last December requiring pre and post development stormwater discharge flows to be equal. In the past, developers just had to show no negative impact downstream.

A question was posed to Mr. Schaffenburg regarding whether there were changes made to the topography when the Superstore area was developed. Mr. Schaffenburg confirmed there had been where the river bends. The changes involved grading the area lower to increase the flood capacity. Also when they graded the lot, it was done in such a fashion as to direct flows to the stormceptor versus the swale.

Mr. White felt it would be good if HRM could take some stop gap measures to restore the berm and whatever steps would be beneficial to minimize future flooding.

Mr. Dean referring to the regulations pertaining to stormwater runoff, wondered if anyone returns post development to determine if the stormwater management measures are working? Mr. Schaffenburg noted in this instance the berm was engineered by Wallace MacDonald & Lively (Terrain) and constructed by the Town of Bedford. It was not constructed as part of a development for stormwater management. Nevertheless, referring to the amount of new development, Mr. Dean wondered if there was any program to monitor if stormwater management measures are effective. Mr. Colborne was not aware of any specific program of this nature.

Referring to jurisdictional complexities, Mr. Hoyle noted that this matter is too small for other levels of government to deal with, so the Municipality will have to take the lead.

Presuming an assessment is required, Mr. Li felt it would be useful for the Committee to be provided with a copy of the proposal drafted for the assessment, so the members can see the items.

The Committee asked, through Mr. Schaffenburg, that a staff report be prepared to do this in a timely fashion. Mr. Schaffenburg referred to the involvement of two groups, i.e. John Sheppard's Environmental Services for existing developments and Bruce Colborne's for new.

The Committee would like to have a report by July 9, the date of the next meeting, if one is held. Mr. Colborne indicated that an update could be provided.

Noting it has been three months since a meeting with staff, the Chair felt this matter need to be made a 'high priority'.

4.4.1 PAPER MILL RUN

The Chair advised that he received a call from a gentleman, Mr. Dunn, residing at 24 Mill Court indicating there are two or three property owners on the north side of the watercourse which are sandbagging their properties to prevent water from eroding their lands, when water levels rise, causing water to flow between a finger of land owned by the Annapolis Group and their properties. He wondered how this issue could be addressed, as they are in danger of losing their backyards to the river. He noted that they are aware of the by-law requiring a 50' set back and want to take measures which are legal.

Mr. Colborne indicated a meeting could be arranged with Mr. Dunn and the Annapolis Group.

Mr. Schaffenburg noted changing bank structure is again a jurisdictional issue, given a water course is involved. In addition to the Province, since fish habitat is involved, this falls within the Federal Government's jurisdiction.

The Committee requested a staff report through Angus Schaffenburg. Mr. Colborne will arrange a meeting with Mr. Dunn and see what can be done. The Chair noted that homeowners, on the opposite bank, have built stone retaining wall. The residents of the north side want to do what is legal. He felt the Municipality should work with them to solve the problem.

BRISON DEVELOPMENT AGREEMENT

Referring to earlier discussions (refer item 4.4) pertaining to stormwater off this site, Mr. Schaffenburg noted that the Committee had reviewed the stormwater management plan. While there is an impression that stormwater will flow toward Union Street, he reiterated that more than 80% is directed under the highway to the Sackville River. A map was displayed,

which provided more detail. Less than ten percent of drainage goes down Nottingham.

The Chair noted the new rules adopted by NSDE&L, would have required the pre and post development stormwater runoff to be equal. No matter how the stormwater is directed, it will eventually end up in the Sackville River.

4.3 STATUS SHEET

4.3.1 PAPER MILL LAKE - WATER QUALITY MONITORING PROGRAM - UNITED GULF

Item can be renamed to reflect proposed Paper Mill Lake Watershed Quality Monitoring Program.

Mr. Schaffenburg noted that the Bedford West Master Plan is going forward. Staff has met with NSDE&L and the proponents to determine what sort of water testing they need to do. He identified on a map earlier circulated, the area in question.

Mr. Dean is BWAC's representative on the Bedford West Public Participation Committee. He noted that a meeting was held Monday and another is proposed June 23rd. Paul Morgan has been discussing with NSDE&L what testing should be done and the whole issue of stormwater management has to be addressed.

It has yet to be determined the area to be included in the Master Plan.

Referring to the dams, the Chair confirmed that surveyors and divers have been out. One dam has been patched. As Mr. Nantes indicated at the April meeting, the survey is being conducted to determine what needs to be done to bring them up to the Canadian Standard.

The following items can be removed from the Status Sheet:

Parkers Brook Development
Water Resource Management Study

Referring to the Riverside Pub - Screening of Deck item, Mr. Schaffenburg noted that Mr. Warner has made a site visit. He sought clarification of what the Committee wanted for screening. The Chair noted that the desire was to have plexiglass from the railing 6 feet up to prevent garbage getting into the river. The Secretary was asked to e-mail Mr. Warner to clarify.

5. UPDATE FROM WATER QUALITY INVENTORY SUB-COMMITTEE

Mr. Pilkington noted that Mr. Riles is to get in touch with the Chair. It is important that the testing begin.

It was noted that Councillor Goucher has pursued funding through HRM. Whether Councillor Goucher received a response isn't known. As mentioned earlier, funding associated with Bedford West is possible and through potential grants associated with item 4.5.

6. UPDATE FROM PAPER MILL LAKE ADVISORY COMMITTEE

Mr. Murray had nothing to report. A discussion followed on the situation with respect to the property on Amadi. Mr. Colbourne noted that Alex Quinn, Development Engineer for Central Region would be familiar with the case. The Chair advised he attended a meeting with the property owner. Councillor Goucher brought the matter to the attention of Mike Labrecque, Director, HRM Real Property & Asset Management. Apparently the situation is being looked into by a Structural Engineer, to determine what can be done without further disturbance.

7. NEW BUSINESS

See 4.4.1, Paper Mill Run.

8. NEXT MEETING

As the Committee cannot meet at the LeBrun Centre during July and August, Ms. Leboutillier sought suggestions from the members for an alternative meeting location.

It was felt there may not be a need for summer meetings. It was felt that it would suffice to have the staff report e-mailed to the members. Mr. Schaffenburg indicated he would get the information to the members prior to July 9th. It was left to the Chair's discretion if a meeting(s) needed to be held during the summer months.

9. ADJOURNMENT

Before the meeting adjourned, Mr. Li advised the members this would be his last meeting with BWAC, as he is moving to Toronto.

Meeting adjourned at 8:50 p.m.

Lynne Le Boutillier
Legislative Assistant