

HALIFAX REGIONAL MUNICIPALITY

BEDFORD WATERS ADVISORY BOARD MINUTES September 11, 2003

- PRESENT:**
- Mr. Don Lowther, Chair
 - Mr. Doug Murray
 - Mr. Kevin Dean
 - Dr. S. Ray
 - Mr. Cedric Pilkington
 - Mr. William Matheson
 - Mr. Lawrence White
 - Mr. Rick Hattin
 - Mr. Brad Gibb
 - Ms. Debbie Gillis
 - Ms. Elaine Loney
 - Mr. Brian Hoyle
 - Ms. Kate Hadden
 - Councillor Goucher
- ABSENT:**
- Mr. Lem Murphy (regrets)
 - Mr. Victor Li
- STAFF:**
- Mr. Angus Schaffenburg, Planner II
 - Mr. Andrew Bone, Planner
 - Mr. Paul Morgan, Planner
 - Mr. John Sheppard, Manager, Environmental Services
 - Mr. Charles Lloyd, Environmental Engineer, Environmental Services
 - Ms. Chris Newson, Legislative Assistant

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1. CALL TO ORDER

The meeting was called to order at 7:05 p.m. at the Lion's Den, LeBrun Centre, Bedford. Later in the meeting the Chair introduced the newest member of the Committee, Ms. Kate Hadden.

2. APPROVAL OF MINUTES

MOVED BY Mr. Cedric Pilkington, seconded by Mr. Kevin Dean that the minutes of the regular meeting held June 11, 2003 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

3. APPROVAL OF AGENDA, ADDITIONS AND DELETIONS

ADDITION: 7.3 Mr. Paul Morgan, Presentation on Regional Planning - *to be next item on agenda.*

7.4 Invitation to Chairs of the Water Advisory Boards to attend the COW meeting on September 23, 2003.

MOVE: 4.4 Union Street issue to immediately following Mr. Morgan's Regional Planning Presentation.

MOVED BY Mr. Lawrence White, seconded by Mr. Kevin Dean that the agenda be approved as amended. MOTION PUT AND PASSED UNANIMOUSLY.

7. NEW BUSINESS

7.3 REGIONAL PLANNING PRESENTATION

- ! A hard copy of a Power Point Presentation was circulated to the Committee/Public.
- ! Copies of the Regional Planning Newsletter, dated July 2003 and August 2003, were circulated to the Committee/Public.
- ! A copy of the Regional Planning *Directing the Action* survey was circulated to the Committee/Public.

Mr. Paul Morgan, Regional Planning Team, presented the *Directing the Action* workbook, also available online, and encouraged everyone to review/complete the survey which would take approximately 30-45 minutes. Mr. Morgan added that Regional Planning is requesting input from the public on HRM's future development/growth in areas such as Economic Expansion, Settlement Patterns, Transportation Issues, Environmental Matters, Halifax Harbour. He further advised that Phase I of the research, Community Values, has been completed and Phase II which includes: Public Awareness, Consultation, Formulation of

Goals, Alternatives and Recommendations, has begun and will lead to adoption of a new Regional Plan by 2005. Mr. Morgan advised that beginning September 23rd there will be presentations on the Regional Plan during breaks in the televised Regional Council sessions.

Mr. Don Lowther, Chair, thanked Mr. Morgan for his presentation.

4.4 Stormwater Management: Union Street

Mr. John Sheppard, Manager, HRM Environmental Services, assisted by Mr. Charles Lloyd, Environmental Engineer, HRM Environmental Services, gave a verbal report on the event of March 31, 2003.

Mr. Lowther, Chair, informed the public in attendance, that this was not a public participation meeting and that the public had been invited to this meeting to hear the presentation from HRM staff regarding the storm event of March 31, 2003.

Mr. John Sheppard advised that Environment Canada keeps rainfall data on a daily basis and on an hourly and five minute basis for severe storm events. Mr. Sheppard explained HRM uses the data collected by Environment Canada to analyze the severity or frequency of storm events. He further advised that the storm event of March 31, 2003 had a total rainfall of approximately 100 mm. He added that this information is plotted on an Intensity Duration Frequency Curve which shows the 12 hour storm event of March 31, 2003 was a 1:15 year rainfall event.

Mr. Sheppard further commented that rain was only one factor in determining the runoff or flood level in the river. He explained Environment Canada also keeps records on the water level of the Sackville River and according to their website, the peak instantaneous flow around midnight on March 31, 2003 was 103 cubic meters per second (cms). He added the flow information was compared to the Hydro-Technical Study done by the Provincial and Federal Governments in 1981 concerning the Sackville River and that the mean flow at the mouth of the Sackville River was estimated at 109 cms. He explained this information indicates the runoff of the river on March 31, 2003 was pretty well equal to a 1:100 year storm event.

Mr. Sheppard added that HRM staff have also reviewed the flood plan mapping for the Union Street area and according to the Hydro-Technical study, there are approximately 30 homes on Union Street that are located within the defined floodplain.

Mr. Sheppard explained that HRM does not have a program to protect properties from flooding by rivers. He added that it may be possible to return the BERM (behind Union Street) to its original level if it is shown that predecessors of HRM had changed the level. He further explained that the ditch behind Union Street drains into a pipe owned by HRM and there have

been suggestions to place some type of flood control on the pipe. Mr. Sheppard added that in other parts of Canada, when there is flooding from a river, it is more likely the Federal /Provincial Governments that step in to provide some type of relief.

Councillor Len Goucher advised that he spoke with Minister Christie at 1:00 pm today and Minister Christie indicated, that when a plan is brought forward by HRM's Environmental Services Department, the province of Nova Scotia will help out.

Mr. Lowther then asked Committee members for their comments/suggestions. The following issues were raised during the ensuing discussion:

- ! Could HRM look at the impervious surface between the Superstore and the Shopping Mall relative to flow coming off the parking lot and into the drainage ditch.
- ! Where was the 1:15 year rainfall information recorded/were other areas checked?
- ! Something does not add up with 1:15 year rainfall event and the 1:100 year peak flow in the Sackville River. If you are getting a 1:100 year flow in the Sackville River, it has nothing to do with the rain flow intensity, it has to do with development. Suggest 109 cm² be reviewed due to development in watershed area.
- ! As the outlying areas of the Sackville River watershed develop, the peak flow will occur sooner. The problem needs to be dealt with or it will be a bigger/more frequent problem.
- ! There is a new Provincial policy whereby developers have to construct stormwater retention but the Municipality has to do more in terms of stormwater retention facilities on a uniform scale per area.
- ! Could HRM force Bedford Place Mall to raise the height of the curbs around the parking lot so that the water would be held in the parking lot until drained into the manholes? This would slow down the input into the ditch. Part of the problem of the Union Street flooding was from water running off the parking lot, over the curbs and down into the ditch plus water from the manholes draining into the ditch.

Mr. Sheppard responded to the above comments as follows:

- ! the flooding of March 31st was a result of the river overflowing into the ditch and onto people's properties. He added that the Sackville River watershed is approximately 147 square km. This is a pretty big area and the small paved parking area between the Superstore and the Mall would have had a minuscule effect on the flooding as compared to the full impact of the Sackville River. He added that he will meet individually with the area residents who have concerns.
- ! the information used to develop the Intensity Duration Frequency Curve was recorded at Shearwater.
- ! there are many variables when it comes to flow in a river and rainfall is an important factor.
- ! the 1:15 year event information came from Shearwater and what the actual rainfall was in the Bedford area on March 31st, is not known.
- ! it is not uncommon to have spacial variation in rainfall intensity. It is quite possible that

- the characteristic of the rain event and the intensity was different in the Sackville River watershed and it may have been more than a 1:15 year event.
- ! it is not uncommon for the runoff frequency to vary from the rainfall frequency and in part this is due to ground conditions at the time. Mr Sheppard explained that if the ground is very dry, a lot of the rainfall would be absorbed into the ground and there would be less runoff. On March 31st, the ground was wet and there were cold weather conditions days before which means the ground could have been partially frozen so the actual runoff could have been more than you would expect from the rainfall.
- ! the 109 cm^{ps} came out of the Hydro-Technical study from 1981 and it was done under the Canada/Nova Scotia Flood Reduction program, these are estimates based on analysis of water.
- ! a study was done around 1986 on the Little Sackville River. He explained that the Consultants were asked to do a projection on the increase of the flood level if Sackville was built out to its full area. Mr. Sheppard advised that the increase was found to be minimal.
- ! a report on the Water Resource Policy Study will be presented to Regional Council in a few weeks (it has been reviewed by all Watershed Advisory Boards). The report provides an opportunity to have development that is more sensitive regarding the problem of increased flow.

Comments from members of the public, including those from numbers 27, 49, 53 and 71 Union Street:

- ! resident has lived in house on Union Street since 1978 and never had water in basement until March 31, 2003. Water is not from the Sackville River but runoff from development.
- ! It is HRM's drainage system that has to be fixed and it is HRM's responsibility to repair this to prevent future flooding.
- ! resident purchased house in 1996 (on Union Street) and was not told she was in a floodplain area. If she had known she would have 36 inches of water in her basement one day, she would not have bought in that area. She suggested that Real Estate agents inform prospective buyers that it is a floodplain area.
- ! resident stated that water did not come from the river and across the parking lot, it was from the drainage ditch behind her house and HRM is responsible for that drainage ditch.
- ! resident is always asking HRM to clean up the drainage ditch and nothing is done about it.
- ! resident called HRM four times to have debris (branches etc.) removed from the ditch and to clean off the rocks as the workers who did clean out the ditch threw the debris on the rocks to get washed back in again.

Mr. Don Lowther, Chair, added that this Committee had previously suggested a regular maintenance schedule for the ditch (swale area).

- ! If it is generally understood that subdivision and other land development, interferes with

water courses why would HRM suggest the problem of flooding is not theirs? If the developers go ahead with planning and HRM's Planning approves it and then it interferes with natural watercourses and the drainage systems are not working because of this type of runoff, then who is responsible?

! HRM allows the developers to do what they are doing and this causes a lot of the problems and all the small issues are adding up.

Mr. Sheppard commented that development practices in HRM are defined/legislated and if a developer meets those requirements, HRM is obligated to give the permit.

! what comes off Nottingham and from the car park at Superstore, is that not all collective to the problem?

Mr. Sheppard added that the flooding event of March 31, 2003 was not from the local area but was due to a full watershed.

! How will a Provincial policy of no net increase in flow affect development? If it is a Provincial policy and HRM is signing off on the development agreement who is policing it? Who will stand up and say, there is an increase and this is what you will have to do to fix it?

Mr. Angus Schaffenburg, Planner II, responded that with the new development off Rutledge and Basinview, the Department of Environment required that pre and post flows be balanced before the development could be approved. He added that a lot of these issues would be covered when the Development Engineer signed the Stormwater management plan and the Stormwater detail/drainage plan. He further added that later in the development, if things did not work, then the designer would have to make changes as they would have indicated there would be a balance.

! HRM's storm drainage system, which is supposed to take storm drainage water, could not handle the runoff.

Mr. Sheppard advised that the system was not designed to handle runoff from the river but most likely only day to day runoff from Nottingham and natural flows from that side of the hill.

Councillor Goucher commented that HRM staff agreed to report to the public the findings of what happened on March 31, 2003, then at some future point there will be a proposal brought forward relative to some suggested modifications for that area. He added that there will also have to be a meeting with the Province. He further commented that the event of March 31 was an anomaly and was a 1:100 year flood. He added that it has been five months and HRM staff have been/are continuing to work on this issue.

Mr. Don Lowther, Chair, advised that the issue has been discussed and it is time to move forward on the agenda. Mr. John Sheppard offered to meet with any residents to discuss this matter further at the end of the meeting.

4. BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET

4.1 List of New and Ongoing Projects

Mr. Angus Schaffenburg advised there have been no applications from the Kearney Lake Road/Hammonds Plains area and work is underway on Basinview.

4.2 In filling of Moirs Pond - Update

Mr. Don Lowther advised there is a meeting scheduled for September 28, 2003 at City Hall with Sobey's, the Minister of Finance Peter Christie and Mayor Peter Kelly.

4.3 Status Sheet

4.3.1 Kearney/Quarry/Paper Mill Dams - Update

Mr. Kevin Dean advised that Mr. Nantes confirmed the dam would be upgraded to Canadian Dam Association standards. He further advised, meetings with Minister Ron Russell and Minister Christie, who is working on our behalf to save the pond, have been held.

Mr. Angus Schaffenburg suggested the next regular meeting of this Committee be a joint meeting with Bedford West PAC. Further, that Mr. Nantes will present information at that meeting on the dam and Mr. Paul Morgan, Planner, will present a draft stormwater management plan for the Bedford West area (Kearney Lake area).

4.3.2 Riverside Pub - Screening of Deck

Mr. Angus Schaffenburg advised that Mr. Warner is working on the problem but has been unable to reach Mr. Hurst.

4.3.3 Proposed Paper Mill Lake Watershed Quality Monitoring Program

Mr. Don Lowther advised this has gone ahead and Mr. Pilkington has the readings. He further advised that Mr. Kevin Riles and Mr. Mason will address the Committee at the October 8th meeting.

Mr. Cedric Pilkington commented there was nothing outlandish about the first readings also, there has to be a basis to compare numbers. A member of the Committee questioned the reading under the e-coli and total chloroform, stating there is no amount given, just that it was present and asked if this was normal. Mr. Pilkington responded if it was readable it would have been given a number but he will clarify this. Mr. Don Lowther added the person who did this reading will be asked to provide a written synopsis. Ms. Hadden, Micro-biologist, commented there are tests that simply determine "present" or "not present". She added that to obtain a count you would have to do a filtration process then plot onto a grid and do a count

from there.

Mr. Lowther requested the members of this Sub-Committee meet briefly to arrange a date for a meeting with Mr. Riles/Mr. Mason. Mr. Lowther asked Ms. Hadden if she would be interested in joining this Sub-Committee. Ms. Hadden commented that she would be unavailable for most of October.

4.4 Stormwater Management: Union Street

This item dealt with earlier in meeting. See page 4.

4.5 Coalition Funds - Update

Councillor Goucher advised that he would provide \$5,000.00 from his Capital fund. He asked if United Gulf would continue testing. Mr. Lowther responded that a meeting is being arranged between the Sub-Committee and Mr. Kevin Riles.

4.6 Paper Mill Run

Mr. Angus Schaffenburg advised a staff report was not available at this time. Mr. Lowther added that United Gulf and Amac Engineering have met with the three area residents who are concerned with flooding and discussed options as to what could be done to prevent sandbagging each time the dam floods.

5. UPDATE FROM WATER QUALITY INVENTORY SUB-COMMITTEE

Councillor Goucher advised that he is committed to securing the remaining funds from the Sandy Lake project for the water testing program.

6. UPDATE FROM PAPER MILL LAKE ADVISORY COMMITTEE

Mr. Doug Murray advised this had gone to Legal Services for review. He added that HRM introduced a program of having an outside Construction Engineer review the property who has also provided options that are currently being reviewed. He advised that Mr. Peter Bigelow, Manager of Real Estate for HRM and his assistant Mr. Ernie Brennan, are presently reviewing the options.

7. NEW BUSINESS

7.1 Baha Court, Bedford - Development of Remaining Lots

- ! An excerpt from the North West Community Council minutes of January 25, 2001 were before the Committee.
- ! A staff report dated, November 27, 2000 was before the Committee
- ! A Memorandum from Peter Sheehan, Chairperson of Paper Mill Lake Public Participation Committee, dated June 22, 2000, was before the Committee
- ! A staff report dated August 11, 2000 was before the Committee

Mr. Don Lowther, Chair, explained that there has been a request from the Northwest Community Council for a recommendation from this Committee concerning undeveloped building lots on Baha Court. Councillor Goucher explained the request was brought forward by a petition he received from the residents of Baha Court who are asking for the seven excavated building lots to be filled in or developed due to the existing safety hazard.

The Committee agreed that; due to the original contract being still in effect, which does not allow further development until the connector road is built, and that it is the responsibility of the property owner to ensure the area is safe, and out of concern for not setting a precedent for other developers to proceed in the same manner, the following motion was made:

MOVED BY Mr. Richard Hattin, seconded by Mr. Lawrence White that the Bedford Watershed Advisory Board recommend Northwest Community Council reconsider the application to increase density above the 100 units. MOTION DEFEATED.

7.2 Case 000568: Application to amend the Development Agreement for 5 Brookshire Court

- ! A Memorandum, dated September 2, 2003, from Mr. Andrew Bone, Planner was before the Committee.

MOVED by Mr. Lawrence White, seconded by Mr. Cedric Pilkington that the Bedford Waters Advisory Board recommend water quality testing be required for the construction of the proposed gymnasium. MOTION DEFEATED.

The Committee agreed that due to the existing development agreement for this site requiring extensive water quality testing for Paper Mill Lake, it is not necessary to perform additional testing.

7.3 Regional Planning, Mr. Paul Morgan

Dealt with earlier in the meeting. See page 3.

7.4 Invitation to Chairs of Water Advisory Boards to COW

Mr. Don Lowther read an invitation to Chairs of the Water Advisory Boards to attend the September 23, 2003 session of Committee of the Whole (COW). Dillon Consultants will present the WRMS Report and HRM staff will also provide an outline of the Water Resource Management Policy. Mr. Lowther encouraged any interested members to attend.

8. **NEXT MEETING** - Wednesday, October 8, 2003, 7:00 pm.

9. **ADJOURNMENT**

The meeting was adjourned at 8:50 p.m.

Chris Newson
Legislative Assistant