

HALIFAX REGIONAL MUNICIPALITY

BEDFORD WATERS ADVISORY BOARD

December 10, 2003

PRESENT: Mr. Don Lowther, Chair
Mr. Kevin Dean
Mr. Cedric Pilkington
Mr. Lem Murphy
Ms. Elaine Loney
Ms. Kate Hadden
Dr. Sankar Ray
Mr. Doug Murray
Mr. William Matheson
Councillor Len Goucher

REGRETS: Mr. Brian Hoyle

STAFF: Mr. Angus Schaffenburg, Planner II
Ms. Sheilagh Edmonds, Legislative Assistant

ABSENT: Mr. Lawrence White
Mr. Brad Gibb
Mr. Richard Hattin
Ms. Deborah Gillis

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1. CALL TO ORDER

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

2. APPROVAL OF MINUTES

MOVED by Mr. Pilkington, seconded by Ms. Loney the minutes of the regular meeting of October 8, 2003 be approved as circulated. MOTION PUT AND PASSED.

MOVED by Mr. Murray, seconded by Mr. Murphy that the notes of the November 12, 2003 meeting be approved as circulated.

Mr. Schaffenburg made reference to his remarks with regard to Bedford South, i.e. which Community Council jurisdiction this development fell within, and clarified his comments to note that the majority of Area B is within the Chebucto Community Council area and a small portion is within the Bedford Plan Area and, therefore, within the North West Community Council area.

MOTION PUT AND PASSED with the revision as noted.

Councillor Goucher addressed the issue of the Bedford South Development and advised that he has received a number of phone calls from residents concerned about the excessive tree cutting going on in Area A, by the portion that backs on Ocean View Drive. He noted that a tree management plan was submitted pertaining to this development and he requested staff to follow up and ensure that the developer is adhering to this plan.

3. APPROVAL OF AGENDA

There were no additions or deletions to the agenda.

4. BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET

4.1.1 Infilling of Moirs Pond

Councillor Goucher advised that progress has been very slow on this issue, noting that much of what Sobey's is requesting from staff is out of their hands because it falls within areas governed by the Municipal Government Act. Councillor Goucher also added that, essentially, Sobey's wants the area rezoned before it is infilled, but this is not feasible because zoning can only occur on land, not over water.

Following discussion on this matter, the Chair suggested that the Board continue to monitor the situation.

4.1.2 Kearney/Quarry/Paper Mill Dams

Mr. Kevin Dean noted that he hasn't heard a recent update with respect to the Dams but he understood that things are proceeding as planned. He added that the Bedford West Public Participation Committee met this past Monday evening and it was noted at the meeting they are working on their stormwater management plan and transportation plan. Mr. Dean indicated it was also suggested at this meeting that a joint meeting between BWPPC and BWAB be held in January to review these two items.

4.1.4 Storm Water Management: Union Street Area

A report by Wallace Macdonald & Lively, entitled Union Street RCDD - Redden Lands Storm Drainage Report dated March 29, 1996 was submitted for information.

Councillor Goucher advised that a meeting had been scheduled yesterday, but due to another meeting conflict, it has been rescheduled to next Tuesday, December 16 at 2:30 p.m.

4.1.3 Paper Mill Lake - Watershed Water Quality Monitoring Program

A report dated September 17, 2003 from AMEC Earth & Environmental Limited pertaining to Upstream Water Quality Sampling Program had been submitted for information.

Mr. Pilkington noted that the second round of testing was probably completed by now.

4.1.5 Paper Mill Run

The Chair advised that an engineer with AMEC had visited the site with three of the residents. He explained that in the upper part of the Run, next to the Morrison property, there is an easement owned by HRM and this is where the problem appears to be, noting that water from an underground stream or pipe seeps up through the ground and runs off onto the residents property. The Chair indicated that, at the Board's last meeting it was suggested the City engineers be contacted to look at it, and that AMEC doesn't want to start doing anything if HRM is going to investigate.

Councillor Goucher indicated he was informed that the study has been undertaken and will be completed shortly.

Mr. Schaffenburg suggested the Board send a request to John Sheppard, Manager, HRM Environmental Services, with an explanation of the problem and a request that his staff investigate to determine if it is a result of HRM's storm water system and report back to the Board.

4.1.6 Spruce Island

Councillor Goucher advised that at a recent meeting of North West Community Council, a motion was passed that a letter be forwarded to Department of Fisheries and Oceans with respect to this matter.

Mr. Schaffenburg indicated he was aware that DFO had been out to the site, but they have not contacted municipal staff. He also noted that a municipal inspector had been at the site and found there were no issues which he would have had jurisdiction over.

In response to a question with regard to whether grade alterations would have been involved and, if so, whether permits were granted Mr. Schaffenburg noted that this issue was discussed with staff, adding that it is a bit of a grey area and not considered to be within municipal jurisdiction.

Mr. Schaffenburg suggested that if the Board wanted further information, it could send a request to staff questioning whether a permit would be required under the Grade Alteration Bylaw and, if so, whether a permit was issued or if there was an exemption.

Following further discussion it was noted that the three areas of concern are:

1. Grade Alteration
2. Zoning, i.e. if it is determined the property owner is creating land; then zoning is required.
3. Department of Fisheries and Oceans - 'what is their involvement?'

Noting that North West Community Council has sent a letter to Department of Fisheries and Oceans, Councillor Goucher requested Mr. Schaffenburg to ensure a response is received from DFO in time for the next Community Council meeting, to be held on December 18.

4.2 Baha Court, Bedford

Councillor Goucher advised this matter was still on the agenda of North West Community Council, adding that it was up to this Board if they want to revisit or leave the matter.

The Chair asked the Board how they wished to proceed.

It was the consensus of the Board that the contract development agreement, as it exists, should be upheld.

5. CONSIDERATION OF DEFERRED BUSINESS:

5.1 Halifax Harbour Watershed Restoration Coalition

Correspondence from the Harbour Watershed Restoration Coalition had been submitted at the Board's October meeting.

The Chair advised that the Coalition has made a request to have a member of this Board sit on a Committee of HWRC that will monitor the harbour solutions waterfront activity. He indicated that Brad Gibb has volunteered to sit on the Committee.

6. CORRESPONDENCE, PETITIONS AND DELEGATIONS

None.

7. REPORTS

7.1.1 Water Quality Inventory Committee

In response to a question by the Chair with regard to submitting an application to the Grants Committee, Mr. Cedric Pilkington advised that he has the appropriate forms to fill out and the deadline is the end of January. Mr. Pilkington indicated that he would get together with the subcommittee to complete the grant application.

A brief discussion ensued with respect to how the test analysis should be presented and Ms. Hadden noted the importance of ensuring the analysis be measured and results given in numerical counts rather than just showing it as either 'present' or 'not present'.

Mr. Pilkington noted that he was of the understanding that the analysis would be presented with numerical counts, however, he would contact AMEC to remind them.

Further to this, Dr. Ray pointed out that the collection of samples should not occur at stormwater outlets.

The Chair advised that once they receive the next set of readings that a meeting of the subcommittee and representative of AMEC be held to review the results.

Mr. Pilkington advised that he will set up a meeting once he has received the results.

7.2 STAFF REPORTS:

7.2.1 List of new and Ongoing Projects:

Wentworth Estate/Bedford South - Mr. Schaffenburg noted that he discussed this earlier in the meeting.

Redevelopment of Sisters of Charity Property - Mr. Schaffenburg indicated that he was aware of this proposal, although staff has not yet received formal application. Noting that the property is 60+ acres, United Gulf is negotiating an agreement with the Sisters of Charity and the proposal includes preserving the Motherhouse—relocating the Sisters and carrying out renovations on part of the Motherhouse. He added United Gulf will probably make a formal application early 2004.

Bedford Academy Gym - In response to a question by the Chair, Councillor Goucher advised that this matter has yet to come forward to Community Council. He added that a traffic study is being completed first.

7.1.2 Paper Mill Lake Advisory Committee

Mr. Murray indicated he had nothing to report at this time. He made reference to a review of a lot on Ahmadi Crescent and indicated that Councillor Goucher could brief the Board on the matter.

Councillor Goucher advised that Peter Bigelow of HRM's Parkland Planning, is dealing with this issue. He explained that a developer had built a reinforcement wall on a property during construction of a home; however it was determine the wall is on HRM property. The Councillor advised that he and Peter Bigelow met with the property owners, and they want the Municipality to sell them this parcel of parkland so the wall won't have to be torn down. Councillor Goucher indicated that although he understood the homeowners dilemma, it would set a bad precedent for HRM to start selling pieces of parkland, particularly in the case such as this, where the sale would simply be a way of resolving a problem created by a developer due to his own oversight. Councillor Goucher pointed out that a report had been done by an engineering consultant and although the consultant's recommendation was that HRM sell the land, they advised that the house could be built up and reinforced without having to take any more land.

8. ADDED ITEMS/NEW BUSINESS

8.2 Bedford Monthly

The Chair advised the Board of new local newspaper entitled, The Bedford Monthly, published by Reg Horner. The Chair noted that he met with Mr. Horner a couple of months ago, and Mr. Horner would appreciate any of the Board members contacting him on issues in the community they feel would be relevant for the newspaper. Business cards of Mr. Horner's were distributed to the Board's members.

8.1 Meeting Schedule for 2004

The 2004 meeting schedule submitted for information.

9. NEXT MEETING - Wednesday January 14, 2004 - 7:00 p.m.

The Chair advised that the next meeting will be a combined meeting with the Bedford West Public Participation Committee, and the Chairs will co-chair the meeting.

Membership

Councillor Goucher addressed the Board and advised that the North West Community Council received an application from Mr. David Gorseline to sit on the Board. Noting that there was a vacancy, Councillor Goucher added that Mr. Gorseline's credentials seemed in keeping with the qualifications for the Board and he added that if the Board were in agreement, he would put forward Mr. Gorseline's name for consideration of appointment at the next NWCC meeting.

In response to a question, Councillor Goucher advised that Mr. Gorseline was the only application submitted.

Following a brief discussion, the Board concurred with Councillor Goucher's suggestion to bring the application of Mr. Gorseline forward to North West Community Council.

10. ADJOURNMENT

Prior to concluding the meeting, Councillor Goucher expressed his appreciation to the Board members for volunteering their time in serving on the Board, and he wished all a safe and happy holiday. The Chair concurred with Councillor Goucher and also offered his appreciation to the Board's staff representatives, Mr. Angus Schaffenburg and Ms. Sheilagh Edmonds

The meeting adjourned at 8:25 p.m.

Sheilagh Edmonds
Legislative Assistant