



**BEDFORD WATERSHED ADVISORY BOARD**  
**Wednesday, April 13, 2005**  
**Minutes**

- PRESENT:** Mr. Don Lowther, Chair  
Deputy Mayor Len Goucher  
Mr. Rick Hattin  
Mr. Kevin Dean  
Ms. Kate Hadden  
Ms. Elaine Loney  
Dr. Sankar Ray  
Mr. Lem Murphy
- REGRETS:** Mr. Cedric Pilkington  
Mr. Will Matheson  
Mr. Doug Murray
- ABSENT:** Mr. Lawrence White, Vice Chair  
Ms. Deborah Gillis  
Mr. David Gorsline
- STAFF:** Mr. Paul Morgan, Planner  
Mr. Angus Schaffenburg, Planner II  
Ms. Thea Langille - Hanna, Planner  
Ms. Stephanie Parsons, Legislative Assistant
- OTHERS:** Mr. David Nantes, Vice President, Annapolis Group Inc.  
Mr. Earl Richardson, Clayton Developments

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**1. CALL TO ORDER**

The Chair called the meeting to order at 7:02 p.m. in the Nauss Room, Lebrun Centre, 36 Holland Avenue, Bedford.

**2. APPROVAL OF MINUTES**

Mr. Kevin Dean commented that during the discussions around stormwater management there was a commitment from John Sheppard, to provide the Board with examples of how the Watershed Boards recommendations were included in the study. Mr. Angus Schaffenburg stated that John Sheppard was to send that information to the Chair.

**MOVED by Mr. Kevin Dean, seconded by Dr. Sankar Ray that the minutes of March 9, 2005 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.**

**3. APPROVAL OF AGENDA, ADDITIONS AND DELETIONS**

Additions

7.2.2 Request by Clayton Developments Limited to amend the Bedford South and Wentworth Secondary Planning Strategy

8.1.1 Water Testing Protocol

It was agreed that item 7.2.2 be the second order of business and item 7.2.1 Bedford West Secondary Planning Strategy be the first order of business.

**4. BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET ITEMS:**

**4.1 Status Sheet**

**4.1.1 Infilling of Moirs Pond**

No update.

**4.1.2 Kearney/Quarry/Paper Mill Dams**

Mr. David Nantes, Annapolis Group Inc. stated that the application has been submitted to the Nova Scotia Department of Environment and Labour, as per the discussion in 7.2.2.

In response to Mr. Kevin Dean as to whether they were going to keep ownership of it, the Chair advised that they will do the upgrade and transfer ownership to the Province, then a Commission will be appointed to maintain it.

#### **4.1.3 Paper Mill Lake - Watershed Water Quality Monitoring Program**

The Chair informed the Board that the subcommittee will be meeting with the QEII group on April 21<sup>st</sup>. The QEII is going to do all the testing and pay for it.

#### **4.1.4 Storm Water Management: Union Street Area**

Mr. Angus Schaffenburg advised the Board that he spoke with the Manager of the trails and was informed that the rock is on the floodplain of Sackville River because they needed to commit some funds before year end. The placement of the rock is temporary and this was the closest they could get to the trail.

In response to Mr. Kevin Dean as to whether they had permission to store the rock, Mr. Angus Schaffenburg commented that DND gave them permission to store the rock temporarily. Due to an early winter, the Contractor could not move the rock as planned, and the rock stayed longer than anticipated.

Deputy Mayor Goucher asked about the potential liability of being on DND land. Mr. Angus Schaffenburg commented that HRM gave assurances that the trail will be maintained.

#### **4.1.5 Paper Mill Run**

Mr. Angus Schaffenburg advised the Board that Annapolis Group Inc. will be providing more information on the run. Mr. Kevin Dean commented that some work will be done to make it flow better.

#### **4.1.6 Stormceptors**

Mr. Angus Schaffenburg commented that the Stormceptors were not cleaned last year and that they will be checked and cleaned if required, later on this year. Deputy Mayor Goucher requested that Mr. Angus Schaffenburg advise the Board on how much build up there was, as they may need to look at how often they need to be cleaned.

### **5. CONSIDERATION OF DEFERRED BUSINESS:**

#### **5.1 Board's Terms of Reference**

The Chair asked the Board if they felt a term should be set for the Chair.

Ms. Elaine Loney commented that the Board would not re elect the Chair if he/she was not performing. Setting a term would cause difficulty in getting members to assume the role of Chair for a three-year term.

Mr. Rick Hattin commented that turnover of the Chair is required in order to get diversity. He asked if there was a general guideline for HRM Boards. Mr. Angus Schaffenburg commented that there were no standard HRM guidelines and the members of the Board have the

opportunity not to reelect the current Chair.

Mr. Kevin Dean commented that a Vice Chair is also elected to share the workload.

Dr. Sankar Ray noted that the Terms of Reference does not mention quorum. Deputy Mayor Goucher stated that it is 50% plus one. If the quorum is not specified in the Terms of Reference, the requirement defaults to Administrative Order One.

Dr. Sankar Ray indicated that there was no quorum at present. The Chair commented that there were seven members present. The Board is mandated for 15 members but only have 13 appointed.

Mr. Angus Schaffenburg asked if quorum is based on the members mandated or of those appointed. The Chair and Deputy Mayor Goucher commented that it was of those appointed.

The Chair noted that the Board has a member on a leave of absent, however, the Deputy Mayor Goucher advised that he must be counted for a quorum as he is still appointed.

**6. CORRESPONDENCE, PETITIONS AND DELEGATIONS: None**

**7. REPORTS**

**7.1 SUBCOMMITTEE REPORTS**

**7.1.1 Water Quality Inventory Committee**

The Chair advised that there will be a meeting on April 21<sup>st</sup> with the QEII .

**7.1.2 Paper Mill Lake Advisory Committee**

No Update

**7.2 STAFF REPORTS:**

**7.2.1 Bedford West Secondary Planning Strategy**

- A copy of the Bedford West Secondary Planning Strategy was before the Board. Mr. Paul Morgan, Planner, continued the discussion from the last meeting.

The only change since the last meeting is **BW3**, page 7 item C, the word “eutrophication” has been changed too *physical and chemical* water quality indicator.

Mr. David Nantes commented that he met with the Dalhousie Group and they were preparing the monitoring program based on this document. They indicated that we must tell what the threshold levels are and suggested “ *Threshold levels for recreational uses of the lakes.*” The Board was in agreement.

In reference to **BW 15** which references Schedule **BW 4**, Mr. Paul Morgan advised that the issue is still unresolved. Staff is trying to determine if there is enough capacity to take it to Mill Cove or Halifax. It would be better to take it to Mill Cove as it naturally drains. Deputy Mayor Goucher advised that the report he received last year indicated that Mill Cove gets a million gallons plus a day.

In response to Dr. Sankar Ray in reference to **BW 17** Mr. David Nantes and the Chair commented that the buffer is about 50 feet away. Dr. Sankar Ray asked how it was going to be stabilized if it is still close to the lake. Mr. David Nantes commented that there was no intent to disturb it. The next phase of the development agreement will show more detail for example, where the walk ways will be going.

In reference to **Policy BW-27 page 22**, Mr. Paul Morgan, indicated that Mr. David Nantes suggested that the last line be omitted, because there are times when you want the soccer field to flood. Mr. Kevin Dean asked if it was likely that a soccer field would be located next to a Stormwater Management System. Mr. David Nantes commented that they do not have plans for recreational areas in flood zones, but thinks the plan should allow it. Mr. Paul Morgan commented that this policy came as a result of the development of Ocean View. The Board was in agreement and that the policy will read as follows *"No storm water management, sanitary sewer or water service system shall be located within the Open Space/Park Designation which would adversely affect environmentally sensitive areas, detract from the aesthetics of the area or impair any recreational functions intended."*

In reference to **Policy BW28 page 22**, Mr. David Nantes suggested that the word *"environmental impact assessment"* be changed to *"environmental analysis"* because environmental impact has a specific meaning under the Environmental Act. Mr. David Nantes advised that Annapolis Group Inc. would do an analysis if required. Mr. Paul Morgan clarified for Ms. Elaine Loney that if an analysis is undertaken, it does not bind the analysis or recommendations on HRM.

Mr. Paul Morgan stated that **BW 31 refers to schedule 7**, Deputy Mayor Goucher asked if **BW 30** was in reference to the Master Plan of the Municipality. David Nantes replied yes.

In reference to **Policy BW32 page 24** Deputy Mayor Goucher asked staff if they were comfortable with the density levels of six units per acre. As he does not want to go to Regional Council and have staff say it affects the Regional Plan. Mr. Paul Morgan commented that there was some confusion over reference to 18-20 density per acre and that developers feel the density levels are acceptable in an urban setting. Mr. David Nantes stated that they are referring to net density for a 1-2 acre infill project, but they may have 16-17 per acre.

Mr. Kevin Dean asked whether or not two developers could transfer the density between each other if they under build. Thea Langille-Hanna commented that they would have to agree. Mr. Paul Morgan commented that Council could consider it. The Deputy Mayor indicated that it works if designed properly.

In reference to Policy **BW36 page 29** Mr. Angus Schaffenburg asked for clarification on what is meant by accessory use. Mr. Paul Morgan explained that it means not a stand-alone use, for example, retail uses means a convenience store in an office tower. He will consider

rewording this.

With no further comments from the Board Mr. Paul Morgan advised that when the final version is complete he will forward a copy to the Board and advise of anything of substance that affects the Bedford Watershed Advisory Board.

Deputy Mayor Goucher thanked Mr. Morgan and asked that he pass on the Boards thanks to the Bedford West Committee for their time and effort.

Mr. Kevin Dean advised that the next public participation meeting is April 25, 2005 and there maybe further changes out of that.

Mr. David Nantes advised that he will be submitting a report that details how to implement the first phase of the plan and that it be added to the agenda for the next meeting. On behalf of Annapolis Group he thanked the Board for their time and patience.

Deputy Mayor Goucher commented that the community is pleased with developers such as Annapolis Group and Clayton Developments because they have done what they said they were going to do.

The Chair thanked Annapolis Group for the time and work they have contributed.

Mr. David Nantes advised the Board that the permit application for operating the dams for three years is with the Department of Environment. Deputy Mayor Goucher asked that they look at the wall which is falling apart, there is a safety concern for the children and that it be fenced off for the summer. Mr. David Nantes advised that they repaired part of it last year and will have a look at it.

The Chair asked if there has been any resolution on the fish ladders. Mr. David Nantes advised that he received a letter six weeks ago from Fisheries & Oceans and he responded with their legal opinion. He submitted their application to Environment Nova Scotia five weeks ago, however, they did not submit it to Fisheries and Oceans until last week.

### **7.2.2 Case 00738 - Request by Clayton Developments Limited to amend the Bedford South and Wentworth Secondary Planning Strategy**

- A copy of the staff report dated April 1, 2005 was circulated to the Board.

Ms. Thea Langille-Hanna gave an overview of the proposal as indicated in the memorandum to the committee.

Clayton Developments is seeking input in regards to an amendment to relocate Road 8 from Neighborhood "D" to Neighborhood "A." To accomplish this the boundaries would have to change. They are also looking at the construction of townhouses or single unit dwellings in that area. The amendment does not affect the Master Stormwater Management Plan or the overall concept of the plan.

Deputy Mayor Goucher commented that the main reason for this change is to protect the

looped water system. The line has to come off Oceanview and come up road 8 which requires blasting. To create protection for the looped system, it is better to do it now when there is nothing there as opposed to when the homes are in place, it also provides the added safety to the looped system.

The Chair stated that there was a Public Information Meeting two weeks ago, there is no threat to the Stormwater Management System, the change makes it easier to put the water line in and eliminates potential damage to foundations and dwellings after the fact.

Mr. Earl Richardson, Clayton Developments advised it should have been included in Neighborhood "A." Once finished "A & C" they will be going up the highway and bringing the water line down the top of the hill, which will feed into Ocean view. The amendment will eliminate the booster systems and eliminate damage to homes.

Mr. Kevin Dean asked that as a result of this amendment is there any policies we should add to the Bedford West Planning Strategy. Ms. Thea Langille - Hanna suggested maybe a policy on boundary changes that don't affect strategy, so that there is the ability to move lines.

**MOVED by Mr. Lem Murphy, seconded by Ms. Elaine Looney that the BWAB approve the proposed change to relocate Road 8 to Neighborhood "A" MOTION PUT AND PASSED UNANIMOUSLY.**

## **8. ADDED ITEMS/NEW BUSINESS**

### **8.1. Floodplain Sackville River - Update**

Item dealt within item 4.1.4

### **8.2 Water Testing Proposal**

Mr. Rick Hattin advised that he has been in contact with the Woodens River Environmental Organization, Friends of Saint Margarets Bay and the Five Bridges Conservancy Trust. They had started to generate protocol to do testing on the Chebucto Peninsula but it came to a halt. The issue becomes important because funds from the Habitat Stewardship Program do not have to be used for construction of wetlands in the area that they have been destroyed. The money can be used anywhere in the province. There is interest in developing standard testing protocol for all the lakes and he would like to see it become a standard for HRM. Mr. Rick Hattin asked if there was any assistance that they could get from HRM to put some kind of credibility behind water testing protocol.

Deputy Mayor Goucher advised the Board that he received a brochure on water quality analyst and reporting testing software and asked if the software would be of benefit to the Board, as far as presentation and being able to analyse the data that they have. Mr. Rick Hattin commented that the software is used to track data and provides modelling. Mr. Lem Murphy commented that a protocol is required to use it. The Board agreed that the software was not required.

Ms. Elaine Looney commented that from her understanding the goal is to publish a protocol



that has HRM's name on it. Mr. Rick Hattin indicated that this was correct.

In response to Deputy Mayor Goucher, Mr. Hattin commented that he is not sure what kind of resources was required, at present they need buy-in to the idea and that the River Woodens Organization has already bought into it.

Mr. Angus Schaffenburg commented that it would be useful to have a protocol to be used HRM wide. If the Watershed Boards agreed on what the protocol should be. It should specify the situations in which a certain test would be used, the frequency and level of analysis. He also noted that several years ago the County put together a draft protocol document and it was tabled at the Bedford Watershed Advisory Board. The Chair commented that Tony Blouin was waiting for our readings.

Mr. Rick Hattin advised that in order to make this happen the following individuals would have to agree that this is something they would like to do: Wayne Stobo, Chair of Halifax Watershed Advisory Board, Frank Hope, Woodens River Watershed Environmental Organization, Audrey Manzer, Chair of Dartmouth Lakes Advisory Board, Don Lowther, Chair of Bedford Waters Advisory Board, and Tony Blouin, HRM.

Dr. Sankar Ray commented that most people do not understand why these tests are being done and is not sure what would be gained as most boards do not have input on it.

Mr. Rick Hattin commented that Frank Hope could not get HAD money because he couldn't come up with protocol.

Mr. Angus Schaffenburg commented that Mr. David Nantes will be providing a report to the Board on the protocol for water testing for their development agreement. He also commented that the Board can use Annapolis Groups protocol as a model if they are satisfied with it, as long as it is done for the same recreational objections. The testing should be a reasonable standard to be used throughout HRM. The Chair advised that the report will be available next week and members would receive it in the next agenda package. He also noted that Mr. David Nantes suggested that they have a meeting with Greater Homes and Clayton Developments as there is an opportunity to create one master plan for doing water testing and an opportunity to share the cost among three developers.

Mr. Angus Schaffenburg commented that the Planners would welcome this idea as it allows you to go to the developers and state that these are the parameters. He also asked what was meant when Mr. Hattin uses the term protocol. Mr. Hattin responded that it would consist of guidelines, how often a test should be done, the types of tests and what they consist of.

Dr. Sankar Ray commented that to his knowledge BWAB is the only Board that has done some testing and the City has tested 40-50 lakes, he feels that it is the duty of Tony Blouin to convey the meeting. Mr. Angus Schaffenburg suggested that the Board wait and see what Annapolis Groups protocol will be and then go to Tony Blouin, and say we agree with this protocol and that Annapolis Group is our test group, where are you in promoting this, can we adopt it for HRM.

The Chair informed Mr. Schaffenburg that the subcommittee had requested an accurate map

of all the stormwater inlets to the lakes so that they are not testing over stormwater inlets. Mr. Schaffenburg advised that he would speak with Mr. David Ellis and provide the map if it was available. The Chair requested that it be provided prior to the meeting with QEII on April 21<sup>st</sup>, if it is available.

Mr. Rick Hattin suggested that the Bedford Waters Advisory Committee gather a group of people who understand the issues.

Dr. Sankar Ray indicated that to be effective they need a group of four or five people who have knowledge of water quality.

Deputy Mayor Goucher suggested that the Board take the lead and call in resources as needed.

The Chair commented that the Board will wait until they receive the report from Annapolis Group. The subcommittee will analyse it and if necessary organize a meeting with the other stakeholders.

**9. NEXT MEETING - May 11, 2005**

**10. ADJOURNMENT**

The meeting adjourned at 8:49 p.m.

Stephanie Parsons  
Legislative Assistant