

**BEDFORD WATERSHED ADVISORY BOARD
MINUTES**

March 14, 2007

PRESENT:

**Mr. Richard Hattin, Chair
Mr. Lem Murphy
Ms. Elaine Loney
Ms. Kate Hadden
Dr. Sankar Ray
Mr. Robert Apold
Mr. Quentin Hill
Councillor Gary Martin**

STAFF:

**Mr. Andrew Bone, Planner, Community
Development
Ms. Chrissy White, Legislative Assistant**

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1. **CALL TO ORDER**

The meeting was called to order at 7:00 p.m in the Nauss Room, Lebrun Centre, Bedford.

2. **RESIGNATION**

The Chair advised that Mr. Don McIver had resigned from the Committee.

3. **APPROVAL OF MINUTES**

The Chair advised that he would like the Clerk's Office to explore options to increase membership.

Change: Ms. Loney referenced item 4.1.1 and requested the wording in the last paragraph be changed to read "*the Committee would encourage HRM to do so.*"

MOVED by Mr. Murphy, seconded by Dr. Ray, that the minutes of January 10, 2007 be approved as amended. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions:

- 9.1 Development Agreement Follow Through- Andrew Bone
- 9.2 Youth Representative

MOVED by Mr. Murphy, seconded by Dr. Ray, that the Order of Business be approved as amended. MOTION PUT AND PASSED.

5. **BUSINESS ARISING OUT OF THE MINUTES**

The Chair advised that due to lack of quorum at the February 21st meeting, no official minutes were produced. He advised that information notes were provided on the Clayton Development's presentation.

A brief discussion ensued around the idea of a sub-committee to discuss the Clayton Development issue. The committee agreed to create a sub-committee as long as the BWAB is kept informed of any recommendations.

The Chair requested staff draft an e-mail asking Mr. Tony Blouin, Manager of Environmental Performance, Environmental Management Services asking if he intends to set a HRM wide water quality parameter, and what role the BWAB will play in that process. The Chair further advised that they would like to have the parameter finalized by September 30, 2007.

Mr. Bone advised that phase two of the Clayton Developments plan may be postponed due to concentration on seniors housing in Northwood. He further advised that this could take a minimum of eight months.

The Chair requested Councillor Martin advise the Committee if HRM intends to set city wide water quality standards for all future developments. The Chair further advised that the BWAB believes that there should be a technical person from the Water Advisory Boards invited to assist Mr. Tony Blouin in the process of obtaining the numbers.

Councillor Martin advised that he would research the Chairs request and update the Committee at a later meeting.

6. REPORTS

6.1 Enforcement / Implementation Issues- review of several cases and how they were implemented and enforced

Mr. Andrew Bone, Planner, Community Development presented an overview on the above noted topic.

Members of the Committee questioned their effectiveness when influencing staff recommendations for Development Agreements. Mr. Bone provided an overview of two cases that were previously before the board to provide clarity on the above noted concern.

In response to questions from Members of the Committee, Mr. Bone advised:

- In a plan change, the BWAB can influence how the policy is worded.
- Provincial and municipal regulations can outweigh the recommendations of Watershed Boards, but overall, the municipality tries to incorporate the suggestions in Development Agreements as much as possible.
- It is up to the engineer who is designing the plan to make the decisions with the recommendations of the board in mind.
- 80% of the issues brought forward by the Watersheds are addressed in Development Agreements.
- Committee and staff communications was recognized as a problem. Mr. Bone suggested keeping each party informed on any involvement or participation with issues.
- Some recommendations can not be implemented due to regulations and restrictions.

Committee Members provided comments, noting the following,

- If a recommendation made by the BWAB is not implemented in a Development Agreement, a justifiable explanation should be given as to why.
- Concern was expressed with the approval of case 00690. It was requested that

staff interpretations be brought back to the Board, as an information report to provide clarity, if staff has decided to reject a BWAB recommendation.

6.2 Water Quality Data Re: Kearney Lake and Paper Mill Lake

This item was deferred to the next meeting.

6.3 Gateway Developments- Is there compliance with 2.7?

Mr. Bone advised that the Development Officer has indicated that some of the site work has been completed and landscaping will follow.

Members of the Committee provided comments. The following was noted:

- Concern with a construction blasting error;
- The Development Officer determined that the trees were in compliance; and
- Concern with the remedy in the Development Agreement as well as the assessment and the development.

Mr. Bone advised that he would bring this issue back to the Development Officer for clarification and response.

6.4 Morris Mill Pond- Infill A Water Lot

Mr. Hattin advised that the above noted application is in process with The Navigable Waters Protection Agency.

7. CONSIDERATION OF DEFERRED BUSINESS

7.1 Discussion re: the effectiveness of BWAB's comments on the planning process

This item was addressed under item 6.1. (See Page 4)

8. CORRESPONDENCE, PETITIONS & DELEGATIONS-NONE

9. ADDED ITEMS

9.1 Development Agreement Follow Through

Mr. Bone provided an overview on the above noted.

Mr. Bone suggested providing the BWAB with the opportunity to review Development Agreements that have been given first reading before they go to Regional Council for approval. A first reading occurs two weeks before a public hearing, and two days before the scheduled BWAB meetings. The committee agreed that this would be a good opportunity to see a final product before it goes to Council.

The Committee provided comments on the above noted.

Mr. Hattin advised that he would like a standing item on the agenda titled "*development agreements pertaining to water issues - after first reading*"

Mr. Bone advised that the committee will be provided with the development agreement and the full staff report, after first reading. This will give the BWAB an opportunity to see what is being proposed, staff recommendations, refusals, and why. Mr. Bone further advised that this additional step would provide clarification regarding the BWAB's recommendations and why they are accepted or rejected.

Mr. Bone encouraged committee members to attend public hearings pertaining to water issues to voice their opinions, especially if they have concerns with the documents after first reading. He further advised that the committee should contact the Planner to inform them of their concern, before the hearing, so they will have sufficient time to prepare a response.

Mr. Bone advised that the final staff report includes the recommendations from all sources, and the development agreement showcases how the recommendations plan to be implemented.

Mr. Hill advised there is a feeling of disrespect when the committee's ideas and recommendations are rejected. Mr. Hill further advised that he would like to see a separate report that clarifies why a particular recommendation was rejected.

Mr. Bone advised that reviewing the development agreements after first reading should provide the clarity the committee is looking for. This process should also create better communication among staff and the committee.

Mr. Bone further advised that he would provide the Committee with flow charts at future meetings.

9.2 Youth Representative

Ms. Loney suggested inviting a youth representative to serve on the Committee. She suggested contacting the Principle of Charles P. Allen High School to inquire about any interested students.

10. NEXT MEETING

The next meeting will be on April 11, 2007, in the Nauss Room, Lebrun Centre, Bedford at 7:00 p.m.

11. ADJOURNMENT

The meeting adjourned at 8:45 p.m.

Chrissy White
Legislative Assistant