

BEDFORD WATERSHED ADVISORY BOARD
MINUTES

September 14, 2011

PRESENT: Richard Hattin, Chair
Lem Murphy, Vice Chair
Councillor Tim Outhit

REGRETS: Lynn Davis

STAFF: Andrew Bone, Senior Planner, Planning Services
Cameron Deacoff, Environmental Performance Officer
Paul Morgan, Senior Planner, Regional & Community Planning
Krista Vining, Legislative Assistant
Kim Cahill, Legislative Support

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1. CALL TO ORDER

The Chair called the meeting to order at 7:04 p.m. at the BMO Centre, 61 Gary Martin Drive, Bedford.

2. APPROVAL OF MINUTES – June 8, 2011

MOVED by Mr. Lem Murphy, seconded by Mr. Richard Hattin that the June 8, 2011 minutes be approved, as presented. MOTION PUT AND PASSED.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

The committee agreed to address Item 6.2 Case 17082 – Emscote Development Agreement – Bedford South / Wentworth as the first Order of Business.

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

4. BUSINESS ARISING OUT OF THE MINUTES

Mr. Hattin advised the Board that discussions with the Clerk's Office have not yet occurred regarding the possibility of expanding the influence of the Board to a Northwest Board.

5. CONSIDERATION OF DEFERRED BUSINESS - NONE

6. REPORTS

6.1 Bedford Waterfront Design Study

This matter was discussed later in the meeting, see page 4.

6.2 Case 17082 – Emscote Development Agreement – Bedford South / Wentworth

The following was before the Board:

- A staff memo dated August 29, 2011
- A copy of the Stormwater Management Plan from Mac Williams Engineering Ltd.

Mr. Andrew Bone, Senior Planner, Planning Services, presented Case 17082 to the Board.

Mr. Don Williams, Engineer for Emscote Development, further outlined the locations and approval of the main water system, wetlands and retention ponds within the

development. He indicated that all but one of the wetlands are being avoided because of the continuation of Starboard Drive due to road placement limitations.

Mr. Hattin expressed concern that the design does not account for the two extra offsite retention ponds as compared to previous Cresco plans. He questioned whether or not Cresco could reduce the size of the wetlands. Mr. Williams confirmed that the Cresco Development Agreement has a clause requiring approval from Emscote with the selection of which traffic patterns affect its land. He further confirmed that both parties have already jointly agreed to the cost sharing equations of the retention pond.

Councillor Outhit entered the meeting at 7:20 p.m.

Ms. Kathleen O'Donovan, Emscote Limited, reiterated that everything is being done to avoid the wetlands with the exception of infilling on the mandatory Starboard Road. She indicated that wetlands compensation in the central park area is being planned.

MOVED by Mr. Lem Murphy, seconded by Mr. Richard Hattin, that the Bedford Watershed Advisory Board recommend that North West Community Council accept the Stormwater Management Plan and the concept for the Emscote Development Agreement as outlined in the staff memorandum dated August 29, 2011. MOTION PUT AND PASSED.

6.1 Bedford Waterfront Design Study

A staff report dated June 21, 2011 was before the Committee.

Mr. Paul Morgan, Senior Planner, Regional & Community Planning, reviewed the staff report with the Board.

Mr. Hattin inquired whether title to the Moirs Pond area has been ascertained. He explained that following a title search conducted by Patterson Palmer in 1996 of all adjacent properties in the areas of Phase 1, 2, and 3 of the Bedford Waterfront Development, the question of proper title to the square area of the pond still remained. Mr. Hattin further questioned if the current plan is a hybrid of option three. Mr. Terry Drisdelle, Waterfront Development Corporation, confirmed that it is the preferred alternative to the four plans presented.

Mr. Hattin expressed concern respecting the Moirs Pond as a brackish water situation. He explained the challenge of determining from one day to the next whether it is fresh or salt water due to stormwater entering from Papermill Lake. Mr. Drisdelle indicated that the study acknowledges the challenge and that marine biologists have been approached to question how the water quality can be improved to accommodate a better marine habitat.

The Board discussed the planned canal and double-sided marinas and the corresponding infilling progress. Mr. Drisdelle explained that in order to accommodate the marinas, the canal area will be partially sheet piled. He outlined how the middle

section will consist of shallow water that can be frozen over in the winter for use as a skating pond.

Mr. Hattin questioned the design surrounding the double-sided marines and expressed concern that it will act like a funnel when faced with South-westerly winds. Mr. Drisdelle acknowledged that with further research a breakwater will likely have to be established on both sides. He explained that it will need to be at least three metres above high water as base elevation.

Mr. Morgan outlined the Steering Committee's recommendation to further investigate protection of the Southern marine environment. He indicated that the main area of contention is the island and the shallow reef to the South.

Councillor Outhit sought the opinion of the Board about a manmade approach to the reef. Mr. Drisdelle explained that as a shallow, intertidal reef, were it to be duplicated using a manmade approach, there is no reason the same type of marine species existing in the current environment can not be re-established. He indicated that three components of the area are being taken into consideration: physical attributes, shape and public accessibility. Mr. Drisdelle further explained that the Department of Fisheries and Oceans is interested in having the initiative put forth if an attempt to recreate an intertidal zone in the fill material proves successful.

Mr. Hattin suggested adding an aquarium or marine environment with public access. He noted that integrating an indoor space could be beneficial to coincide with the outdoor marine environment. Councillor Outhit regarded the idea as a good way to give something back to the community.

Mr. Hattin expressed concern with the planned 65 acres of infill in Phase 2 and the oxidation rate of the pyritic slate. He questioned the hydrology and the anaerobic, as well as aerobic activities of pyritic slate when submerged in salt water. He advised that pH levels must be measured at various depths because of both anaerobic and aerobic activity occurring in an area with sulphuric acid present. Mr. Drisdelle assured the Board that ample engineering work will be conducted prior to the start of construction.

Mr. Drisdelle explained that the Waterfront Development's current objective is to acquire approval in principle of the entire plan with the understanding that there are items identified within the plan that require further study such as traffic and sewage capacity. He further explained that once approval is received, construction of the second access point can proceed so that people do not have to continue dealing with truck traffic. Further development of Phase 2 can continue through usage of the second access point.

Mr. Drisdelle reviewed the proposals for a series of green technologies. He explained how bioswales and rain gardens will allow for stormwater infiltration rather than convergence and how roof gardens will be multipurpose, providing an energy component for insulating buildings and adding to LEED certification.

MOVED by Mr. Lem Murphy, seconded by Mr. Richard Hattin the Bedford Watershed Advisory Board recommend that the North West Community Council:

- 1. Endorse the initiation of the proposed amendments to the Bedford Municipal Planning Strategy and Land Use By-law in accordance with the recommendations of the Bedford Waterfront Steering Committee presented in the June 21, 2011 report and;**
- 2. Forward them to Halifax Regional Council with a recommendation to initiate the process for amendment and to follow the public participation program as described in Section 6.0 of the June 21, 2011 report.**

MOTION PUT AND PASSED.

7. STATUS SHEET

7.2 Bedford West Water Quality Monitoring Program

Mr. Cameron Deacoff, Environmental Performance Officer, Infrastructure and Asset Management, explained that a, three-year contractual agreement has been in place for water quality monitoring for sub areas 2, 3, and 4 by SNC Lavalin since 2009 with the possibility of extending an additional five years. Mr. Deacoff indicated that he held two separate meetings with the developers and HRM staff, respecting water quality monitoring and how to address the issues of different phases having overlapping water quality monitoring locations and the need to have continuous monitoring on points that are in play throughout the life of the project.

Mr. Deacoff reported that sub area 5 is nearing completion in terms of allowing development to proceed.

Mr. Deacoff indicated that he met with the developers of sub area 9 on Tuesday September 13, 2011. He explained that the primary concern raised is for HRM to have sampling done on two out of three locations that are identified on the water monitoring schedule this fall to enable them to break ground in early 2012.

Mr. Hattin questioned if the years of base data will be available. Mr. Deacoff advised that the eighth sampling period was conducted in August and the report should be available before Friday; to be circulated to the Board and Committee. He further stated that there will be negotiations conducted with the senior procurement lead of the business unit to develop a scalable monitoring contract that will permit one company to conduct monitoring for various sub areas for a larger period of time rather than separate contracts per sub area. Mr. Hattin acknowledged the Board's support on this matter. Mr. Hattin questioned the water monitoring results thus far. Mr. Deacoff reported that Kearney Lake's latest four monitoring period results indicated phosphorus levels at 0.009mcg/L; the threshold being 0.010mcg/L. Mr. Deacoff further reported that

monitoring has gone relatively smoothly but that it could waiver as more sub areas come on board and if water quality results continue to play with the threshold.

Mr. Andrew Bone, Senior Planner, Planning Services, outlined HRM policy stating that in the event that water quality thresholds are reached, the Municipality will take appropriate course of action with respect to watershed management and future land use in the area. An assessment report must be made available to the public.

The Board discussed the reporting lines regarding the policy and what level of government would be responsible for addressing any issues.

7.4 Development Agreements after First Reading

Mr. Bone reported that sub area 9 will likely go to the North West Planning Advisory Committee on October 5, 2011.

8. ADDED ITEMS – NONE

9. NEXT MEETING DATE

The next meeting is scheduled for October 12, 2011 at 7:00 p.m. at the BMO Centre, 61 Gary Martin Drive, Bedford.

10. ADJOURNMENT

The meeting was adjourned at 8:52 p.m.

Kim Cahill
Legislative Support