



**Public Information Meeting
Case 21402**

The following does not represent a verbatim record of the proceedings of this meeting.

Wednesday, August 21, 2024

1-4 pm and 6-8:30 pm

Bedford United Church, (1200 Bedford highway, Bedford, NS) – Church Hall

STAFF IN

ATTENDANCE:

Maureen Ryan, Planner III, HRM Planning
Jessica Harper, HRM Principal Planner, Rural Policy and Applications
Tara Couvrette, Processing Coordinator - Planning, HRM Planning
Lisa Arblaster, Planning Information Analyst, Planning Information Services
Katie Clark, Planner II, Regional Planning
Claire Tusz, Planner III, Suburban Plan
Helen Langille, Program Engineer, Development Engineering
Shannon O'Connell, Senior Program Engineer, Development Engineering
Victoria Fernandez, Program Engineer, Development Engineering

ALSO IN

ATTENDANCE:

Pam Lovelace – Councillor, District 13 (Hammonds Plains, St. Margarets)
Tim Outhit – Councillor, District 16 (Bedford, Wentworth)
Ben Jessome, Hammonds Plains-Lucasville – Liberal MLA
Steve Craig, Sackville Cobequid – PC MLA
Andy Fillmore, Former Halifax MLA

PUBLIC IN

ATTENDANCE:

Approximately: Afternoon meetings = 45, Evening meeting = 32

1. Call to order and Introductions – Maureen Ryan, Planner

Case 21402: Sackville and Little Sackville Rivers Floodplains

Ms. Ryan introduced herself and the rest of the team. Ms. O'Connell provided the land acknowledgment.

2. Presentations

2a) Presentation by HRM Staff – Helen Langille

Ms. Langille's presentation included information on the following:

- (a) Project history review;
- (b) Floodplain Modelling update;
- (c) a brief description of the draft regulations;
- (d) what public engagement has been done.

2b) Presentation by HRM Staff – Maureen Ryan

Ms. Ryan's presentation included information on the following:

- (a) Spoke about the plan areas that amendments are being made for,
- (b) Floodplain zones, permitted uses, conditions, existing residential uses, expansion of the existing residential uses, floodproofing,
- (c) Floodway fringe overlay zone, permitted uses, conditions, floodproofing,
- (d) Key elevations, Areas no longer in the floodplain, Policy review, next steps

3. Questions and Comments

Ms. Ryan welcomed attendees to ask questions to staff and the presenters and provide their feedback, including what they liked and disliked about the proposal.

1st Session 1:38 – 2:26 pm

Resident, Sackville:

When can we get this done? Can HRM come up with a working policy where all rivers in HRM will be mapped, zoned and protected. Why wasn't the sub watershed taken into effect, for example Sandy Lake, Lewis Lake and Tomahawk into the calculations.

Ms. Ryan – provided explanation.

Resident, Sandy Lake:

Understands that watershed is a lot bigger than the areas shown on the maps and want to express concern that they haven't been considered. There were lots of people that were drastically affected by floods of last year. Concerned about the possibility of doing any kind of grade alteration or structures being built in the floodplains as we know them now. Once something like this is done it is going to prevent water from coming into that space and water then gets displaced into somebody else's property. Doesn't see any way this can be done at all without effecting other people and that's not right. How is the information being communicated to the public – stated they did not receive any notification about any meetings and neither did one in their area.

Ms. Langille – provided explanation. They also stated Sandy Lake, Lewis Lake and Tomahawk Lake are all included in the model just not in the floodplain map and explained why.

Ms. Ryan explained a notification was sent to all property owners within the floodplain.

Association Representative, Spryfield, Ecology Action Centre:

Concerns that the modelling correctly responds to the Sandy Lake sub watershed because it is largest sub watershed is the Sackville Rivers watershed, so we want to make sure it is included in the modeling. When you were describing the modeling between 2017 and 2024 has that modeling considered the development scenario in Sandy Lake might have changed between 2017 and 2024. There could be more parts of the sub watershed that are paved over.

Ms. Langille spoke to the 2017-model vs the 2024-model.

Ms. Fernandez spoke about Halifax Water and new development.

Resident, Union St.:

Was very effected by the flooding last year. Flooding starts first with the sewer and then the river water. What do we do?

Ms. Ryan provided explanation and spoke about the recommendations.

Councillor Outhit explained that a motion was taken to council to buyout the homes on Union St. The motion was passed to write the province asking that this been done. The province distributed federal money and the province must go to the feds and ask if they can use that money to buy homes as well as fix home. We wrote the province, and that letter has been acknowledged and Councillor Outhits understanding is that they have not received an answer yet.

2nd Session 2:42 – 4:05 pm

Bedford Business Owner, Bedford Highway:

Their comments were about the history of the Sackville River. 1480 Bedford Highway is where their offices are, and they have seen all the floods/flooding – most of the floods were caused by ice backup etc. until this past July. That one was tropical, and this type of flooding has never been seen before. When they put water and sewer in Sackville they brought the main sewer line down across the island which is below the Superstore. Then they cut it across the narrowest part of the Sackville River. They made the channel where my offices are more narrow and higher than it ever was. This is what made the flooding worse. What you must do is lower the channel and widen the river so it can handle these

big floods. This way the water up stream can get out. The bridge that is at, what used to be the Tolson Woolen Mill, and now is the fish hatchery property, the bridge that is there now is in the wrong direction, that needs to be changed. Offered to sell HRM their property and then you can widen the river.

Ms. Ryan provided answer - recommendations.

Ms. Langille spoke to widening and dredging the river. It is correct that river widening and dredging projects have been implemented in several locations across the world to varying degrees of success. In many of these applications, dredging and widening activities were initially conducted to create or maintain a navigable channel for the purposes of transportation – this would not be the case for the Sackville and Little Sackville Rivers. Dredging and widening work is an ongoing process, with significant consequences for environmental and ecological health and long-term river stability being very likely. In the recommendations HRM has received to date through the numerous Sackville Rivers studies done to this point, dredging and channel widening were not recommended due to the complicated nature of the work, and the very considerable associated expense for what was likely to be only a moderate potential decrease in water levels during a high flow event. The 2020 Mitigation plan study did present the option of constructing an emergency overflow channel in “Area 1” between Range Park and Fish Hatchery Park at an estimated cost in excess of \$240M (2020 dollars), should planning and development regulations be deemed insufficient. Dredging and channel widening were not otherwise recommended, and significant additional engineering and environmental investigations would need to be completed before such a drastic and potentially hazardous action could be reasonably considered.

Resident, Shore Dr.:

Our property is a little tiny section in the floodplain zone, does that mean out whole property is going to be nonconforming?

Ms. Ryan – No, The Floodplain Zone will only be applied to the portion of the property that is within the floodplain.

Ms. Langille also spoke to future forecasting

Resident, Bedford West:

If the province acquires properties along Union St. would that not complicate things with widen sections of the Sackville River? Wouldn't the province have to transfer ownership of the properties to HRM? Does a larger block purchase like that give the municipality greater opportunity to mitigate the flooding that could occur through that channel? Are there anticipated or unanticipated downstream damages that have been caused by such a massive storm that would have had unanticipated impacts on the natural flow of Sackville River. Have there been changes to the flow that are temporary or permanent based on what happened during that flood?

Ms. Langille – stated in most case the province buys the properties but then transfers ownership to the municipalities. There is the potential to mitigate the flooding that could occur through that channel through re-naturalizing those sections of the channel that has been acquired.

Ms. Fernandez – spoke to the natural chancel of a river, flooding, as well as damages and impacts.

Resident, Middle Sackville:

Currently has an approved building lot in a residential zone that is in the floodplain. So would this land be worthless if I don't get the permits before the proposed regulations take effect. Would you buy my lot out at fair market value? Who would determine that? How do I stay on top of all of this?

Ms. Ryan advised they would need an approved development permit and building permit before these new amendments go through in order to build on a lot in the floodway. You should follow the floodproofing recommendations when you are building it. You would need an approved permit for development before that first notice appears. Buying out properties is a decision beyond the scope of this project. Stay in touch with the website, stay in touch with us.

Resident:

The flood zone is only affecting the portion of the property that is in the flood zone. Only a corner of my house is in the floodplain, would it apply to the whole house or just that corner of the house?

Ms. Ryan – It would only apply to the portion of your house that is in the floodplain.

Resident, Sanwick Dr.:

One option was constructing the McCabe Lake outlet structure – just wondering what that is.

Ms. Langille – the structure already exists (it is a notch weir) – the recommendation is to reconstruct the outlet at McCabe Lake. That is all the information that we have currently.

Resident:

There is landscaping called sponges, which they have been doing in cities around the world, and one place they think a sponge could be created would be the parking lot of the Superstore.

Ms. Langille – Can't say it is possible to do that but something to think about.

Resident, Bedford West:

Respect that the study was singularly focused on the engineering aspect of how to mitigate flood damage going forward however, is there a part two that is considered, an economic impact study or forecast? Whether conducted by the city or property evaluation services to determine what the impacts would be. Not just to properties that are now in floodplains that were not before but vis versa and how that effects market value of their homes. For those property owners that now have just a portion of their properties in a floodplain zone is there some sort of priority service that is available from HRM or a related agency to survey their property and mark the boundaries of that area of their property?

Ms. Ryan – we have not done that study. Determining the impact of values of properties within the floodplain is very subjective and beyond the scope of this project. All studies that have been done are available online. We follow the rules and regulation that are in place at the time requests are made.

Bedford Business Owner, Cascades Spa

Hired an engineer to come in and check the foundation and footing to because although they had to physical damage from the flooding last year they were concerned because they are right on the river. What they were told was the new rock that was installed around the bridge, by Halifax Water, to protect their infrastructure in the area. This new rock encroaches your property and will very likely cause erosion upstream due to not providing a smooth transition along the bank. They have fought with Halifax Water who says, no it is HRM, no it's the province, no it's the Department of Environment, I am like a hamster on a wheel. The biggest part of this is that they told me it has created an ebb and flow where the flow used to come down the river and ran out to sea and now it has created this whirlpool which the engineers feel is going to cause extra problems for me. I need somebody to help me because I may not be as lucky next time.

3rd Session 7:30 - 8:35 pm**Resident, Sandy Lake:**

Wanted clarity around what could be done in the 1–100-year flood plain vs the 1-20-year floodplain.

Ms. Ryan explained that in the 1–20-year floodplain you could rebuild a commercial building in the same footprint. In the 1-100-year floodplain the building can be built in accordance with the requirements of the underlying zone that currently applies to the property but the building would have to be floodproofed.

Resident stated that even though a building is built to be floodproofed, it is still displacing water when the flood does happen, and that water must go somewhere else. That could be into a neighbouring property that wouldn't have flooded otherwise. That is one building but if you put 10 buildings that are displacing water it will affect a lot more properties. Is it the person doing the development that would pay for the engineer to make the building floodproofed? Would there be protections built into allowing somebody to build a building and like this and then they don't follow the standards?

Ms. Ryan stated buildings can be design for flowthrough and to withstand a flood. Gave an explain of sun tower on the Bedford highway. Yes, the person doing the development would be responsible for the engineering costs. The proposed regulations if adopted by Regional Council, will be enforced.

Ms. Langille It would be the financial responsibility of the developer to provide satisfactory evidence

to the municipality that the proposed development will meet the requirements (flood proofing, no negative impacts to neighbouring properties or upstream and downstream properties, ultimate land use, etc.) of regulations. If the developer/proponent does not meet the necessary requirements to build, that approval would not be granted by the municipality.

Resident, Lwr Sackville, Memory Lane:

Thinks the steps are backwards. Their suggestion would be to follow some of the other mitigation procedures first as to not destroy the value of some people's properties. Feels all the development that has happened, and the hard surfaces, increase in population, are causing the issues we are seeing today. Has this plan taken into consideration the effect it is going to have on property owners within the flood zone, when they go to renew their mortgages, and they are told they are now going to need flood insurance and the costs involved with that? What if somebody wants to sell their home – this is going to drop the property value and cause buyers to walk away from deals because we are now in a floodplain zone. Is under the understanding that if your property is within the floodplain zone and gets water on it then you are limited in the possibility of developing your property. I was at the public engagement in 2018 and that was not public engagement. Nobody could answer any of my questions. There was a step missed. This is public engagement.

Ms. Ryan explained the floodplain zones and that only the portion of the property that is encompassed by the zone will be affected by the zoning. Also spoke about the recommendations and affects of the flood zone and evaluations of properties.

Resident, River Lane:

Do you have to apply for permission to make your driveway bigger/wider? The asphalt, or whatever is used to make it wider, would create a problem because the lawns then can't absorb the water and it is causing flooding. With the housing crisis situation, we have to get more and more houses and less soil to absorb the water which will be an issue. Stated the restricting of the 102 will cause the flooding to be much worse – was this taken into consideration? If we have another storm, like the one we had last year, what are we going to do to mitigate that flooding? Suggested a monsoon rains storm, maybe not to that scan, but you could raise the sides of the river and dig it deeper to help with the flooding. You need to do some mitigation now so that there still is a Bedford in 20 years to continue to do mitigation for. If this type of flooding keeps on happening everything will be ruined to the point of no return.

Ms. O'Connell – only for the road opening, believed it would be a development permit.

Ms. Ryan agrees that the creation of more impervious surfaces could be contributing to our downstream flooding problems. We do not have authority over provincial road building. Spoke to managing water. Halifax Water would do the best that they can to mitigate any damages if another storm was to happen. We can't stop the storm from coming but we will do what we can to manage the storms as best we can. Decisions are taking place, on multiple levels, that are targeted towards addressing some of the long-term issues. Spoke about acquiring properties to help in mitigation.

Ms. Langille the report recommendations are given in the order they are given in for a good reason – this is because if we do not start with limiting development in at-risk areas, development will continue. It is irresponsible to invest in protective infrastructure while simultaneously allowing development to occur that could potentially overwhelm that same protective infrastructure. Flooding will happen, and because floodplains are part of the natural footprint of a river, it is in the best interest of residents to do our best to maintain the natural floodplains we still have. Once those areas are protected from development, we can then invest in infrastructure upgrades with an understanding of the extent of the protected floodplain.

Resident, Union St.:

Spoke about flooding over the years – what you put on these properties can affect what happens downstream and upstream.

Resident, Lucasville:

Stated this data is already 5 years old and if you plan on doing a 10-year review that LiDAR information will be 15 years old. Looking at the mapping – the grades have changed, and a lot of new structures have been built. Have you done a building permit review to see what may have changed? There is also a lot of changes due to the 2023 flood – has that been considered? None of these are

reflected in the 2019 LiDAR that was used for this study. Does LiDAR see under decks etc.? Does LiDAR determine basement levels? More detail needs to be thought into that. Hopes that there would be a simple, fair, in expensive process to correct any inaccuracies in the future.

Ms. Langille spoke to the accuracy of LiDAR and how it works. She stated that the LIDAR is accurate within 10 centimetres. Acknowledges that the tools we have are not perfect, but they are the best tools that we have right now to work with. We must make decisions with the information we have and when the technology gets better, we can make new decisions based on that.

Resident, Bedford West:

Seems like the order of operations here has a lot to do with addressing unintended consequences in what seems like the most rational order on how quickly things can be done. Does that also mean that in tandem you are looking at those mitigation efforts that are recommended much later in the order of operations? What best practices are there for those mitigation efforts and have the cost for those efforts been gained out to know how realistic they are and what type of timeframe they can be implemented? This will not reverse anything – it will just hold the line?

Ms. Langille the simple answer is yes and provided explanation. Yes, this is correct. We are also working on the additional recommendations from the reports – we are starting with the land use regulations first because that will help us establish where and what kind of additional development is and is not permitted – and this knowledge will allow us to make decisions with more certainty about infrastructure development than would have been possible otherwise.

Ms. Fernandez also spoke about mitigations and how they work and sometimes don't work.

Councillor Pam Lovelace:

In 2016 a motion was put forward to develop a Rural Action Committee. That Rural Action Committee kind of fizzled away but was brought back in 2022. The up-stream development in East Hants is costing our property taxpayers here in Sackville and Bedford. We need to be able to work better with East Hants considering those are provincial roads and they don't have water and utility managing their storm water and development leads to more unmitigated storm water. Speaking about the role of Halifax Water – much of the storm water infrastructure, the large culverts – those are owned, managed, and maintained by Halifax water. Their 2019 resource plan, I want to make sure that we are also feeding into that work that they are doing. As we are thinking about what development looks like and what changes are needed, we also need to think about those major assets that are needed as well. We don't have private mapping for the private infrastructure that exists on private property. I think we need to find a way to see that those are integrated into the overall system in some way to know if they may be adding to the problem. We also need to look at square footage of businesses of allowable commercial activity spaces for evacuation measures by square footage – they will be different depending on the size. Disagrees with the 10-year review, we are updating the Regional Plan every 5 years. That Regional Plan is having an extreme impact on looking at what those unintended consequences are in development and rethinking development. More importantly right now, we have 15 Special Planning Areas in HRM designated by the provincial government without the input of HRM leading to 300,000 units. Caution to think that 10 years is going to be adequate. It should be done every 5 years – the same as the Regional Plan.

Ms. Langille stated 10 years would be the maximum there is nothing stating that it couldn't be sooner.

Consultant:

Wanted to say you did a great job. There is flexibility in the use of the development tools and there is a lot there to work with. Appreciates this as a first step. Also knows, after Looking at those maps that Dawn Amber had, how much development took place and how much of that development was not done managing storm water. This community of Bedford is losing it community because somebody else got new properties in new areas. You must get with East Hants and work out these mitigations so it can be worked out.

Mr. Langille – spoke to goals of these mitigation measures.

Ms. Ryan agrees that we need to work with East Hants more closely.

Resident, Sackville:

Thank you for coming out. This plan is long overdue, and it needs to be passed – please get it passed. The Sackville River is very important but there are over 100 rivers in HRM would you please work to make it policy to have all the other rivers be mapped, zoned, and protected for our local environments. Disappointed not to see the floodplain applied to Sandy Lake, Lewis Lake, and Tomahawk Lake. Why were these left off?

Ms. Langille - it is our plan, long term, to map all of the rivers in HRM. There is high level mapping for the municipality. Stated they know this is a missing piece of the mapping – the additional lakes are included in the modeling of the floodplain mapping that exists but was not within the original scope of the project to map the floodplains in this area. The project was designed to update the floodplain maps along the Sackville and the Little Sackville rivers.