

**Extract of North West Community Council Minutes - February 24, 2000**

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**14. PUBLIC PARTICIPATION**

Mr. Walter Regan, Sackville Rivers Association raised the following points:

- He asked for the status of dam repairs on Paper Mill Lake. In response, Councillor Kelly advised that discussion has been taking place between the property owner and BWAC. He pointed out that the dams are the responsibility of Annapolis Basin to ensure their structural integrity. He understood further inspection would take place in the spring.
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#### **14. PUBLIC PARTICIPATION**

Mr. Walter Regan, Sackville Rivers Association raised the following points:

- He understood there was an engineering report prepared for the owners of the dams at Paper Mill Lake, Kearney Lake and Ashe Lake and asked if it would be possible to obtain a copy. Len Goucher, Bedford Waters Advisory Committee, advised that Annapolis Basin, the owners, indicated they would provide a copy for BWAC but it had not been released. He understood there would be some superficial work done on the Paper Mill Lake dam. Annapolis Basin has approached the Municipality to take over Paper Mill Lake dam. He believed there were significant problems with the Paper Mill Lake dam.

Mr. Regan asked that Community Council get involved because of the public safety aspect and there might be an environmental issue as well because gaspereaux were piling up against the dam.

It was agreed that this question would be sent to Engineering Department as well as Dangerous and Unsightly on the issue of public safety for the three dams, particularly Paper Mill Lake Dam, and if an attempt has been made to acquire a copy of the engineering study and if not, to do so.

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## Extract of North West Community Council Minutes - September 28, 2000

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### **14. PUBLIC PARTICIPATION**

Mr. Walter Regan, Sackville Rivers Association raised the following points:

He acknowledged the report on the dam at Paper Mill Lake but asked for an update. In response, Councillor Kelly advised that the owner has been advised of the dam's condition. Department of Environment and Department of Fisheries have been informed. It was not an HRM responsibility although they will be monitoring the situation. Internally the dam was considered structurally sound but externally it did not look good. He understood there were plans to upgrade.

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**16. PUBLIC PARTICIPATION**

Mr. Walter Regan, Sackville Rivers Association raised the following points:

He asked if the dam at Paper Mill Lake was safe and if it was possible that HRM could look at it. In response, Councillor Goucher advised no one had a greater concern with that dam than he did because he lived so close to it. He described the attempts made to date to obtain the report.

Kevin Dean, Bedford Waters Advisory Committee also provided information on attempts to obtain a copy of the engineering report. He explained that he understood the problem was a provincial environment matter.

**MOVED by Councillor Goucher, seconded by Councillor Johns to request a copy of the engineering report on Paper Mill Lake from Annapolis Basin Group, with a copy of the letter being sent to Peter Christie, Minister of Community Services, who is the provincial representative for this area. MOTION PUT AND PASSED.**

**14. PUBLIC PARTICIPATION**

Mr. Walter Regan, Sackville Rivers Association raised the following points:

With regard to the dams at Paper Mill Lake, he asked if the engineering report was available. In response, Councillor Goucher advised that the actual report was a threeliner.

The dam needed superficial work at this time but in four to five years, there would be a problem. He met with Archie Hattie, President of Annapolis. A stormwater management plan is underway for the entire area at this time. Part of the study involves the three dams.

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## **Extract of North West Community Council Minutes - July 12, 2001**

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### **10.2 Annual Review of the Paper Mill Lake Advisory Committee**

A Staff Report dated July 3, 2001 was before Community Council.

Councillor Goucher provided background information on the formation of this Committee over a year ago, the mandate of the Committee and what has transpired as far as the proponent is concerned.

Thea Langille-Hanna, Planner provided an overview of the report and the recommendations contained therein. During her presentation, she advised that staff was concerned that the educational component of the Committee has not gone forward which could actually assist in eliminating some of the actual violations such as have occurred in the past.

Councillor Goucher then requested that the Chairman of the Paper Mill Lake Advisory Committee be permitted to speak. He indicated that approximately 95% of the Committee's time has been relegated to contacts with the developer and legal implications and weaknesses under the Municipal Government Act. There has not been much time to follow the education component, not only on the part of the Committee but staff as well.

Mr. Kevin Dean, Chair, Paper Mill Lake Advisory Committee raised the following points:

- The Paper Mill Lake Advisory Committee was not made aware of the contents of the report prior to Community Council receiving it.
- Efforts have been on-going since July, 1997 to have the developer comply with the terms of the Development Agreement.
- ~~The primary focus has been to get the developer to the table, to focus on prior~~ violations and try to work with the developer on a positive basis so that the development can go ahead under the terms of the Development Agreement.
- A representative of the developer is now attending meetings.
- The Committee has been instrumental in getting staff to seek the correct legal process for enforcement of Development Agreements.
- Weaknesses in the Municipal Government Act have been identified. The wording of the Act did not provide the power to enforce certain violations of a Development Agreement.
- The developer realizes the Committee will persist until the Development Agreement is adhered to and will work with the developer on a positive basis.
- The Committee will continue to encourage HRM to improve the terms of Development Agreements for the good of the community.
- An internal committee in HRM has been formed to review procedures of By-law enforcement.
- With regard to the statement in the report that the Committee has made little effort in instituting an awareness program, the report does not give credit to the number of hours given by volunteers on the main focus of getting the developer to the table, stop the violations and work with the developer on a positive basis.

- The developer is now much more aware of environmental stewardship than before the Committee started.
- As to duplication of the mandate with Bedford Waters Advisory Committee, certain items from the Committee are brought to Bedford Waters Advisory Committee for information only.
- As to membership, the Committee has not been strict on non-voting versus voting members but tried to ensure that all members have a say on all matters. The Committee discussed adding members a few months ago but decided not to do so.
- It was felt that the Committee should continue on its present terms and not on the terms recommended by staff.

Councillor Goucher acknowledged there was agreement that the Committee should continue but there were differences in opinion as to the Terms of Reference.

**MOVED by Councillor Goucher, seconded by Councillor Johns to continue the Paper Mill Lake Advisory Committee for an additional one year period but that the Terms of Reference and Staff Report be referred back to staff and the Committee for discussion. Further, that a report should come back to Community Council for its September meeting. MOTION PUT AND PASSED.**

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## **Extract of North West Community Council Minutes - October 25, 2001**

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### **9.1 Correspondence**

9.1.1 A letter dated October 3, 2001 from the Minister of Environment regarding Paper Mill Lake - Dam Safety was before Community Council in response to Community Council's question at the last meeting of Community Council

Councillor Goucher advised that subsequent to the Minister's letter, he had conversation with the Minister and expressed concern that the letter indicated that if Annapolis Group Inc. does not re-establish the permit, it is incumbent on them to dismantle the dams in a safe and orderly manner, which basically means draining the lake. The Minister indicated he would investigate further. The Councillor agreed to keep Community Council advised.

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**Extract of North West Community Council Minutes - November 22, 2001**

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**15. PUBLIC PARTICIPATION**

Mr. Walter Regan, Sackville Rivers Association raised the following points:

He attended the informative Open House regarding the Moirs Mill infilling. As part of the compensation package, Sobey's has agreed to put a fishway over the first dam at Paper Mill Lake. To build one fishway was not, in his opinion, adequate compensation.

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**14. PUBLIC PARTICIPATION**

Mr. Walter Regan, Sackville Rivers Association:

In response to a question from Mr. Regan regarding the status of Paper Mill Lake Dam, Councillor Goucher advised that a meeting had been recently held with Ministers Tibbo and Christie. He indicated that although there was no resolution to the matter, the meeting provided an opportunity for an exchange of issues. Councillor Goucher went on to note that a petition, containing 2000 names, is circulating. The petition is in essence against any in filling of Moir's Pond.

Councillor Goucher noted that the dam has continued to deteriorate. The Province has a temporary permit (one year) in place with regard to the dam and must report quarterly with regard to the condition of the dam. A report must be filed with the Department of Transport at the end of the one year period regarding the safety of the Dam and how they intend upon repairing the dam. If that report is not forthcoming, the Department of Transport can order the dam dismantled and the land reclaimed. In essence the lake will disappear. Councillor Goucher indicated that loss of the lake is a very remote possibility.

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**14. PUBLIC PARTICIPATION**

**Walter Regan**, Sackville Rivers Association:

Mr. Walter Regan requested updates on the following, to which Community Council responded:

- 60 Acres - Second Lake
- Shopping Cart By-law
- Bridge - Sackville Drive
- **Dams at Paper Mill Lake**

**14. PUBLIC PARTICIPATION**

**Walter Regan:**

Mr. Regan indicated that he supported fish ladders over the dams at Papermill Lake, Quarry Lake, and Kearney Lake dams.

## **Extract of Minutes - Joint Meeting of Chebucto, North West, and Western Region Community Councils - April 12, 2006**

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### **2.1 Project 00382 - Bedford West Master Plan**

Councillor Mosher requested staff make it very clear at Regional Council that HRM is not planning to take over the private dams, re: page 3 of the staff report dated April 4, 2006. HRM is concerned with the environmental protection of the dams. She added that private businesses own the dams and are paying for the study and monitoring of the dams.

Councillor Goucher clarified that the three dams in this system; Quarry, Kearney and Paper Mill Lake, are currently owned by Annapolis Group but would be turned over to a Midland Waterway Commission to be established by the province of Nova Scotia. He further advised that one dam is complete, the second will be commenced in the fall 2006 and the third in 2007.

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**14. PUBLIC PARTICIPATION**

Walter Regan, Sackville Rivers Association:

Mr. Regan asked what the status was regarding upgrades to the Papermill Lake dam. Councillor Outhit advised that two of the three dams have been upgraded. The third dam is sound. He noted that discussions are ongoing between Clayton/Bedford West Holdings and Annapolis with regard to what is required as a result of the stormwater requirements for the new developments. The need for improvements to the dam is being actively discussed and is being monitored by the Province and HRM.

Mr. Bone confirmed that he had spoken with Annapolis, on behalf of the Bedford Watershed Advisory Committee, approximately three months ago and Annapolis had advised that there was no plan to upgrade at that point. Annapolis needs to determine what is required to accommodate additional stormwater runoff that could come from the Bedford West developments. He noted that he did not know of any discussions between Bedford West and Annapolis. Councillor Outhit indicated as a result of this concern, both Kelly Regan, MLA and himself have looked into this matter to try and move this item along. Mr. Regan requested that when the decision is made, it be made public.

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**12.1 Councillor Outhit – Request for Letter re: Papermill Lake Dam**

**MOVED by Councillor Outhit, seconded by Councillor Lund that North West Community Council write a letter to Nova Scotia Environment requesting an update on the Dam at Papermill Lake owned by Annapolis Group. More specifically, the Community Council would like information on the following:**

- 1. History of past inspections of the dam and the findings of those inspections.**
- 2. Are there any future inspections planned?**
- 3. Are there any outstanding or planned provincial regulatory or court orders relating to the dam?**
- 4. Are there any anticipated upgrades and the timing of those upgrades?**
- 5. Are there any potential penalties if the dams are not upgraded by Annapolis, and what penalties could be levied?**
- 6. Are there any planned actions by the Legislature relating to the dams? (ie. Private or Government Bills)**
- 7. Are there any other relevant developments relating to the dam?**

Councillor Outhit requested the letter be sent to Ms. Christine Penney, Regional Director and copy Kelly Regan, MLA, Bedford-Birch Cove, as well as the Ministers of Environment and Transportation and Infrastructure Renewal.

**MOTION PUT AND PASSED.**

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## **Extract of Draft North West Community Council Minutes - August 11, 2011**

### **4.1.3 Paper Mill Lake Update (see Information Items 1&4)**

Correspondence to and from Ms. Christine Penney, Regional Manager, Nova Scotia Environment, dated July 28, 2011 respecting Paper Mill Lake Dam Update, as identified under Information Items 1 and 4.

Information Item 4 brought forward under Item 12.2 during the approval of the Order of Business.

Item to remain on the Status Sheet.

### **12.2 Information Item 4 - Correspondence from Ms. Christine Penney, Regional Manager, Nova Scotia Environment, dated July 28, 2011 re: Paper Mill Lake Dam Update**

A copy of Ms. Penney's July 28, 2011 correspondence was before the Community Council for review.

Councillor Outhit noted that he will continue to follow up with Ms. Penney and HRM staff. He has asked HRM staff to arrange an inspection of the dam and he will keep Kelly Regan, MLA Bedford-Birch Cove, informed as this is a Provincial matter.

It was noted that former Councillors Len Goucher and Gary Martin had made similar requests for updates on the Paper Mill Lake dam during Community Council meetings. The Community Council **requested the Clerk review past North West Community Council minutes and provide extracts of discussion on the Paper Mill Lake dam, for the Community Council's review.**

During the ensuing discussion, it was noted that Councillor Hum has also raised similar concerns pertaining to water levels and dams during a recent Council session.

Councillor Outhit further clarified that the two dams owned by Annapolis Group have been upgraded to meet Canadian Standards and Paper Mill Lake dam is awaiting modifications.