

**HALIFAX REGIONAL MUNICIPALITY**

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**HALIFAX REGIONAL COUNCIL  
COMMITTEE OF THE WHOLE  
SEPTEMBER 23, 2003  
MINUTES**

**PRESENT:**

Mayor Peter J. Kelly  
Councillors: Steve Streach  
Ron Cooper  
Brian Warshick (1:30 p.m.)  
Condo Sarto  
Bruce Hetherington  
Jim Smith  
John Cunningham  
Jerry S. Blumenthal  
Dawn M. Sloane (1:30 p.m.)  
Sue Uteck  
Sheila Fougere  
Russell Walker  
Linda Mosher  
Brad Johns (2:20 p.m.)  
Robert P. Harvey  
Len Goucher  
Reg Rankin  
Gary G. Meade

**ABSENT:**

Deputy Mayor Harry McInroy  
Councillors: Stephen D. Adams

**STAFF:**

Mr. George McLellan, Chief Administrative Officer  
Mr. Wayne Anstey, Municipal Solicitor  
Ms. Jan Gibson, Deputy Municipal Clerk  
Ms. Patti Halliday, Legislative Assistant

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1. **CALL TO ORDER**

Mayor Kelly called the meeting to order at 1:00 p.m.

1. **APPROVAL OF MINUTES - June 17, 2003**

**MOVED by Councillor Blumenthal, seconded by Councillor Hetherington, that the minutes of June 17, 2003, be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.**

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

Mayor Kelly noted that, due to technical difficulties, Item 5 - Blasting By-Law would be addressed before Item 4 - Water Resource Management Study.

**MOVED by Councillor Blumenthal, seconded by Councillor Hetherington, that the Order of Business be approved, as amended. MOTION PUT AND PASSED UNANIMOUSLY.**

5. **BLASTING BY-LAW - Staff Presentation**

C Correspondence from Wayne B. Ingalls, dated September 22, 2003, regarding the above, was circulated to the Committee.

Mr. Peter Duncan, Regional Planning Manager, Environment, made a presentation to the Committee regarding the Blasting By-Law. Copies of the presentation were provided to members of the Committee.

In response to the correspondence from Mr. Ingalls, Mr. Duncan stated that staff will bring forward some recommendations with regard to well surveys.

Councillor Mosher expressed thanks to staff for their work on the by-law and stated she believes it will protect the residents, their properties and the environment. The Councillor stated the only issue she has with the proposed by-law is with respect to blasting on weekends and holidays and noted she will be addressing this further when the by-law goes before Council.

**MOVED by Councillor Mosher, seconded by Councillor Goucher, that it be recommended that Regional Council approve, in principle, By-Law B-600 Respecting**

**Blasting, and direct staff to proceed with its formal introduction.**

With respect to upcoming blasting on Young Avenue due to the harbour solutions project, Councillor Uteck stated she would like to see some coordination of this with HRM's construction schedule.

(Councillor Sloane took her place at the meeting at 1:30 p.m.)

Councillor Blumenthal also spoke against permitting blasting on weekends. In response to a question of the Councillor as to whether or not anyone has been fined in the past with respect to blasting, Mr. Duncan responded, to his knowledge, there have been no fines levied. Councillor Blumenthal stressed the importance of enforcing the by-law once it has been approved. The Councillor inquired how surveys will be conducted, particularly on areas that are built on rock. Mr. Duncan responded that the area to be surveyed will be based on the weight of the explosive charge to be used which is based on the property damage threshold.

With respect to laying charges in the past, Mr. Wayne Anstey, Municipal Solicitor, stated the main difficulty was with the reliability of available evidence and the fact there were no staff members fully dedicated to this by-law. However, he noted it is anticipated the proposed by-law will resolve these issues and increase compliance with the by-law.

Councillor Hetherington inquired if there are any exemptions in the by-law for government work. In response, Mr. Duncan stated there are no specific exemptions in the by-law, other than for issues such as underground mines.

Councillor Goucher stated he believes all monitoring and reporting through the fee structure should be coming to HRM. With respect to the formula used to determine the notification area, he stated he would like to know more about how this works. In response, Mr. Duncan stated he selected several sites that had blasting permits over the last year to compare what the pre-blast survey is now versus what it would have been had the new by-law been in place. He agreed to bring this information back to Council.

With respect to wells, Councillor Goucher stated he would like to have flow rate testing taken into consideration as an option, if requested by a resident. In regards to 10.1 (2), the Councillor stated he would like to see consultation with the District Councillor added and asked that this be considered by staff. In response, Mr. Duncan stated there will be several administrative procedures required if the by-law is adopted, one of which will be under what situations are public information meetings held. He stated this could be brought back at some future date.

Councillor Goucher inquired how often the Qualified Monitor needs to submit reports. Mr. Duncan responded if there is no exceeding of the levels it is every week. The Councillor stated he believes it to be too long and would like to see this clearly defined in the document. Councillor Goucher also expressed thanks to staff for their work on this by-law.

With respect to monitoring, Councillor Walker stated he would like to see HRM being responsible for this and not an outside firm. In response, Mr. Duncan stated the only reason he did not recommend this was because he would not want to see HRM take on a large monitoring program unless absolutely necessary. However, he suggested the process could be monitored to see how it works over the next six months to a year, and then it could be changed, if necessary. Councillor Walker stated he will raise this further during the public process. With regard to the pre-blast survey, the Councillor stated if the companies decide to blast heavy, then they are affecting outside the survey area and these homes will not be inspected for damage. In response, Mr. George McLellan, Chief Administrative Officer, stated this cannot be controlled regardless of the size of the survey area, but noted this proposed by-law will have greater penalties in place. Councillor Walker suggested HRM should be over-cautious rather than under-cautious when doing pre-blast surveys and past history and rock in the area should be taken into consideration.

With regard to the pre-blast survey, Councillor Sloane stated she would prefer that it be performed by certified engineering technologists.

Councillor Warshick suggested that an on-site phone number be included, if possible, under Item 10.1 (a) regarding notification.

Mayor Kelly thanked Mr. Duncan for his presentation.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**4. WATER RESOURCE MANAGEMENT PROJECT**

- C A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before the Committee for its consideration.

Mr. John Sheppard and Ms. Anne Joyner, Dillon Consulting, presented the Water Resource Management Study to the Committee, copies of which were provided to the members of the Committee.

Councillor Johns took his place at the meeting at 2:20 p.m.

Mayor Kelly noted there had been a request from Mr. Shalom Mandaville to address the

Committee on this issue. It was agreed to grant Mr. Mandaville five minutes for his presentation. Mayor Kelly thanked Mr. Mandaville for his presentation. There were no questions from Council.

Staff responded to questions of Council regarding the Water Resource Management Project. Councillor Goucher stated he was disheartened with the lack of response to the comments of the watershed advisory boards and requested that staff hold an additional meeting with the Bedford Waters Advisory Board. In response, Mr. Sheppard explained the plan was not to amend the draft document based on the watershed advisory boards' comments, rather it was intended to give full consideration of all the comments in the implementation strategy. He stated staff is quite prepared to meet with the boards again as the project proceeds.

With respect to the issue of water testing, Councillor Goucher requested that the watershed advisory boards be consulted in the establishment of protocol so everyone is proceeding in the same direction. He also stated that he hopes as the budget is prepared there will be some allocation to continue water testing.

Following some further discussion, Councillor Cooper suggested, due to the late hour, it would be beneficial to discuss this issue further at a future Committee of the Whole session.

**MOVED by Councillor Cooper, seconded by Councillor Goucher, that this matter be deferred to a further Committee of the Whole session in the near future. MOTION PUT AND PASSED.**

The meeting adjourned at 3:05 p.m.

Jan Gibson  
Deputy Municipal Clerk