

BEDFORD WATERS ADVISORY COMMITTEE

MINUTES

FEBRUARY 14, 2001

THOSE PRESENT: Bob Kerr, Chair
 Marvin Silver
 Kevin Dean
 Douglas Murray
 Councillor Goucher
 Elaine Loney

ALSO PRESENT: Angus Schaffenburg, Planner
 Blair Blakeney, Regional Coordinator, Parks & Open Spaces
 Kevin Conley, Supervisor - Parks Development
 Sandra Shute, Assistant Municipal Clerk

Regrets: Brian Hoyle
 William Matheson
 Betty Tucker

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The meeting was called to order at 7:00 p.m. in the LeBrun Centre, Bedford by Dr. Silver.

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

Added Items:

- 2.1 Item from Councillor Goucher
- 4.05 Introduction of United Gulf representative

MOVED by Councillor Goucher, seconded by Kevin Dean to approve the Order of Business as amended. MOTION PUT AND PASSED.

2. **APPROVAL OF MINUTES - JANUARY 10, 2001**

MOVED by Mr. Murray, seconded by Mr. Dean that the Minutes of meeting held on January 10, 2001 be adopted as circulated. MOTION PUT AND PASSED.

2.1 **PRESENTATION TO DR. SILVER**

Councillor Goucher acknowledged that Committee members had tried to convince Dr. Silver to stay as a member of the Committee, but without success. He acknowledged Dr. Silver's input and achievements over the years with BWAC and identified the importance of volunteerism in the community. By having Dr. Silver step down, it was a loss for the Committee but he recognized that Dr. Silver wanted to "go west" and he wished him well on behalf of the Committee.

Councillor Goucher then presented Dr. Silver with a Certificate recognizing his many years of service as the Chair of Bedford Waters Advisory Committee.

3. **ELECTION OF CHAIR AND VICE-CHAIR**

As his final duty, Dr. Silver called for nominations for Chair of Bedford Waters Advisory Committee.

MOVED by Elaine Loney to nominate Kevin Dean.

Kevin Dean refused the nomination.

MOVED by Councillor Goucher, seconded by Kevin Dean to nominate Bob Kerr.

Bob Kerr accepted the nomination.

The Chair called three times for further nominations. There were none. Dr. Silver declared Bob Kerr as Chair.

Dr. Silver called for nominations for the position of Vice-Chair.

MOVED by Kevin Dean, seconded by Councillor Goucher to nominate Douglas Murray as Vice-Chair.

Douglas Murray accepted the nomination.

Dr. Silver called three times for further nominations. Hearing none, he declared Douglas Murray as Vice-Chair.

Dr. Silver then stepped down from the chair. Mr. Kerr took the chair.

3.1 **Membership**

Councillor Goucher asked the status of membership for BWAC. It was unknown at this time whether or not there were any applications as a result of the advertisement that was placed in the newspaper for Boards and Committees, which included requests for expressions of interest for Sub-Committees of North West Community Council.

It was felt that a number of vacancies existed. It was agreed to defer this until the next meeting at which time the Terms of Reference and the Membership List could be reviewed. There might be a need to place an advertisement.

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

4.05 **Introduction of United Gulf Representative**

Mr. Kevin Riles, United Gulf Developments Limited advised that he had just recently been hired as Vice-President and Project Manager of all land development projects. Since he joined United Gulf, he had the opportunity to talk with Councillors, members of various committees, staff and the public. He suggested that if anyone had comments or questions, they could contact him. He explained that United Gulf relies solely on consultants. With regard to Paper Mill Lake, before they could move forward, they would have to address issues that are irritants. He has already discussed issues and concerns with Kevin Dean and the Paper Mill Lake Advisory Committee in an effort to find some resolutions.

4.1 **Sandy Lake Park Presentation**

Copies of the Draft Report dated February, 2001 re Sandy Lake Park Environmental Review were circulated.

Mr. Kevin Conley, Supervisor, Parks Development provided a summary of what has transpired with the proposed park leading up to HRM committing to planning for the park, cost shared with the province and the Lions Club over three years for beachfront area, the road and parking area. A detailed design and tender document was developed for the road and parking lot which was approved by Regional Council last fall. Subsequently, there was concern expressed by the Sandy Lake Residents Association about the planning process to date. Staff met with the Residents Association to discuss Phase I and listened to their concerns. As a result, it was decided that further environmental study would be done for Phase I and consultants were hired. The draft report before the Committee was the result.

Mr. Mark VanZeumeren, EDM Consultants referred to the draft report that was prepared and provided a Concept Plan of the proposed access road and parking area along with a site plan for the Bedford Lions Sandy Lake Park. He provided additional background information and an overview of the proposed plan.

Mr. Conley advised that the specific work relates to the road and parking lot but it is intended, when considering the beachfront in more detail, that further environmental study work will be done. Some kind of washroom facilities will be proposed at that time.

As a result of questions from Committee members, the following information was provided:

- There will be 100 parking spaces, less than what was originally proposed.
- Two small areas will allow open spaces for swimmers to go out further into the lake; otherwise, there is vegetation. There is a gentle slope and then drops off after 10'. Grass is to be left for retention of some of the native habitat. The beach is an ecosystem interpretive type beach with the ability to go swimming.
- Swimmers will have a minor impact. It is occurring there now as there are signs of people using the beach. The impact is determined by the volume of water, the number of people and the flushing rate.
- The road and parking lot will be the first phase and the next phase will be the beach. It is hoped to proceed with the beach as soon as reasonably possible.
- Regulations for boating fall under federal jurisdiction with the Coast Guard. Boat launching will not be encouraged. It may be a no-boating lake but this question would need input from the residents group.
- No project schedule is available at this time. The Residents group brought certain issues to staff's attention. It is planned to bring the Parkland Committee back together. It is proposed to go to Community Council in March with a recommendation and take direction from Community Council as to where to proceed with the tender for the first phase and how to work with the community and the Bedford Lions Club for the detailed tender for the beach. The third phase will be trail development.
- Nothing will be done that will affect the water quality of Sandy Lake.

Ms. Loney stated she did not want to see the same thing happen with Sandy Lake as happened with Paper Mill Lake where there are no public washroom facilities.

Mr. Kerr asked if staff was asking BWAC to recommend that Phase 1 go ahead and staff would come back for the rest.

In response, Mr. Blakeney advised that he was asking for consideration of the road and parking lot. The detail design of the beach would have to come back.

Mr. Kerr said it appears that the Residents Association has some concerns. He asked BWAC members if they wished to hear from the residents. Correspondence dated February 13, 2001 from the Sandy Lake Area Residents Association had been circulated to members of the Committee.

MOVED by Dr. Silver, seconded by Councillor Goucher to suspend the Rules of Order to hear from the residents of Sandy Lake. MOTION PUT AND PASSED.

Ms. Betsy vanHelvoort, Chair, Sandy Lake Area Residents Association advised that the Residents Association was not in a position to speak on the draft environmental review and other documents because they had just been received a few days ago. She requested the opportunity to review same and bring comments forward to BWAC. A meeting had been held with staff last October. She understood that another meeting would take place before this BWAC meeting; however, a second meeting was not held.

Ms. VanHelvoort submitted a document prepared in 1990 which put forward the residents' concerns related to the watershed. The residents believe there has been more current information conducted on the lake, with all due respect to the information that has been made available to HRM. Sackville Rivers Association studied the lake more currently because of its affiliation with the rest of the watershed. The residents have grave concerns with what happened last summer with the contamination, which is still under testing and would be concerned if a Waters Advisory Board did not also share that same concern. There was no wish to hold up the process but the Association was asking for time to review the information which is now available. There was no wish to be in an adversarial position. The residents want to be part of the planning process.

Councillor Goucher advised there was no intention for this issue to go to Community Council until March 22. He understood that Mr. Blakeney intended to meet with the residents and share an exchange of information.

Mr. Dean agreed there was no need for BWAC to put forward a recommendation tonight, particularly in light of the fact that BWAC might not be dealing with the most current data.

Mr. George Churney, Chair, Sandy Lake Park Committee, Bedford Lions Club commented on the frustrations being experienced with regard to moving this proposal forward and what the Lions Club has done to date to move the project forward properly. The Lions Club has spent thousands of dollars on the beach concept. The one corner of the lake where people will swim for a couple months of the year is the only thing touching on Sandy Lake. The rest will have no effect on the water. There has been expert opinion tonight of how much impact the beachfront will have on this big lake. HRM has spent thousands of dollars on studies to satisfy the residents of Sandy Lake since last fall. The Lions Club has lost thousands of dollars in support from the community. The Lions Club has no interest in doing any harm in the community nor environmental harm to the lake or the streams going out of it.

Mr. Churney asked, outside of the sewage problem last year, which is completely disassociated with the project, what the concerns are with the lake and what the residents are trying to accomplish by delays. He requested that BWAC allow the Lions Club to proceed with the project with the assurance that everything will be done according to the professional people who are already involved, including Department of Environment.

Discussion then took place on whether or not it would be possible for the residents, the Lions Club and HRM staff to hold a meeting prior to the next meeting of BWAC. As well, it was suggested that the BWAC meeting would have to be rescheduled earlier in the month.

After discussion, it was agreed that the BWAC meeting would be held on Monday, March 5, 2001 and no meeting would be held on March 14, 2001. In the interim, HRM staff would arrange a meeting with the Residents Association and the Lions Club. Members of BWAC could also attend and Mr. Kerr volunteered to chair the meeting, if need be.

4.2 **Acid Slate into Bedford Basin**

Councillor Goucher advised that this is under the new Board and they seem to be very conscientious. It can be dropped from the Agenda.

4.3 **List of Ongoing and New Projects**

Mr. Schaffenburg reviewed the list and provided information as requested.

4.4 **Testing Results Paper Mill Lake**

At the meeting of North West Community Council held on January 25, 2001, Community Council adopted the recommendation of Bedford Waters Advisory Committee.

Mr. Kevin Riles, United Gulf Developments Ltd. was invited to provide comment on this issue. Mr. Riles advised that he had discussed the issues with Kevin Warner, Development Officer. He intended to review the issues and write a letter in response. He understood the testing stopped in August. He asked what expectation BWAC had with regard to testing - was testing to be monthly, quarterly, etc.

Councillor Goucher responded that when Annapolis undertook the contract, it was clear that testing would continue until after development is finished. He explained the frustrations encountered since United Gulf took over. He hoped that Mr. Riles could make a difference. He wanted testing to resume on the lake and for water testing to be maintained. As long as the contract is in force, United Gulf has a responsibility to the Municipality.

4.5 **Recommendations for Monitoring Freshwater Quality**

Deferred.

4.6 **Master Plan - Prince's Lodge/Bedford South - Revised Plan**

Mr. Kerr provided an update on the two meetings held in January and advised that another meeting would be held on February 21. He noted that the agenda put forward always indicates "What's Next" but this has never been discussed.

Councillor Goucher advised he expected that there would be one or two more meetings held after the February 21 meeting. At some point in the future, it will come back to BWAC.

4.7 **Environmental Checklist/Comprehensive Water Resource Management Policy - Stakeholders Group**

Deferred.

4.8 **Response to Dr. Stobo's Correspondence from Mayor Kelly**

The Committee was in receipt of copies of two letters from Mayor Kelly to the Chair of Halifax/Halifax County Watershed Advisory Board re protection of watersheds, water quality and compliance with Development Agreements.

Committee members discussed the responses from the Mayor. With regard to a question regarding consequences of people proceeding without approvals/permits, Mr. Schaffenburg advised that legal advice has been to judge on the basis of policy. The illegal action taken is something separate and HRM should proceed to go to Court. The problem is that sometimes developers apply for a Development Agreement, start the work and Courts are sometimes reluctant to take action while the Development Agreement is being processed.

If they cannot get a Development Agreement, there are cases where HRM has gone to Court and there has been punitive action taken.

4.9 **Membership - Teen Member Update**

Mr. Kerr advised that he has been dealing with the High School.

4.10 **Paper Mill Lake Dam**

As a result of the letter written to the Minister of Environment, a reply was received. Both letters were provided to Committee members. It was agreed to defer this matter to the next meeting.

4.11 **Kings View Academy - Stormwater Management Plan**

A Memorandum dated February 13, 2001 from Andrew Whittemore, Planner regarding the stormwater management plan for the above was before the Committee.

Mr. Schaffenburg provided background information.

Councillor Goucher referred to the Public Information Meeting at which time there were many residents in attendance and their main concern was stormwater. He asked if the residents had been advised that information was coming forward to BWAC.

Mr. Schaffenburg explained that normally staff does not advise residents of BWAC meetings. As an alternative, staff could send the information out to the people who signed the attendance sheet, if that was what BWAC wished. He noted that the information available would become part of the document going forward to Planning Advisory Committee and then to Public Hearing.

Councillor Goucher asked if everything presented meets the technical requirements for stormwater manager.

In response, Mr. Schaffenburg advised that staff was asking for comment from BWAC.

It was agreed to defer comment until the next meeting. In the meantime, the residents could be advised of the next meeting. BWAC would like to know, at that time, where the stream goes, if the water goes into the stream in question or is taken away from the site entirely and not going into the ditches plus information on the long term effects. The engineer involved should be requested to attend.

4.12 **Baha Court - Update on Decision of North West Community Council**

Application was rejected by North West Community Council. Appeal has been submitted. It may take a year to process the appeal.

5. **UPDATE FROM PAPER MILL LAKE ADVISORY COMMITTEE**

Deferred.

6. **NEW BUSINESS**

6.1 **Parker's Brook**

Mr. Schaffenburg advised that the fine is being appealed.

6.2 **Case 00332 - Mill Cove Plaza - Sobeys Renovation Project**

A Memorandum dated February 5, 2001 from Mr. Schaffenburg, Planner was before the Committee regarding the above project.

Mr. Kirby Thompson, representing Sobeys, was in attendance for this item.

Mr. Schaffenburg provided an overview of the application, which is an addition to the Mill Cove property to allow the new corporate design/facade and add a second floor for a community room. The issue before BWAC is existing drainage. There will be no impact on the existing site storm drainage system.

Dr. Silver stated that the involvement of BWAC in this project should be minimal.

MOVED by Dr. Silver, seconded by Mr. Dean to approve the project. MOTION PUT AND PASSED.

7. **STATUS SHEET**

February Status Sheet circulated.

8. **MINUTES**

North West Planning Advisory Committee Minutes for December were circulated.

9. **DATE OF NEXT MEETING** - Monday, March 5, 2001

10. **ADJOURNMENT**

On a motion from Mr. Murray, the meeting adjourned at 9:25 p.m.

Sandra M. Shute
Assistant Municipal Clerk