

# HALIFAX REGIONAL MUNICIPALITY

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## BEDFORD WATERS ADVISORY COMMITTEE

### MINUTES

SEPTEMBER 12, 2001

PRESENT: Mr. Bob Kerr, Chair  
Ms. Elizabeth Tucker  
Mr. Lawrence White  
Mr. Don Lowther  
Mr. Victor Li  
Ms. Stephanie MacNeil  
Mr. Kevin Dean  
Ms. Elaine Loney

ALSO PRESENT: Dr. Don Fox (guest)  
Dr. S. Ray (guest)  
Mr. Angus Schaffenburg, Planner  
Ms. Lynne LeBoutillier, Assistant Municipal Clerk

REGRETS: Brian Hoyle, Brad Gibb, Doug Murray and Councillor Goucher

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### 1.0 **CALL TO ORDER**

The Chair called the meeting to order at 7:00 p.m., LeBrun Centre.

He introduced Dr. Sankar Ray and Dr. Don Fox to the members and they were invited to summarize their backgrounds.

### 2.0 **APPROVAL OF AGENDA, ADDITIONS AND DELETIONS**

The agenda was approved as circulated.

### 3.0 **APPROVAL OF MINUTES**

The minutes of the August 8, 2001 were adopted, as circulated, on motion of Mr. White and Ms. Tucker.

### 4.0 **PRESENTATION - WENTWORTH ESTATES/BEDFORD SOUTH**

Attending the meeting representing Clayton Developments Limited were J. Michael Hanusiak, Michael Willett, Earle Richardson and Kevin Neatt. Andrew Whittemore, HRM Planner attended the meeting on behalf of Paul Morgan.

For the benefit of the new members, Mr. Kerr gave some background of BWAC's involvement with the initial proposal which could have resulted in a development for up to 18,000 people. He referred to how the Committee's terms of reference relate not only to environmental concerns but safety.

In his introduction, Mr. Whittemore noted that the initial project had gone through an extensive public participation process in the last couple of years. During this process a lot of issues were raised, particularly related to traffic impact and capital cost contributions. HRM subsequently hired a consultant to do an engineering study. Mr. Whittemore noted that it had been previously identified that two thousand (2000) lots could be developed before an interchange would be required.

Mr. Hanusiak commenced his presentation by emphasizing this evening's presentation was to simply present Clayton Developments' revised plan, provide information and bring BWAC up to date on the process. No opinions were being sought at this stage. Reference was made to a meeting with Councillor Goucher and his suggestion that information be provided early in the process. The Committee was assured that Clayton Developments is aware of the number of concerns BWAC had with the previous proposal. He outlined the good rapport Clayton Developments has developed with the Department of Environment and resident groups in the past. He felt that Clayton Developments' track record, as it related to maintaining water quality, spoke for itself.

During the overhead presentation, given by Mr. Hanusiak, the following were highlighted.

- C The initial project involved five different developers. Some problems arose amongst this group. Clayton Developments is now the principal developer. He elaborated on their equity position and master planning aspects. Identified were areas where Purchase and Sell agreements have been finalized or were in the process of being finalized. He noted that they have also entered into a partnership agreement with Cresco and were working cooperatively with Emscote Ltd. (Medjuck). As a result, Clayton Developments is taking a lead role in the Master Planning application. The previous application is now in abeyance.
- C He identified areas which fall within the boundary of the former Town of Bedford and thus fall under the Bedford MPS and those areas which fell under the former City of Halifax's master plan.
- C Once the report from the consultants hired by HRM is available and staff has reviewed, the process will proceed further.
- C It is hoped that the revised plan incorporates elements which are felt important from the Bedford MPS.
- C Problems with the loop road, proposed in the original plan, were highlighted. He noted that the Engineering Department had land access issues pertaining to the draft proposal dated March 26<sup>th</sup>. He explained why the loop road was not feasible when you introduced land use restrictions. Also presented were overheads which illustrated the slopes and why this made the loop road not practical.
- C He noted the flexibility their proposal has with respect to the location of the proposed interchange. It will be up to DOT to make the final selection. Who will pay for the interchange and when it should be constructed is still not resolved. The original traffic study identified two thousand (2000) units could be constructed before the interchange was required. They would be pleased if construction of the new interchange could be accelerated. One thousand (1000) of these units will result from the Royale Hemlocks proposal, leaving a balance of one thousand (1000) for this area. He identified the area to the north being suggested for 70% of the remaining units and the area to the south identified for the remaining 30%.
- C It was noted that the proposal for Land Use/Distribution was presented to both the NWPAC and Chebucto Community Council last week.
- C A road is being proposed down to the Bedford Highway across lands known as the Blackie property.

- C The impact on open space due to the design of the new road, i.e. by moving away from central loop, open space severed.
- C Green areas were identified, i.e. Old Coach Road and adjacent cascading falls. Smaller pocket parks will be identified at the time of the design of more detailed plans.
- C Sewer and water distribution aspects were identified.
- C Problems anticipated as a result of new DOE policies, as they relate to stormwater management, pose a potential challenge.

During the question and answer period which followed the presentation, the Committee was assured that BWAC will be provided with the detailed development document. The Chair emphasized BWAC's desire to be involved in this project.

Questions were posed as to whether amendments were being proposed to the two existing master plans. Mr. Whittemore indicated that staff did not anticipate starting from scratch.

The Chair explained that BWAC is very interested in the number of units per acre and its desire to see impervious surfaces kept to a minimum. The Committee was assured by Mr. Hanusiak that the plan proposed is based on the Bedford's MPS 6 units per acre provision.

With regard to the next stage, Mr. Hanusiak indicated that Paul Morgan, HRM Planner will get back to the Committee on what the process will involve.

## 5.0 **BUSINESS ARISING FROM MINUTES**

### 5.1 **WATER TESTING - PAPER MILL LAKE**

Circulated at the meeting were copies of a letter from Kevin Riles, Vice-President, United Gulf Developments Limited dated September 7, 2001 re Water Test of Paper Mill Lake, Bedford. Attached to the correspondence was a Jacques Whitford Environment Limited report dated August 2001. The report identified the sites of tests done in June and August 2001 and the test results. Comparisons are also provided to previous tests done by HRM July 2000 and to data from 1995 and 1998.

The Chair provided some background of the problems associated with Paper Mill Lake for the benefit of those not familiar with the situation. He emphasized problems associated with not getting test results quickly and concerns the members have with the safety of Paper Mill Lake as it relates to recreational use. It was noted that there are two beaches

on the lake and elevated coliform counts, which don't just occur during the summer months. It was recalled that while the development agreement required testing, it did not specify how often. It had been hoped that the consultants would provide a conclusion as to whether the lake was safe for recreational use.

The Chair requested Dr. Fox, Dr. Roy and Mr. Li review the test results. He noted that the Committee had struck a technical committee consisting of Brian Hoyle as Chair and Mr. Li. He noted that Mr. Hoyle will be leaving this fall and he encouraged Dr. Fox and Dr. Roy to work with Mr. Li, the proposed new Chair of the Technical Committee.

A discussion followed on the process for testing water associated with beaches, frequency of sampling and procedures for closing beaches.

Mr. Dean referred to the elevated counts being identified through testing, but action not being taken to identify the problem and rectify it. It was also noted that there are concerns that the guidelines being used for recreational swimming may not be appropriate. Apparently the Canadian Guidelines being employed are not used throughout the country.

It was noted that Paper Mill Lake is at the end of a chain of seven lakes, but it does not appear that water from these lakes is the problem. It was recalled that the Engineering Department performed die tests to identify if there were any sewer cross connections. None were found.

In summary, it was requested that the Technical Committee address the following:

- C Do the counts recorded pose a problem?
- C What can United Gulf and residents do to reverse the trend?

Mr. Hoyle should be able to provide the members of the Technical Committee with copies of the 1998 data. He should also be able to provide copies of the test results from a study the Recreation Department had conducted last year.

Victor Li suggested that underground springs in the area may be affecting the samples.

It was felt that if somehow to reverse the trend is identified, it would be to the benefit of many areas in HRM.

## 5.2 LIST OF ONGOING AND NEW PROJECTS

Mr. Schaffenburg advised that a second meeting on the **Dartmouth Road** development is being held Wednesday, September 26, Basinview School.

He noted that an application has been received for the expansion of the **Peerless Subdivision**, vicinity Kearney Lake Road. They wish to have water and sewer extended to the area. He will be preparing a report for Regional Council and if they decide in favour of the proposal, the planning process will commence.

The Chair indicated he had received a call from Kevin Warner, regarding a proposed deck to be added to the second floor of **Smitty's**, Sunnyside Mall. Given the nature of the construction, it was felt it would not affect the adjacent watercourse. Mr. Schaffenburg felt that Mr. Warner may consider the proposal as a minor variance. It was noted that there is a 100' set back required. The deck would be cantilevered from the second floor. As the property is adjacent the Sackville River, Mr. White felt BWAC should see the proposal. He referred to visual aspects of the overhang.

It was agreed that Kevin Warner should be invited to the next meeting to provide more information on the proposal and gather the Committee's comments before he makes a decision. Mr. Schaffenburg will speak with Mr. Warner.

### 5.3 **UPDATE - BEACHED DERELICT BOAT**

In his update, Mr. Li advised that he had contacted the Harbour Master and was assured that he was aware of the situation, but they are having problems locating the owner. The Harbour Master contacted the Harbour Police to do an investigation to help find the owner. He has yet to hear back from the Harbour Master, but will try to call tomorrow.

Mr. Li also reported he spoke to the Fisheries and Oceans Enforcement group but was advised that it did not fall within their jurisdiction. It was not considered a violation of the Fisheries Act.

### 5.4 **NEW MEMBERS**

The Chair indicated that a decision should be made by NWCC September 13<sup>th</sup> on the appointment of new members.

### 6.0 **PAPER MILL LAKE ADVISORY COMMITTEE**

Mr. Dean, Chair of the Paper Mill Lake Advisory Committee, explained to those new to the Committee the background which led to the establishment of the Paper Mill Lake Advisory Committee last year by NWCC to monitor development and develop an education initiative related to stewardship. Essentially it was felt that the developer

associated with Paper Mill Lake was not living up to the conditions in the development agreement, particularly as they applied to environmental matters. He referred to the 50' non-disturbance zone around the lake.

The Committee's term ended this summer and staff provided a report regarding its continuance. It was proposed that aspects of its mandate be changed. The Committee members were not in favour of these changes and a decision was deferred by NWCC. A second report is to be presented by staff tomorrow night.

He anticipated that since not much residential development is proposed this year, the Committee will concentrate their efforts on the educational component.

Depending on the decision made by NWCC this week, it is planned to hold a meeting in September. The last meeting was held in May.

#### 7.0 **NEW BUSINESS**

The Chair reported on a web site for the Canadian Nature Federation which might be of interest to the members. It can be found at [www.cnf.ca](http://www.cnf.ca)

#### 8.0 **DATE OF NEXT MEETING**

The next meeting will be held Wednesday, October 10, 2001, 7:00 p.m., LeBrun Centre.

#### 9.0 **ADJOURNMENT**

The meeting adjourned at 8:45 p.m. on motion of Ms. Tucker.

Lynne Le Boutillier  
Assistant Municipal Clerk