

BEDFORD WATERS ADVISORY COMMITTEE

MINUTES

JUNE 12, 2002

THOSE PRESENT: Mr. Don Lowther, Chair

Mr. Brad Gibb
Mr. Bob Kerr
Mr. Kevin Dean
Ms. Deborah Gillis
Councillor Goucher
Mr. William Matheson
Mr. Victor Li
Mr. Lem Murphy
Mr. Richard Hattin
Dr. Sankar Ray
Mr. Cedric Pilkington

ALSO PRESENT: Angus Schaffenburg, Planner
Sandra Shute, Assistant Municipal Clerk

ABSENT: Mr. Lawrence White
Mr. George Hepworth

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1. **CALL TO ORDER**

The meeting was called to order at 7:00 p.m. by the Chair at the LeBrun Centre, 36 Holland Road, Bedford.

2. **APPROVAL OF AGENDA, ADDITIONS AND DELETIONS**

It was agreed to hear the Presentation on Regional Planning - Healthy Growth for HRM as the first item on the Agenda.

Added Items: Terms of Reference - Meeting re Waters Boundaries
 Water Sampling Paper Mill Lake
 Shopping Carts - Sackville River

The Agenda was adopted as amended.

3. **REGIONAL PLANNING - HEALTHY GROWTH FOR HRM**

Ms. Ann Muecke, Project Manager, Regional Planning provided an overview of a presentation entitled "Healthy Growth for HRM". She provided handouts for each Committee member. The presentation included information on the following:

- C Settlement forms
- C Redistribution of Population Urban/Rural areas 1971 to 1996
- C 1998 to 2001 Subdivision approvals
- C The concerns: growth patterns, traffic congestion, demand for facilities and services, how limited dollars should be spent
- C Development of a plan - two phases, three years, collaboration, four strategies
- C Why a plan is needed - conflicting goals and objectives, funding changes, development and trends
- C New issues - urban type development in rural areas, new regulations, future liabilities, reduction in cost-shared dollars, economic competitiveness
- C HRM's opportunities for growth
- C Growth expectations
- C Identification of smart growth principles and draft goals

Ms. Meucke invited Committee members to give some thought, over the next few weeks, to the goals and what should be given emphasis as well as what issues Committee members would like to see put on the agenda. She invited the Committee to put these in writing and submit.

Councillor Goucher requested that Ms. Meucke provide a better copy of the power point presentation, by e-mail as the one provided was hard to read. The presentation could then be distributed by e-mail.

Following the presentation, the Chair asked those in attendance to provide input.

Mr. Li raised the following points:

- C Would climate change and greenhouse gas impacts be used as justification to get money for infrastructure. In response, Ms. Muecke advised that FCM set a goal of 20% reduction in greenhouse gases. Buses could be used up to a point. Monies available tend to be available for studies and pilot projects and not for the purchase of buses.
- C Developers being required to contribute to infrastructure. In response, Councillor Goucher advised that Capital Cost Contribution was coming before Regional Council shortly. The first area it was proposed to be used in is Bedford South/Wentworth Estates. The developers have gone through the public process and are comfortable with the Capital Cost Contributions at this point in time.
- C He recommended that staff should take into consideration the requirements of First Nations into the plan from the start.

Mr. Murphy raised the following points:

- C He expressed concern that ribbon development was very expensive and has to be controlled. In response, Ms. Muecke advised that she had been referring to distinctive communities, defined as a place where people could live out their entire lives with a mix of housing, accommodation of the needs of young and old and everyone in between, and people of mixed income levels. They would provide opportunities for people to work closer to home. There would be less reason to segregate business from residential. She used as an example Clayton Park West.

Dr. Ray raised the following points:

- C He asked if before a development takes place in an area dependent on septic and ground water, would there be a water survey done and if not, were there plans to do so. In response, Ms. Muecke advised that nobody has to prove there is a water supply before subdivision, particularly as of right. Right now there is a water service boundary but there is no assessment for the sustained yield of water. Minimum lot size is regulated by septic regulations.

Mr. Pilkington raised the following points:

- C He recommended that the developer should be responsible for providing roads and services such as water. In response, Ms. Muecke advised it appeared there

needed to be more assessment at the application stage before a subdivision is approved to see if it is sustainable.

Mr. Dean raised the following points:

- C He assumed the proposal was to develop the most cost effective growth within defined principles called Smart Growth. He asked if there were time lines associated with the four strategies and, if so, would there be a process for developing policy while the time lines are being implemented. In response, Ms. Muecke advised that there are two phases. In order to develop strategies, you need to know the form of growth being dealt with. The goal is, by the end of Phase 1, to have identified the preferred growth pattern for HRM. This would involve a balance for development on and off services by making sure that in both cases it is sustainable. If there is policy that clearly can be implemented as the plan progresses, including environmental policy and community form, it will go forward to Regional Council, particularly if it is not dependent on a particular growth scenario. The two issues tied together are the growth scenario and the transportation plan.

Ms. Gillis raised the following points:

- C HRM does not pursue growth right now; HRM is responding to developers. She questioned if that would change in the future. It would be interesting to see how many developers there actually are in the Municipality. She would be concerned when a developer picks an inexpensive piece of land, gets people interested in it and then dumps the issue of servicing onto the Municipality. In response, Ms. Muecke advised that any piece of land has more value to a developer if it has water and sewer servicing. Right now there is land outside the serviceable boundary where services need to be extended. There are continuing requests from developers for extension of the serviceable boundary but there is only so much money. The question is where will the Municipality get the best benefit from its investment.
- C She asked if Capital Cost Contribution funds would be targeted for specific projects or would it go to general revenue. In response, Councillor Goucher advised it must be used in the area in which it is collected. Changes will take place in every Municipal Planning Strategy, Land Use By-law and Subdivision By-law so that as development proceeds, it will be applicable. It may not be the same amount in each MPS, but the use will be the same.

Mr. Kerr raised the following points:

- C He asked if this was a grand MPS. In response, Ms. Meucke advised it was high level.

- C He expressed concern that some proposed developments come forward without recreational space.
- C He asked if the provincial and federal governments will look on the regional plan and acknowledge it has substance and approve some funding. In response, Ms. Muecke advised that at least from the federal point of view, HRM would stand more chance of getting infrastructure money with a plan.

Mr. Gibb raised the following points:

- C He asked what type of enforcement would be in place in terms of policies being developed to ensure that what is recommended actually happens. In response, Ms. Muecke advised that future plans would have to be consistent with the policies. It would be up to the public, Planners and Regional Council to make sure they are carried through.
- C He encouraged the provision of a mechanism that would allow enforcement as part of the plan.

Mr. Matheson raised the following points:

- C As much as transit services are needed, a transit public relations program is also required. It seems there is still a negative stigma to taking the bus.
- He hoped it would cut down on disparity of different subdivisions and provide sidewalks, eliminate twisted streets.
- The load on some collector roads, ie. Hammonds Plains Road. In response, Ms. Muecke advised that Hammonds Plains Road is a good example of development occurring without planning considerations. A lot of subdivision development occurring cannot be provided with transit services because there is no collector road going through them. It is not a matter of putting a few more buses on the road; a whole strategy has to be established to promote transit and have buses move quickly.

Mr. Hattin raised the following points:

- C There were large amounts of land with no one living on them. If you increase the density, you would put demand on the land which cannot be sustained. In response, Ms. Muecke advised it was a matter of increasing density where sewer, water and road services can be provided. The whole issue of water quality and quantity needs to be explored in rapidly developing areas. There will be one set of policies for serviced areas. The challenge is to identify the form and type of communities that will be built in the future which will be on services and transportation. Outside the serviced areas, it is more expensive to deliver services because people are more spread out.

- C He expressed concern re the provision of transportation requirements - provision of bus services and plowing/grading of roads in the rural areas.
- C He asked if there was a less dense area, was it cheaper to service in the urban areas. In response, Ms. Muecke advised that an analysis was not done yet. She acknowledged that staff knew demand is building for recreation, road maintenance in rural areas.
- He did not see anything about the waterfront and liaison with waterfront authorities. He asked how the grand MPS would be integrated. In response, Ms. Muecke advised that there were many stakeholders around the harbour. Waterfront Development Corporation deals with provincially owned lands.
 - He referred to the possibility of growth patterns being unsustainable. There needed to be a much better definition of "unsustainable" before there is a method of assessment.
 - Referring to wanting to rebuild distinctive and safe communities, he noted that there had been distinctive communities, some safer than others, which were put together at amalgamation. In response, Ms. Muecke advised there are individual communities within HRM with distinct personalities and HRM wants to conserve them.
 - Rules applied for the suburbs and downtown core will be completely different from the commuter rural area as people move out to the rural area because they do not want to live in the other area. In response, Ms. Muecke advised there is a concern in the rural areas that what people went out there for is disappearing. Trees are being cut down, there is commercial development. The question should be what is the character of the area that is worth preserving and making sure development is consistent with that.

Mr. Lowther raised the following points:

- Why the parking garage was built downtown. In response, Ms. Muecke advised it was because of the loss of parking spaces at the waterfront. It was at the request of the Business Commission.
- He asked the time line to complete the policy, given its relation to the fact that the Municipal Planning Strategies need review. In response, Ms. Muecke advised that the regional planning exercise would be for three years and it was started last September.

Councillor Goucher stated that staff indicated that no reviews of Municipal Planning Strategies will take place for three years because of the lack of staff resources. Bedford is lucky to have a fairly new one.

Mr. Lowther thanked Ms. Muecke for attending and for her presentation.

4. **APPROVAL OF MINUTES - MAY 8, 2002**

MOVED by Mr. Dean, seconded by Mr. Li to approve the Minutes of meeting held on May 8, 2002 as circulated. MOTION PUT AND PASSED.

5. BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET

5.1 List of Ongoing and New Projects

Mr. Schaffenburg provided the following information:

- A Public Meeting was held regarding the Brison development last week.
- Sobeys' Plan Amendment request for Mill Cove for a fast food restaurant was not accepted by Regional Council. The request stops there and is non-appealable.

5.2 Kearney, Quarry and Paper Mill Lake Dams - Update

Mr. Dean advised that after the response received from Department of Environment, he sent back asking if quarterly reports were received from Annapolis and, if so, what did they say. Additionally, he requested that Department of Environment consider delivery of the watercourse as it presently exists as opposed to what would be left when the dams are removed. He is awaiting a reply.

Mr. Dean stated he believed that at some point in time the community will have to face the issue of the continuance of these dams.

5.3 Infilling of Moirs Pond - Update

Deferred to later in the meeting. See Item No. 8.

5.4 Sandy Lake Park - Phase 2 - Beachfront Development

North West Community Council approved the recommendation from Bedford Waters Advisory Committee and referred same to staff for implementation.

6. Update from Paper Mill Lake Advisory Committee

No update provided due to lack of time.

7. NEW BUSINESS

7.1 Terms of Reference - Meeting re Waters Groups Boundaries

Mr. Lowther and Mr. Kerr provided information on the meeting next Thursday regarding waters advisory groups boundaries. Mr. Lowther requested that if anyone had an issue with the Terms of Reference, to e-mail comments to him by Thursday.

Mr. Schaffenburg provided Mr. Kerr with a copy of the HRM Watershed Map.

Discussion took place on the composition of BWAC at this time compared to what it might be should a change occur. As well, it was pointed out that BWAC deals with more than water such as traffic and public safety as well as the environment in general. The other waters group do not have this ability.

Mr. Kerr advised he would be expressing concerns at the meeting regarding the Terms of Reference for BWAC versus the others.

Mr. Lowther and Mr. Kerr will report at the next meeting on the status.

7.2 Domestic Fuel Oil Spill Policy

Mr. Lowther submitted a copy of the Domestic Fuel Oil Spill Policy. The Clerk was requested to provide copies for next month's meeting.

7.3 Meetings During Summer Months

MOVED by Mr. Dean, seconded by Mr. Pilkington to only hold a meeting in July and August at the call of the Chair, should the Chair determine there is something important to be dealt with.

A vote was taken.

MOTION DEFEATED.

Mr. Lowther than asked for suggestions on a location for the meetings as the LeBrun Centre is not available during the summer.

Suggestions were the Youth Centre at the Old Fire Hall, the Teachery or Superstore. Mr. Schaffenburg suggested Acadia School.

The Clerk questioned the Committee in terms of any objections to going to Sackville at the Acadia School Library. There were no objections voiced. It was agreed to leave the location decision to Lynne LeBoutillier.

At this point, Victor Li and Deborah Gillis left the meeting. At an earlier point in the meeting, Victor Li declared a Conflict of Interest regarding the Infilling of Moirs Pond because he is involved with this matter through his employment.

8. **Infilling of Moirs Pond - Update**

Subsequent to his report at the last meeting, Mr. Hattin advised he received the two reports from Fisheries and Oceans Canada and carried out a technical assessment of some of their comments. He found their technical evaluation to be probably wrong but certainly misleading.

After providing two examples, Mr. Hattin advised that his first conclusion was that there was a fully mixed estuarial environment contrary to what is suggested in the report. His second conclusion was that the analysis was incomplete and inaccurate with regard to the fact that decreasing the volume by half has no effect on the flushing rate inside the marina because there is less tidal volume inside Moirs Mill pond.

Mr. Hattin asked the Committee to determine how he should proceed in disputing the findings. He indicated he would be making contacts of his own regarding his findings.

Discussion took place. It was felt that time was of the essence if a response was going to go forward. The next meeting might be too late. Question also arose as to whom the response should be directed.

Mr. Kerr suggested getting in touch with Lawrence White and asking him to discuss Mr. Hattin's conclusions with him.

MOVED by Mr. Dean, seconded by Mr. Gibb that Mr. Hattin respond to Jacques Whitford with a copy to Fisheries and Oceans and to all relevant levels of government outlining his concerns with respect to the reports received. Since timing is of the essence, the letter can be written on behalf of Bedford Waters Advisory Committee. MOTION PUT AND PASSED.

It was agreed that Mr. Kerr would contact Lawrence White.

9. **ADJOURNMENT**

All other items on the Agenda were deferred to the next meeting. These are Water Sampling Paper Mill Lake and Shopping Carts - Sackville River.

The meeting adjourned at 9:25 p.m.

Sandra M. Shute
Assistant Municipal Clerk