

# HALIFAX REGIONAL MUNICIPALITY

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BEDFORD WATERS ADVISORY COMMITTEE  
MINUTES  
OCTOBER 9, 2002

PRESENT: Mr. Don Lowther, Chair  
Mr. Lawrence White  
Mr. Robert Kerr  
Ms. Deborah Gillis  
Councillor Goucher  
Mr. William Matheson  
Mr. Lem Murphy  
Mr. Brad Gibb  
Dr. S. Ray

ABSENT: Mr. Richard Hattin (regrets)  
Mr. Victor Li (regrets)  
Mr. Kevin Dean (regrets)  
Mr. Cedric Pilkington

ALSO PRESENT: Mr. Angus Schaffenburg, Planner  
Ms. Lynne Le Boutillier, Assistant Municipal Clerk

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**1. CALL TO ORDER**

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

**2. APPROVAL OF MINUTES**

**MOVED BY Mr. Kerr and seconded by Ms. Gillis that the minutes of the September 11, 2002 meeting previously circulated, be adopted. MOTION PUT AND PASSED UNANIMOUSLY.**

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

The following items were added under New Business:

Item 6.3 - Water Resource Management

6.4 - Policy on making decisions following presentations

Item 6.1 re Clayton Developments Ltd. application to enter into a development agreement associated with the Wentworth/Bedford South Master Plan was moved up on the agenda.

**6. NEW BUSINESS**

**6.1 CASE 00492 - APPLICATION BY CLAYTON DEVELOPMENTS LTD. TO ENTER INTO A DEVELOPMENT AGREEMENT FOR NEIGHBOURHOOD A AND NEIGHBOURHOOD C, A COMPONENT OF THE WENTWORTH/BEDFORD SOUTH MASTER PLAN**

Thea Langille-Hanna, HRM Planner, Mike Hanusaick, Vice-President, Strategic Planning, Earle Richardson, Vice-President Operations, Kevin Neatt, Development Technician, Clayton Development and Don Williams, McWilliams Engineering were in attendance for this item.

The members had been previously provided the following:

- C Memorandum from Ms. Langille-Hanna dated October 2, 2002
- C Master Stormwater Management Plan for the Wentworth/Bedford South Development, prepared by Jacques Whitford for Emscote Ltd., Cresco Group and Clayton Developments Ltd., dated July 2002.

Ms. Langille-Hanna, in providing background, on the case emphasized the following:

- C The Master Stormwater Management Plan for the entire development has to be

approved prior to entering into any development agreements associated with phases of the project.

- C BWAC was being asked to review and make recommendations on the master stormwater management plan. The Committee's recommendations on water related issues associated with Neighbourhood A and Neighbourhood C are also being sought.
- C Reference was made to the tour BWAC members, etc. had taken of the site.
- C In anticipation of proposed boundary changes taking affect, the H/HCWAB passed a motion that the review of this Master Plan area could be conducted solely by BWAC.

Mr. Williams referred the members to Figure 2 of the Master Stormwater Management Plan. This map illustrated existing conditions by identifying culverts and major drainage areas. Others maps identified pre-development and post-development drainage areas for Neighbourhoods A, C and D. Mr. Williams noted that the stormwater master plan addresses environmental policies contained in the MPS.

During the presentation, the Clayton Developments representatives addressed the following:

- C Run off coefficients
- C The accommodation of adjacent developments - they will match their design
- C The dry ravine is designated to be part of the green belt, with perhaps a retention pond
- C Emphasis will be on protecting Kearney Lake, i.e. CDS (oil and grit separator units) would be required associated with commercial development in this vicinity.
- C check list to be used in association with erosion and sedimentation control plans. Logs will be provided to the Municipality and consultants on a regular basis of environmental protection measures taken. **It was felt that this should be specified in the development agreement provisions.**
- C Measures to be taken to ensure groundwater recharge, i.e. roof leaders not piped
- C Both DOE and DNR are performing an audit - studying the area and comparing their findings to Jacques Whitford's to ensure nothing is missed.
- C The only change in plans since the tour related to a change in a road in the vicinity of Millview. Concern was expressed about through traffic, thus it was eliminated.
- C While the maps illustrate green areas intended to be conveyed to public ownership, they don't show non-disturbance areas at the back of lots.
- C If DOE's standards become more stringent, they will meet.

- C No fish habitat identified in the area by Jacques Whitford.
- C The advantages of having a planned community, which allows the engineer(s) more control versus building in stripes.
- C Buffer zones to be designated as public areas
- C Some work to be done on the old Coach Road.
- C Covenants and how they related to non-disturbance zones and minimal disturbance areas.

Following the presentation by Clayton Developments Ltd., the floor was opened for questions from the members. Several questions were posed including those contained in an e-mail from Mr. Dean dated October 9, 2002.

Mr. White reflected that if they are trying to maintain stormwater and groundwater, perhaps they could consider using clay, as an alternative backfill, around laterals to reduce drainage.

Reference was made to an e-mail from Mr. Hattin posing several questions. This will be e-mailed to Ms. Langille-Hanna.

Councillor Goucher referred to problems associated with blasting in HRM. He would like to sit down with Clayton Development representatives to discuss. Mr. Hanusiak indicated he intends to hold a neighbourhood meeting(s) so the residents will have a full understanding of the approach being taken. Prior to the development starting, Councillor Goucher wanted a name of a contact person to call in the event of a problem. This name and telephone number could be included in a future flyer. Ms. Langille Hanna felt something could be included in the development agreement to deal with blasting.

**MOVED BY Mr. Kerr and seconded by Mr. Murphy that based on what BWAC has seen and information it has been provided, BWAC supports the overall Stormwater Master Plan for the Wentworth/Bedford South development. Logs/check lists of temporary and permanent environmental protection measures be available on site for each neighbourhood and be provided to HRM staff. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED BY Mr. Kerr and seconded by Mr. Murphy that based on what BWAC has seen and information it has been provided, BWAC supports aspects of the Stormwater Master Plan related to Neighbourhood A and Neighbourhood C. MOTION PUT AND PASSED UNANIMOUSLY.**

#### **4. BUSINESS ARISING OUT OF THE MINUTES/STATUS SHEET**

##### **4.1 LIST OF ONGOING AND NEW PROJECTS**

Mr. Schaffenburg had nothing new to report, except the Bedford West Master Planning Study (refer item 6.2). He understood that the Bedford West Master Plan is not restricted to the Annapolis lands. Those who attended the Open House, October 3<sup>rd</sup>, reflected on their observations. Disappointment was expressed regarding the lack of information available.

#### **4.2 INFILLING OF MOIRS POND**

Councillor Goucher reported that the issue of ownership between Sobeys and the Port Authority is still in the courts. Apparently the Province has offered a land swap, but nothing further has been heard.

#### **4.3 TERMS OF REFERENCE - CLAUSE 2.1 - COUNCILLOR GOUCHER**

Deferred.

#### **4.4 STATUS SHEET**

##### **Testing Results Paper Mill Lake**

Refer Item 4.6 - Mr. Schaffenburg noted that Mr. Riles was to provide a letter to the Committee. As noted in the attachment associated with item 4.6, Jacques Whitford were hired to conduct water testing. Mr. Schaffenburg will follow-up with Mr. Riles.

Comments associated with this item contained in Mr. Dean's e-mail of October 9, 2002.

##### **Kearney, Quarry and Paper Mill Lake Dams**

Outlined in Mr. Dean's e-mail of October 9, 2002 is the status of the dams. Reference is made to communication from Darlene Fenton, Provincial Department of Environment and Labour, advising that Annapolis has indicated they no longer wish to maintain the approvals for the dams. Annapolis has been asked to arrange a meeting with HRM representatives to ascertain their thoughts on taking over the dams. Councillor Goucher advised that he spoke to the CAO about this issue. Paul Dunphy and John Sheppard were unaware of Annapolis' position. He understood that Annapolis does not intend to renew the permits on either three dams.

During the ensuing discussion the following points were made:

- C As HRM has a vested interest, there should be a response to the Department of Environment and Labour, perhaps through BWAC. It was suggested that a letter be written to Mr. Dunphy and/or Mr. McLellan asking what the process would be.

- C It was noted that the DOE&L is seeking comment from HRM via Annapolis on taking ownership of the dams. **It was felt strongly that the Committee should have an opportunity to comment.**
- C It was noted that there are issues of liability, given the dams are in bad shape. But given the poor shape of the dams, would HRM want to take them over.
- C If the HRM refuses to take them over, could the DOE& L insist the structures be maintained.
- C The municipality should be considering what to do in the event the dams are abandoned.
- C What are the implications to the area if the dams are lost? If Annapolis don't wish to renew their license, Annapolis is required to remove them.
- C It was proposed that when HRM is requested to respond relative to the dam system, involving Paper Mill, Kearney and Quarry Lakes, it be requested that BWAC be given an opportunity to comment on the issue associated with the dams, i.e. permit status and other implications such as takeover by the Municipality. Ms. Gillis stressed the importance of receiving a legal opinion.
- C It was noted that the Town of Bedford had been asked to consider taking over a dam(s). They refused as the Paper Mill Lake dam was not in good shape at the time.
- C It was recalled that Annapolis would bring the dams up to a certain standard before takeover by the Municipality. A commitment had been made two years ago for Annapolis to maintain the dam and walls at Paper Mill Lake, and no progress was made.
- C It was felt that the Municipality would not be interested in taking the dams over in their current condition.
- C Two options were apparent - the dams be dismantled or the Municipality take them over.
- C As part of the Provincial process, the Municipality must comment.
- C While the Water Commission have an interest in Kearney Lake, they did not want to take over the dam. It has been indicated that they would not mind being part of the process, once the dams were up to standard.

- C It was noted that the dams are part of the stormwater management plan associated with Bedford West.
- C If the dams are removed, what is the impact from a strictly environmental perspective and other aspects, such as property values. Perhaps HRM staff involved with environmental matters could identify the impact.

The Clerk was requested to e-mail this portion of the draft minutes to Mr. Dunphy and Jim Donovan.

Dartmouth Road

Can be removed. Photograph of a barrier installed provided.

**4.5 PYRITIC SLATE - FALL RIVER SOBEYS/DEVELOPMENT AGREEMENT**

Mr. Schaffenburg confirmed that in the development agreement for Sobeys Fall River development, they have to get rid of the pyritic slate. There is no place to dispose of it this time as it is characterized as 'old pyritic slate'. Sobeys is working with the Department of Environment and Fisheries to develop a site where it can be disposed of.

**4.6 WATER TESTING OF PAPER MILL LAKE**

See item 4.4.

**4.7 BRISON DEVELOPMENT**

An e-mail from Mr. Hattin re Stormwater Management Plan was circulated in the agenda package.

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

Deferred in Mr. Dean's absence.

**6. NEW BUSINESS (cont'd)**

**6.2 BEDFORD WEST MASTER PLANNING STUDY - OPEN HOUSE**

Several members attended the Open House October 3, 2002. Please refer to item 4.1, which contains their impressions.



### **6.3 WATER RESOURCE MANAGEMENT POLICY**

The Chair referred to an e-mail he had received from John Sheppard indicating that the final report from Dillon Consulting is expected the end of November. Staff will be seeking feedback from the three WABs. It was proposed that HRM and Dillon could make a presentation to representatives of the three WABs in early January. The Chair advised that he contacted Kevin Dean, Councillor Goucher and Lawrence White and confirmed they would be available.

### **6.4 POLICY ON MAKING DECISIONS FOLLOWING PRESENTATIONS**

There was a discussion on whether it was appropriate for the Committee to make decisions following presentations with the proponents in the room. It was felt it might be more prudent to make decisions without the proponents in the room. It was noted that all meetings of BWAC are open to the public and such decision making processes would not fall under the guidelines for holding an in camera session, unless for example legal advice was being sought. Should the Committee feel uncomfortable at any time making a decision or would like time to reflect or obtain additional information, it could be deferred to another meeting. There is no obligation to make a decision at any given meeting.

### **7. NEXT MEETING**

Wednesday, November 13th - 7:00 p.m.

### **8. ADJOURNMENT**

The meeting was adjourned at 9:10 p.m.

Lynne Le Boutillier  
Assistant Municipal Clerk