

HALIFAX REGIONAL MUNICIPALITY

BEDFORD WATERS ADVISORY COMMITTEE MINUTES NOVEMBER 13, 2002

PRESENT: Mr. Don Lowther, Chair
Mr. Lawrence White
Mr. Robert Kerr
Ms. Deborah Gillis
Councillor Goucher (part)
Mr. William Matheson
Mr. Brad Gibb
Dr. S. Ray
Mr. Richard Hattin
Mr. Victor Li
Mr. Kevin Dean
Mr. Cedric Pilkington

ABSENT: Mr. Lem Murphy (regrets)

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. Ms. Gillis was congratulated on her recent Q.C. appointment.

2. **APPROVAL OF MINUTES**

MOVED BY Mr. Dean and seconded by Ms. Gillis that the minutes of the October 9, 2002 meeting be adopted as circulated.

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

The agenda was adopted, as circulated, by consensus.

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

4.1 **LIST OF ONGOING AND NEW PROJECTS**

Mr. Schaffenburg updated the members on the following projects:

- C Brison Developments Limited (copy of staff report dated October 28, 2002 for the North West Planning Advisory Committee meeting of November 2, 2002 had been provided to the members in a separate mail out)

Mr. Schaffenburg anticipates a Public Hearing date of December 5, 2002 will be set. He noted that the NWPAC has requested that the detailed stormwater management plan come back to BWAC.

- C A NWPAC meeting is taking place tonight on Bedford South.

- C Information pertaining to Bedford West is likely to be coming to the Committee shortly.

4.2 **INFILLING OF MOIRS POND - UPDATE**

The Chairman advised that in his conversation with Mr. Christie two weeks ago, it was indicated that there was to be a meeting with Sobeys' representatives, but it has not taken place to date. He indicated he had also spoken to the Mayor, who indicated that a land swap is being considered.

Mr. Lowther also referred to being contacted by representatives of an Environmental Studies class at Acadia University, who are planning to take on Moirs Pond as a project. They have been advised of the work of the Committee respecting this area and

were offered any additional information they might require.

He referred to a Town Meeting attended by Grade 6 Basinview School students, who posed questions to politicians in attendance about the situation at Moirs Pond. They had conducted a letter writing campaign to Sobeys. To date, no response. These students and the Acadia University students will continue their letter writing.

It was noted by Mr. Schaffenburg that the Waterfront Development Corporation has signed an agreement with Sobeys for disposal of acid slate from Fall River, but remediation is required before it is disposed of.

Mr. Hattin advised that Sobeys has also indicated it plans to excavate its Sackville site. Approximately 27,000 cubic yards of slate requires disposal from the Fall River site and 30,000 cubic yards plus from their Downsview site in Sackville. The total capacity of the site is 200,000 cubic yards. Slate disposal at the site is anticipated to generate \$1 million.

The Chair referred to a Stakeholders Group which is being formed of which he is a member. Bill Campbell plans to call a meeting of the group within the next few weeks. One of the questions the Chair plans to pose is why money raised from the disposal of slate in the Bedford Basin, does not stay in the community where it is generated.

4.3 TERMS OF REFERENCE

The last outstanding issue, with regard to the terms of reference, related to Composition - item 2.1. The Chair advised that he had discussed the matter with Councillor Goucher and Councillor Whalen and the following wording was suggested. The Committee agreed with the proposed wording:

Board members shall be appointed by North West Community Council with the consensus of Councillors from Districts 15, 16 and 22.

Mr. White referred to the Halifax/Halifax County Watershed Advisory Board's desire that BWAC look after the whole region associated with Bedford South. The members agreed to this and the H/HCWAB will be advised of their acceptance of this area.

A report will be sent to NWCC regarding the proposed changes in terms of reference. It is anticipated the subject will be also dealt with at Regional Council.

4.4 STATUS SHEET

- C Synoptic Water Quality Survey - deferred
- C Testing Results Paper Mill Lake - Copies of results were provided to Mr. Lee and Dr. Ray of the sub-committee. Reference was made to the fact that Mr. Riles was to send a letter updating the Committee. Mr. Schaffenburg felt the report was sent instead of correspondence.

A lengthy discussion followed on the whole history of trying to obtain water testing results, i.e. interpretation of clauses in the development agreement, etc. Mr. Dean felt it was more a matter of enforcement than wording. Mr. Schaffenburg noted that the developer is contending they are not constructing anything. Mr. Dean noted that a house was being constructed this year, thus they were in violation of the development agreement.

- C Terms of Reference - Status sheet to be revised to indicate report going to NWCC on proposed changes to the terms of reference.

- C Dams - The Chair referred to a meeting with the Minister October 31, 2002, attended by Darlene Fenton. The meeting's outcome was considered quite positive. The Minister assured them that when the stakeholders meet, BWAC representatives would be included. Ms. Fenton is to keep the Committee informed. In the interim, Ms. Fenton will meet with someone in Provincial Legal Services. A meeting will then be held with representatives of the Annapolis Group. The Chair felt confident that the dams will remain in place and be retained by some form of organization.

Mr. Dean noted that Ms. Gillis has offered to work with him on any correspondence regarding this subject.

- C Brison Development Agreement - As referred to in item 4.1, it is the intention that the stormwater management plan come to BWAC. A Public Hearing is anticipated Thursday, December 5, 2002.

Mr. Hattin explained his concerns that the area proposed to take the stormwater via a culvert under the highway isn't sufficient. He walked the area and found it to be very small and consisting of mainly rock. He anticipates it filling up, overflowing and flooding adjacent areas.

Mr. Schaffenburg assured the members that when the stormwater management plan is prepared, it will be reviewed by HRM and Department of Transportation engineers and if the design is not deemed adequate, the plans will have to be revised. The Development Engineer would take into consideration any comments of BWAC following its review. No Building Permits would be issued

by the Development Officer, until the stormwater management plans are approved.

- C Proposal Tree Saving - The Clerk advised that the BWAC's report has been forwarded by NWCC to staff for comment.

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

As indicated in item 4.2, an agreement has been arrived at with the Waterfront Development Corporation to dispose of acid slate from the Sobeys' Fall River site in the Basin, but remediation is required before its removal.

4.6 **WATER TESTING - PAPER MILL LAKE**

Refer to item 4.4, Status Sheet.

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

Mr. Dean referred to a short meeting that the Committee held on November 4, 2002. He advised that there is very little on going. He felt that enforcement still remains a problem.

Mr. Schaffenburg indicated that an application for a commercial site can be anticipated shortly involving a CDD. Location of site - Hammond Plains and Highway 102.

6. **NEW BUSINESS**

The Chair canvassed the members for any new business. He requested that a large scale map of the area of the Committee's proposed expanded jurisdiction be provided identifying area lakes. Mr. Schaffenburg will endeavour to have more street names included on the map, as well.

Mr. Pilkington referred to the balcony constructed on the back of Smittys. The Committee had previously reviewed this proposal which fell within the buffer zone of the Sackville River and recommended against the addition. Councillor Goucher explained why NWCC had not opposed their application and the special conditions that the owners had agreed to. Councillor Goucher noted that amendments are being made to the MPS and in event a similar application comes in the future, HRM will have greater control.

Mr. White advised that he understood owners of the Sun Tower plan to do some major work on a retaining wall, associated with the Sackville River, involving the driving of piles into the shoreline. Mr. Schaffenburg will check to see if a permit is required and if

someone was going to investigate.

Referring to earlier discussions about development agreements, Ms. Gillis suggested that it would be worthwhile to institute the practice of keeping a running file on such agreements, to alert anyone picking up the file what issues have been encountered.

7. **NEXT MEETING**

The next meeting is scheduled for Wednesday, December 11, 2002.

8. **ADJOURNMENT**

Meeting adjourned at 8:10 p.m.

Lynne Le Boutillier
Assistant Municipal Clerk