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1. CALL TO ORDER

Mr. Dempsey, Chair, called the meeting to order at 7:02 p.m. in the Community Room of the Captain William Spry Centre, 10 Kidston Road, Spryfield.

2. APPROVAL OF THE MINUTES – January 20, 2011

Revision: Page 5, Item 7.4; second last sentence to include reference to the fact that HRM has also committed to provide \$50,000 in funding toward development of the Latters Lake Park. The total balance for the park development project is \$150,000.

MOVED by Mr. John Greer, seconded by Mr. Roy Dempsey that the minutes of January 20, 2011, as amended, be approved. MOTION PUT AND PASSED.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

Additions: 8.1 Herring Cove Community Centre Update – Mr. Brian Dempsey
8.2 Latters Lake Park Development: Site Visit – Mr. Brian Dempsey

Move: Item 7.1.3 to be dealt with first on the agenda.

The agenda, as amended, was approved.

4. BUSINESS ARISING OUT OF THE MINUTES - NONE

5. CONSIDERATION OF DEFERRED BUSINESS – NONE

6. CORRESPONDENCE, PETITIONS & DELEGATIONS - NONE

7. REPORTS

During the approval of the agenda, the Committee agreed to deal with Item 7.1.3 at this time.

7.1.3 Herring Cove Breakwater

Mr. Peter Bigelow, Manager, Real Property Planning, Infrastructure and Asset Management, assisted by Mr. Jan Skora, Coordinator, Real Property Planning, provided a verbal update on the status of the request for HRM to initiate obtaining ownership of the Herring Cove Breakwater. Mr. Bigelow advised that a structural engineer has been engaged and has been provided all documents/drawings in relation to the Herring Cove Breakwater matter. The engineer's report is expected within two weeks.

The three areas to be clarified are: 1. structural assessment of the breakwater; 2. identify the catchment area (how many households) in order to evaluate/calculate how much funding could be obtained from a potential area rate if the community were to be relied upon for recapitalization; 3. direction/guidance/clarification from Council on who would sponsor the community meeting - the Herring Cove Advisory Steering Committee or HRM – and ensure notification of the meeting is provided to the community and targeted to the appropriate stakeholders/groups.

Mr. Bigelow responded to questions from the Committee. He noted that to date HRM has not been in contact with the Federal government nor the Pilotage Authority as it is preferable to have all information in hand, including the engineer's report, prior to initiating contact. Discussions will be held with the Federal government/Pilotage Authority in regard to necessary repairs, if any, once the structural assessment of the Breakwater has been completed.

Mr. Ed Dempsey entered the meeting at 7:09 p.m.

Mr. Bigelow requested that information on the catchment area boundary be forwarded to him as soon as possible so that HRM's Finance department could prepare calculations for inclusion in the staff report to be forwarded to the Community Council.

Mr. Dempsey thanked Mr. Bigelow for his presentation.

7.1.1 Potential Amendments to the Municipal Planning Strategy and Land Use By-Law in Relation to the Herring Cove Area Settlement and Servicing Strategy

A copy of the preliminary analysis of potential amendments to the Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) for Planning District 5 was circulated to the Committee at this time.

Mr. Miles Agar, Planner, presented a verbal update on Case 15890, proposed amendments to the Municipal Planning Strategy and Land Use By-Law for Planning District 5. He explained that the proposed amendments are based on a review of the documents (MPS/LUB) to determine whether they meet the intent of the Herring Cove Area Service and Settlement Strategy (HCASSS) and implemented clearly in the MPS/LUB. The Committee's input in regard to the proposed amendments was being sought prior to moving forward to a public information meeting which is expected to be held in approximately six weeks. All information will be made available to the public on an HRM webpage prior to the meeting.

Mr. Agar responded to questions of the Committee and clarified that, in regard to Item 4 and 5 on the list, the way the policy is currently written, there would be no means to permit any development on that property, however; the intent is to provide an option for development if there is sufficient depth to the property: 50' from the watercourse for an existing lot and 100' from the watercourse for newer lots. He noted that HRM is not

permitted to prohibit development; therefore, an option has to be provided in the policy for consideration through a public process such as a development agreement and public hearing with decision being made by the Community Council.

Mr. Brian Dempsey noted that properties zoned F1 along Margaret Lorne Drive and the left side of John Bracket Drive (from Herring Cove heading to Purcell's Cove) should not be zoned F1 as they have nothing to do with fishing. He clarified that only those properties abutting the cove were to be included in the F1 zone as a means to protect the historic fishing village/rural charm of Herring Cove. In response, Mr. Agar noted that Option 9, includes a suggestion for creating architectural controls (roof pitch/window proportions) in the area around the cove that would ensure no modern buildings would be built in that area in order to maintain the historic nature.

Mr. Dempsey noted that the Committee would review the document and contact Mr. Agar with any further comments within two weeks. He then thanked Mr. Agar for his presentation.

7.1.2 Herring Cove Sewer and Water Development

Mr. Roger Wells, Supervisor, Regional and Community Planning, and Mr. Jamie Hannam, Director of Engineering, Halifax Water, circulated information to the Committee at this time on the Herring Cove Servicing Project.

Mr. Wells and Mr. Hannam provided an overview of the Herring Cove Sewer and Water Project including information on: the completed phases, cost, funding sources, uncompleted phases, estimated cost to complete the project, and; whether or not legal action was/will be taken in regard to the project not being completed.

The Committee, on behalf of the community of Herring Cove, raised the following concerns:

- the agreement made between HRM and the community of Herring Cove was that municipal water/sewer services would be provided for all residents of Herring Cove with no interruptions when the community agreed to the construction of the Herring Cove Sewage Treatment Plant.
- many residents of Herring Cove are still without the promised municipal services yet new developments could be connected to those services prior to the existing residents receiving the services they were promised and have invested in.
- to have equity for all residents of Herring Cove, those waiting for the promised municipal services should not be subjected to additional expense/liability than those who have already received the services.

In response to questions of clarification from the Committee, Mr. Hannam and Mr. Wells provided the following information:

- in rare circumstances, above ground sewer infrastructure, such as an insulated pipe across a body of water, has been used, however; it is an expensive

proposition with operating options to be considered. For long term infrastructure protection, the preference is to bury sewer pipes.

- the original project estimates were based on the best information available to the Consultant at the time; cost overruns could be partly due to poor estimating and/or construction features encountered during the early stages of the project.
- there are no excess funds in regard to any delay in completing the Herring Cove Sewage Treatment Plant as it would have gone to the Harbour Solutions Project fund.
- the Herring Cove Sewer and Water project remains with HRM and has not been taken over by Halifax Water; Halifax Water is providing technical support.
- the Herring Cove Sewer and Water project is an incomplete HRM capital project as more funding is required to complete the project.
- Halifax Water has the responsibility to upgrade the Eastern Passage Sewage Treatment Plant as it is an existing Halifax Water service facility.
- in regard to any new development in the Herring Cove area, the developer would pay full cost for having water/sewer service extended to the development area.
- the water tower will be constructed on Ocean Breeze when required.

MOVED by Mr. Roy Dempsey, seconded by Mr. Ed Dempsey that the Herring Cove Advisory Steering Committee recommend that the Western Region Community Council request that Halifax Regional Council:

- 1. Formally and strongly approach senior levels of government to consider cost sharing the remaining phase of the Herring Cove Sewer and Water project, and;**
- 2. Bring forward the Herring Cove Sewer and Water Project as a Capital Budget item and allocate funds to the project until sufficient funding is in place to complete the servicing project.**

MOTION PUT AND PASSED.

Mr. Dempsey thanked Mr. Wells and Mr. Hannam for their presentation and information provided.

7.1.3 Herring Cove Breakwater

This item was dealt with earlier in the meeting. See page 3.

8. ADDED ITEMS

8.1 Herring Cove Fire Hall/Community Centre

Mr. Dempsey advised that the new fire hall has been completed. The old fire hall will be torn down as the structure has been deemed unsafe. A total of \$100,000, from HRM and contribution from local Councillor Steve Adams, has been budgeted toward repairs

to the existing community centre. The existing structure is in fairly good condition but does require new windows.

8.2 Latter Lake Park Development

Mr. Dempsey advised that a site visit at Latter Lake has been arranged with HRM Staff, Ms. Patricia MacDonald, Parkland Planner, and Mr. Blair Blakney, Coordinator, Infrastructure and Asset Management, for Friday, May 27th at 2:00 p.m. All Committee members are welcome to attend

9. ADJOURNMENT

The meeting was adjourned at 8:36 p.m.

Chris Newson
Legislative Assistant