

ENVIRONMENT AND SUSTAINABILITY STANDING COMMITTEE

MINUTES

June 6, 2013

PRESENT: Councillor Barry Dalrymple, Chair  
Councillor Jennifer Watts, Vice Chair  
Deputy Mayor Reg Rankin  
Councillor Lorelei Nicoll  
Councillor Darren Fisher  
Councillor Bill Karsten

REGRETS: Councillor Steve Craig

STAFF: Mr. Mike Labrecque, Deputy Chief Administrative Officer  
Mr. Joshua Judah, Solicitor  
Mr. Richard MacLellan, Manager, Energy and Environment  
Mr. Angus Doyle, Utilities Coordination Manager  
Mr. Gord Helm, Manager, Solid Waste Resources  
Ms. Laurie Lewis, Diversion Planning Coordinator  
Mr. Ted Aubut, Legislative Assistant

TABLE OF CONTENTS

1.	CALL TO ORDER.....	3
2.	APPROVAL OF MINUTES – May 2, 2013 .....	3
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETION .....	3
4.	BUSINESS ARISING OUT OF THE MINUTES .....	3
4.1	Status Sheet Update.....	3
5.	CONSIDERATION OF DEFERRED BUSINESS.....	4
5.1	Information Report dated January 28, 2013 regarding recycling of spent bulbs .....	4
6.	CORRESPONDENCE, PETITIONS & DELEGATIONS .....	4
6.1	Correspondence .....	4
6.1.1	Presentation Request from Plasco Energy Group dated May 13, 2013.....	4
6.1.2	Presentation Request from Dalhousie University dated May 7, 2013 5	
6.1.3	Correspondence from S.M. Mandaville dated May 7, 2013 regarding phytoplankton.....	5
6.1.4	Correspondence from QUEST dated April 19, 2013 .....	5
6.1.5	Correspondence from Nova Scotia Environment dated May 16, 2013.....	6
6.2	Petitions - NONE .....	7
6.3	Presentations.....	7
6.3.1	Oathill Lake Conservation Society .....	7
6.3.2	Ecology Action Centre.....	10
6.3.3	Nova Scotia Environment.....	10
7.	REPORTS.....	11
7.1	Staff Reports.....	11
7.1.1	Recommendation Report dated May 24, 2013 regarding Municipal Access Agreement with Internetworking Atlantic Inc.....	11
7.1.2	Recommendation Report dated April 26, 2013 regarding Stormwater Management and Lot Grading By-Law .....	11
8.	MOTIONS - NONE .....	12
9.	ADDED ITEMS.....	12
9.1	Councillor Watts - Rockefeller Foundation Resilient Cities Grant .....	12
9.2	Councillor Fisher - Staff Report regarding COMFIT wind turbine project.....	13
10.	NOTICES OF MOTION - NONE.....	13
11.	NEXT MEETING DATE – August 8, 2013 (Dartmouth Chamber) .....	13
12.	IN CAMERA.....	13
12.1	Approval of In Camera Minutes – May 2, 2013.....	14
12.2	Appointments to the Regional Watersheds Advisory Board.....	14
13.	ADJOURNMENT .....	14

## **1. CALL TO ORDER**

The Chair called the meeting to order at 1:04 p.m. in the Dartmouth Chamber at 90 Alderney Drive, Dartmouth.

To open the meeting, the Chair asked staff to share news about Birch Cove Beach in Dartmouth.

Mr. Richard MacLellan, Manager of Energy & Environment, announced that Birch Cove Beach on Lake Banook has been certified as a Blue Flag Beach. This means that it has met 32 criteria set by the Foundation for Environmental Education, including for water quality and environmental management. Mr. MacLellan noted that Birch Cove is the first beach in Nova Scotia to receive this designation, and joins a roster of 3,100 Blue Flag certified beaches around the world.

## **2. APPROVAL OF MINUTES – May 2, 2013**

**MOVED by Councillor Nicoll seconded by Councillor Karsten that minutes of May 2, 2013 be approved, as presented. MOTION PUT AND PASSED.**

## **3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETION**

### Additions:

9.1 Councillor Watts - Rockefeller Foundation Resilient Cities Grant

9.2 Councillor Fisher - Staff Report regarding COMFIT small wind turbine project

### Deletions:

6.3.3 Presentation from Nova Scotia Environment

**MOVED by Councillor Nicoll, seconded by Councillor Watts that the agenda be approved, as amended. MOTION PUT AND PASSED.**

## **4. BUSINESS ARISING OUT OF THE MINUTES**

### **4.1 Status Sheet Update**

The Standing Committee requested that the following items be removed from the status sheet as they are complete:

- March 7/13: Presentation from JDA Architects regarding connection to geothermal site
- March 7/13: Electronic Recycling Association
- December 6/12: Protection of lakes under Regional Centre Plan

## **5. CONSIDERATION OF DEFERRED BUSINESS**

### **5.1 Information Report dated January 28, 2013 regarding recycling of spent bulbs**

An information report dated January 28, 2013 was before the Standing Committee.

Mr. Gord Helm, Manager of Solid Waste Resource, explained that staff had been tasked with examining:

- The scope of legislation respecting mercury waste; and
- The possibility of recycling spent bulbs used in municipal facilities

He noted that mercury-containing bulbs fall under provincial and federal jurisdiction. Staff has therefore initiated discussions with the Province and is awaiting clarification from the Government of Canada. On the second point, he noted that there is interest in developing a corporate recycling program for mercury bulbs but only if it is consistent with environmental stewardship models. This means that candidate processors, like DAN-X Recycling Limited, must provide information to HRM about the use of all constituent components. In the case of DAN-X, it has secured markets for many, but not all components. HRM, he added, is not prepared to enter into a processor agreement until it knows the end state of all commodities.

Councillor Fisher indicated that he was keen to move forward on this project, and wished to know when these outstanding issues would be resolved.

Mr. Helm was unsure, as HRM is waiting for information from the Province and from candidate processors.

Councillor Watts reminded members that the Standing Committee is scheduled to meet with Nova Scotia Environment on June 24, 2013. She asked that Extended Producer Responsibility be added to the agenda.

Deputy Mayor Rankin asked that HRM prepare a succinct position on this matter so that it can act quickly to divert mercury bulbs from the landfill.

## **6. CORRESPONDENCE, PETITIONS & DELEGATIONS**

### **6.1 Correspondence**

#### **6.1.1 Presentation Request from Plasco Energy Group dated May 13, 2013**

A letter from Plasco Energy Group dated May 13, 2013 was before the Standing Committee.

**MOVED by Councillor Fisher, seconded by Councillor Nicoll that the Environment & Sustainability Standing Committee invite Plasco Energy Group to deliver a presentation at an upcoming meeting. MOTION PUT AND PASSED.**

**6.1.2 Presentation Request from Dalhousie University dated May 7, 2013**

The following were before the Standing Committee:

- Correspondence from staff dated May 7, 2013
- Executive Summaries on wildfire risks in HRM dated March 29, 2013

Mr. MacLellan explained that Ms. Ellen Whitman, a graduate student at Dalhousie University, had prepared two studies as part of HRM's climate change action plan. She was interested in presenting her findings to the Standing Committee.

Responding to questions from Councillor Watts, Mr. MacLellan noted that the research undertaken identified a number of issues that could influence land use planning policies in the future, including the need to clean up tree debris in urban and peri-urban forests to reduce wildfire risks brought on by climate change.

**MOVED by Councillor Watts, seconded by Councillor Nicoll that the Environment & Sustainability Standing Committee invite Ms. Whitman of Dalhousie University to deliver a presentation at an upcoming meeting. MOTION PUT AND PASSED.**

**6.1.3 Correspondence from S.M. Mandaville dated May 7, 2013 regarding phytoplankton**

Correspondence dated May 7, 2013 was before the Standing Committee.

The Standing Committee acknowledged receipt of Mr. Mandaville's report on phytoplankton.

**6.1.4 Correspondence from QUEST dated April 19, 2013**

Correspondence dated April 19, 2013 was before the Standing Committee.

Councillor Karsten asked staff to explain QUEST's involvement in HRM's Solar Orientation Regulation.

Mr. MacLellan replied that he had been directed by the Standing Committee to commission two reports on solar orientation. Genivar completed the first and Green Power Labs, the second. Both found that successful solar orientation regulation requires that HRM take an integrated approach. It is at this point that QUEST became involved. Mr. MacLellan explained that the QUEST, through its extensive network of stakeholders (government, academia, utilities, the energy industry, the real-estate sector, economic regulators, and the professional services sector) is well positioned to explore these issues. Shortly after they were approached, they formed a QUEST Solar

Sub-Committee, co-chaired by the Dean of the Business School at St. Mary's University and by senior staff from the Department of Energy, to review and comment on the integration issues outlined in the two reports.

In a follow-up question, Mr. MacLellan confirmed that HRM is not paying QUEST to study the matter.

The Chair asked the Solicitor to comment on the third paragraph of the letter in which QUEST requests legal advice on the applicability of Right to Light.

Mr. Joshua Judah, Solicitor, reminded the Standing Committee that Legal Services provides advice to HRM but not to external stakeholders. To do so would be to waive solicitor-client privilege.

Councillor Watts requested that the legal opinion be provided to the Standing Committee in a public information report.

**MOVED by Councillor Watts, seconded by Deputy Mayor Rankin that the Environment & Sustainability Standing Committee recommend that Regional Council direct staff to prepare a report examining right to light legislation and its implications on future solar energy projects in HRM. MOTION PUT AND PASSED.**

Mr. MacLellan noted that the QUEST Solar Sub-Committee hopes to complete its work by the end of 2013.

#### **6.1.5 Correspondence from Nova Scotia Environment dated May 16, 2013**

The following were before the Standing Committee:

- Correspondence from Nova Scotia Environment's Resource Management Branch dated May 16, 2013.
- A discussion paper entitled *NS Solid Waste-Resource Management Regulation Review* dated May 2013.
- A discussion document on the same subject dated February 2013.

The Chair reminded the Standing Committee of its meeting with Nova Scotia Environment (NSE) on June 24, 2013. He then called on staff to provide an overview of the issues at hand.

Mr. Gord Helm, Manager of Solid Waste Resources, explained that HRM was asked to comment on a NSE discussion paper in January 2013. HRM took this opportunity to propose improvements to the beverage container deposit program. Since that time, NSE has released an updated discussion paper for which it seeks HRM's input on the following:

- Creating a product stewardship framework through which producers will detail how their products will be managed at the end of life.
- Instituting disposal bans on a number of materials, including drywall and wallboard, which HRM currently use for cover at the landfill.
- Changing the beverage container deposit program in order for the deposit and refund to better align with market conditions. Mr. Helm reminded the Standing Committee that HRM had requested system change rather than system reform.
- Expanding the used tire management program so that it includes off-road tires
- Setting regional solid waste management requirements in order to meet provincial waste disposal targets. Mr. Helm indicated that this would be difficult for HRM because its industrial base makes it very different from other, largely rural regions in the province.
- Clarifying the rules around incineration, and when it counts as waste diversion.
- Involving municipalities in the enforcement of solid waste regulation.

Mr. Helm indicated that all of issues can be discussed with NSE officials at the meeting of June 24, 2013. Input must be received by the end of June.

Deputy Mayor Rankin agreed that moving from a diversion management approach to a weight measurement approach could be problematic because it does not take into account HRM's distinct economic base. HRM outperforms many regions on diversion but it will be a challenge for it to meet the 2015 weight target of 300 kg per person per year. As for disposal bans, he noted that shifting away from drywall and wallboard would have cost and operational implications for the landfill. He recommended that the public be consulted on this matter as certain landfill covers absorb odours better than others. Overall, he believed that residents supported the use of drywall cover.

The Standing Committee requested that staff prepare and circulate briefing material outlining proposed changes to the solid waste-resource regulation and implications for HRM. Moreover, it requested that a meeting be scheduled in advance of June 24, 2013 to review the material and identify points of consensus.

Mr. Helm agreed to prepare briefing material and the Clerk, to schedule a briefing meeting.

## **6.2 Petitions - NONE**

## **6.3 Presentations**

### **6.3.1 Oathill Lake Conservation Society**

Mr. Norman Steele, Vice President of the Oathill Lake Conservation Society thanked the Standing Committee for the opportunity to present. He introduced his colleague, Mr. Bob Rutherford.

Mr. Steele explained that the Conservation Society is a not-for-profit organization committed to the ecological health of Oathill Lake in Manor Park, Dartmouth. Its members monitor water quality and are involved in environmental education initiatives to ensure that the lake and surrounding parkland remain biologically diverse and accessible for recreational users.

Mr. Steele noted that stormwater drainage flows directly into the lake without being treated. Of particular concern is the Oathill Crescent storm sewer pipe because it empties into the busiest part of the lake for swimming and boating. Here, as at other outfall sites, the Conservation Society has found higher than normal concentrations of contaminants like chloride, aluminum, lead and zinc. Traces of lube oil have also been found. Mr. Steele noted that the Conservation Society had raised this issue with Halifax Water four years ago and, more recently, submitted them a proposal. The Conservation Society has also met with HRM staff.

Mr. Steele showed a number of photos of the site and pointed to the discolouration near the outfall. As a solution, he proposed diverting the pipe from the catch basin into an open, day- lighted channel on HRM lands. He believed this would create aeration of the water and in so doing, reduce the concentration of contaminants entering the lake without damaging nearby trees. The constructed wetlands would quickly vegetate and would be easy to construct.

Mr. Steele indicated that this proposal has a number of advantages. It would:

- Serve as an example of HRM's commitment to stormwater management best practices;
- Serve as an example of HRM's commitment to working with community partners; and
- Naturally improve water quality, thereby reducing risks to human and aquatic health.

In his concluding remarks, Mr. Steele indicated that the Conservation Society would continue to work with Halifax Water and HRM to advance this project, and with engineering consultants to design the constructed wetland.

The Chair thanked Mr. Steele for his presentation and invited members of the Standing Committee to ask questions.

Councillor Fisher wished to know if HRM is contributing to the cost of the consultants who are designing the wetland.

Mr. MacLellan replied that HRM has issued a small purchase order to Dillon Consulting to find out if the abutting parkland can absorb stormwater which is currently entering the lake.



Responding to follow-up questions from Councillor Fisher, Mr. MacLellan noted that the project will likely cost \$20,000-\$30,000, with most of the funding coming from Halifax Water.

Councillor Watts wished to know if created wetlands were common practice and what their implications would be on the 20 metre buffer surrounding the lake.

To these questions questions, Mr. Sutherland noted the following:

- HRM has shied away from creation wetlands even though the engineering community has experience developing them.
- The 20 metre buffer would not be affected because the lake is surrounded by parkland.

Deputy Mayor Rankin observed that Oathill Lake is one of many lakes with high concentrations of contaminants. He wished to know if there was a policy framework in place to remedy this macro problem.

Mr. Mike Labrecque, Deputy Chief Administrative Officer indicated that staff is tasked with developing an integrated stormwater management plan. It will be presented to Regional Council within 24 months.

The Chair noted that HRM rightly funded the clean-up the harbour. He believed it was time to dedicate resources to protect the Municipality's lakes. In this regard, Oathill Lake could act as a pilot project.

Councillor Nicoll asked staff to comment on the dissolution of the Dartmouth Lakes Advisory Board.

Mr. Labreque replied that the three watershed advisory boards will be replaced with a single entity, the Regional Watersheds Advisory Board.

To this, Mr. MacLellan added that not-for-profits, like the Oathill Lake Conservation Society, nicely complement the work of HRM's advisory committee. They are the eyes and ears of the community, thereby providing valuable feedback to staff.

Councillor Nicoll noted that HRM has created business improvement districts to stimulate economic development. She wondered if a similar model should be put in place to boost the ecological health of HRM's lakes.

**MOVED by Councillor Nicoll, seconded by Councillor Watts that the Environment & Sustainability Standing Committee request quarterly updates on the status of the Oathill Lake restoration project. MOTION PUT AND PASSED.**

The Clerk agreed to add this item to the status sheet.

### **6.3.2 Ecology Action Centre**

Ms. Jocelyne Rankin, Water Coordinator at the Ecology Action Centre, thanked the Standing Committee for the opportunity to present.

Pointing to images of flooding in Truro in 2012, she noted that existing infrastructure cannot always handle stormwater pressures because they were not designed for high volume run-off. These pressures, she continued, will only intensify as assets age and as the effects of climate change set in.

Ms. Rankin noted that alternative stormwater management systems offer a number of advantages. Not only are they less expensive than conventional systems - 15 to 85% less expensive according to the US Environmental Protection Agency - but they also have less of an impact on the surrounding environment. She provided the following examples:

- The development of vegetated swales to slow, infiltrate and filter stormwater flows from a parking lot and/or street
- The installation of rain gardens to collect and absorb runoff from rooftops, sidewalks and streets. These are used at the George Dixon Centre on Brunswick Street and have proven to be very affordable, costing \$3-5 per square foot.
- The laying of paved surfaces that infiltrate, treat, and/or store rainwater where it falls, such as those used at the Fire Station on the corner of University Avenue and Robie Street

She noted that these options are effective because they slow, spread, and sink stormwater.

Ms. Rankin then described a study underway at the Seven Lakes subdivision in Porters Lake to identify low-impact design methods to reduce stormwater runoff, control pollutant loading and enhance groundwater infiltration. Project partners include the Ecology Action Centre, Dalhousie University and the Department of Natural Resources and funding has been provided by the RBC Blue Water Fund and Project Leadership and Community Action Grants. She noted that she would gladly return to the Standing Committee with an update on this project.

Ms. Rankin thanked the Standing Committee for their attention and invited them to attend a Stormwater Innovation Conference June 25-27, 2013 at the Mic Mac Aquatic Club, Dartmouth.

The Chair thanked Ms. Rankin for her update.

### **6.3.3 Nova Scotia Environment**

This presentation was not held.

## **7. REPORTS**

### **7.1 Staff Reports**

#### **7.1.1 Recommendation Report dated May 24, 2013 regarding Municipal Access Agreement with Internetworking Atlantic Inc.**

The following were before the Standing Committee:

- A recommendation report dated May 24, 2013
- A proposed Municipal Access Agreement between HRM and Internetworking Atlantic
- *Dealing with Telecom Companies: Protecting Municipal Rights-of-Way*, a handbook dated July 2009 prepared by the Federation of Canadian Municipalities

Mr. Angus Doyle, Utilities Coordination Manager reminded the Standing Committee that it had discussed this matter in camera in October and November 2012. Since that time, there have been a number of developments:

- The Clerk's Office has confirmed that such agreements ought to be discussed in public session rather than in camera.
- Staff has made minor revisions to the agreement to clarify ambiguities and modernize wording.
- Internetworking Atlantic Inc. has asked that the agreement be reviewed and ratified by Regional Council.

It is for these reasons that the matter is before them for second review.

**MOVED by Deputy Mayor Rankin, seconded by Councillor Karsten that the Environment & Sustainability Standing Committee:**

- 1. Endorse the updated Municipal Access Agreement between HRM and Internetworking Atlantic as contained in the staff report dated May 24, 2013; and**
- 2. Recommend that Halifax Regional Council approve the execution of the Municipal Access Agreement.**

**MOTION PUT AND PASSED.**

#### **7.1.2 Recommendation Report dated April 26, 2013 regarding Stormwater Management and Lot Grading By-Law**

The recommendation report dated April 26, 2013 was before the Standing Committee.

**MOVED by Councillor Nicoll, seconded by Councillor Watts that the Environment & Sustainability Standing Committee request that Regional Council direct staff to:**

1. **Consult with external stakeholders, including Halifax Water, the Nova Scotia Homebuilders' Association and the Development Industry, to help formulate recommended objectives for a Stormwater Management and Lot Grading By-Law;**
2. **Consult with the Regional Watersheds Advisory Board to help identify objectives and desired outcomes of a Stormwater Management and Lot Grading By-law; and**
3. **Prepare a recommendation articulating the objectives of a Stormwater Management By-Law for review and consideration of the Environment & Sustainability Standing Committee.**

Councillor Nicoll noted that she frequently receives calls from constituents concerning stormwater run-off from abutting properties. She stressed the urgency of this matter, requesting that staff move quickly as possible on this matter and be allocated sufficient resources to do so.

Deputy Mayor Rankin indicated that he, too, fields many calls about stormwater run-off. He believed that consumer protection ought to be strengthened. This involves, among other things, raising awareness about the difference between subdivision drainage plans and lot drainage plans – and ideally at the point of purchase.

Mr. MacLellan replied that staff intends to explore a number of policy options, and to present them to Regional Council. The first step will be to identify objectives sought in a stormwater management and lot grading by-law.

#### **MOTION PUT AND PASSED.**

#### **8. MOTIONS - NONE**

#### **9. ADDED ITEMS**

##### **9.1 Councillor Watts - Rockefeller Foundation Resilient Cities Grant**

**MOVED by Councillor Watts, seconded by Councillor Nicoll that the Environment & Sustainability Standing Committee encourage staff to prepare an application to the Rockefeller Foundation's Resilient Cities program.**

Mr. MacLellan explained that the Rockefeller Foundation recently announced \$100 million to assist 100 cities create and execute resilience strategies. He believed HRM was well positioned to apply.

Councillor Watts asked staff to comment on the timeline.

Mr. MacLellan replied that the application form will not be available until August.

Deputy Mayor Rankin and Councillor Nicoll thanked staff for bringing this exciting opportunity to the Standing Committee's attention.

Councillor Karsten noted that he will gladly support this motion. However, he was of the understanding that staff does not need the Standing Committee's approval to source external revenue and grants.

Deputy Mayor Rankin noted that the Standing Committee's endorsement will be important when the matter comes before Regional Council.

**MOTION PUT AND PASSED.**

**9.2 Councillor Fisher - Staff Report regarding COMFIT small wind turbine project**

**MOVED by Councillor Fisher, seconded by Councillor Watts that the Environment & Sustainability Standing Committee recommend to Regional Council that staff prepare a report on the process, financial implications, revenue expectations and possible options for consideration of the development and construction of a Community Feed-in Tariff (COMFIT) small wind turbine project for inclusion in the 2014 budget.**

Councillor Fisher explained that this had been the subject of an information report in 2012 and had generated a lot of excitement. Such a project was also been raised in Regional Council's discussions of 2013/2014 priorities. He reminded members that COMFIT could provide an alternative source of revenue for HRM.

**MOTION PUT AND PASSED.**

**10. NOTICES OF MOTION - NONE**

**11. NEXT MEETING DATE – August 8, 2013 (Dartmouth Chamber)**

**12. IN CAMERA**

**MOVED by Councillor Nicoll, seconded by Deputy Mayor Rankin that the Environment & Sustainability Standing Committee convene in camera to approve in camera minutes of May 2, 2013 and to appoint citizens to the Regional Watersheds Advisory Board. MOTION PUT AND PASSED.**

The Standing Committee convened in camera at 3:03 pm.

**12.1 Approval of In Camera Minutes – May 2, 2013**

This matter was dealt with in camera.

**12.2 Appointments to the Regional Watersheds Advisory Board**

This matter was dealt with in camera.

The Standing Committee reconvened in public session at 3:08 pm to move the following motion:

**MOVED by Councillor Karsten, seconded by Councillor Nicoll that the Environment & Sustainability Standing Committee appoint the nine citizens outlined in the private and confidential staff report of May 28, 2013 to the Regional Watersheds Advisory Board and request that their names be released once they have been notified. MOTION PUT AND PASSED.**

**13. ADJOURNMENT**

The meeting adjourned at 3:09 pm.

Ted Aubut  
Legislative Assistant