

ENVIRONMENT AND SUSTAINABILITY STANDING COMMITTEE
MINUTES

December 1, 2011

PRESENT: Councillors: Barry Dalrymple, Chair
Jennifer Watts, Vice Chair
Peter Lund
Debbie Hum
Darren Fisher
Lorelei Nicoll
Jackie Barkhouse
Dawn Sloane

STAFF: Mr. Phillip Townsend, Director, Planning & Infrastructure
Ms. Krista Vining, Legislative Assistant

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1. CALL TO ORDER

The meeting was called to order at 1:05 p.m. in the Dartmouth Chamber, 90 Alderney Drive, Dartmouth.

2. APPROVAL OF MINUTES – November 14, 2011

MOVED by Councillor Sloane, seconded by Councillor Nicoll that the minutes of November 14, 2011 be approved, as presented. MOTION PUT AND PASSED.

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

Additions:

- 9.1 Clarification re: Partnership Agreement – Clean Nova Scotia
- 9.2 Information Item 2 - Information report dated November 4, 2011 re: Open Space Functional Plan – Scope and Process
- 9.3 Discussion re: HRM Hosting Future FCM Meeting 2013/2014
- 9.4 Information Item 1 - Briefing Note December 1, 2011 re: Regional Plan Review Project Scope: Environment and Sustainability Subjects

MOVED by Councillor Sloane, seconded by Councillor Hum that the Order of Business be approved, as amended. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 STATUS SHEET UPDATE

A copy of the Status Sheet was before the Standing Committee for review. Matters proposed for removal were deleted from the Status Sheet.

4.2 Information Report dated September 19, 2011 re: Water Levels at Kearney Lake (November 14, 2011)

The Standing Committee reviewed the September 19, 2011 staff information report on the Kearney Lake water levels. Councillor Hum read an email from Ms. Mary Ann McGrath, President of the Kearney Lake Residents Association, into the record and a copy was provided for the file. Ms. McGrath's email refers the lack of reference to the dam on Quarry Lake, which the Association believes is the main problem for both flooding and low water levels. The Association suggested that the Quarry Lake dam needs to be regulated, as it has the main effect on the water levels in Kearney Lake and upstream.

It was noted that that the September 19th staff information report has been forwarded to the Chebucto Community Council for its December 5th meeting.

Item removed from the Status Sheet.

5. CONSIDERATION OF DEFERRED BUSINESS – NONE

6. CORRESPONDENCE, PETITIONS & DELEGATIONS

6.1 Correspondence – None

6.2 Petitions – None

6.3 Presentations – None

7. REPORTS

7.1 STAFF REPORTS

7.1.1 Solar City – Solicitation Approval

Staff report dated October 19, 2011 was before the Standing Committee.

Julian Boyle, Energy Auditor, Planning and Infrastructure, provided an overview of the October 19th staff report.

MOVED by Councillor Watts, seconded by Councillor Sloane that the Environment and Sustainability Standing Committee recommend that Halifax Regional Council:

- 1. Direct staff to issue a competitive Request For Proposal (RFP) for the supply and installation of solar hot water panels and consulting services for the Solar City Initiative;**
- 2. Direct staff to finalize a contribution agreement with the Province of Nova Scotia to support the Solar City Initiative development and implementation and increase the Sustainability Communities Reserve (Q127) by the corresponding amount (approximately \$50,000); and**
- 3. Using the principles approved in the February 8, 2011, recommendation by Regional Council, direct staff to:**
 - 1) finalize the business case; and**
 - 2) undertake a full analysis of the financial, technical and contractual risk in parallel to the RFP process.**

A discussion was held with staff responding to questions of clarification on the Request for Proposal and Contribution Agreement with the Province of Nova Scotia, as well as the expression of interest with industry, as outlined in the October 19th staff report.

It was noted that if approved, the Standing Committee's recommendations would be before Regional Council for its December 13, 2011 session for consideration.

MOTION PUT AND PASSED UNANIMOUSLY.

8. MOTIONS

8.1 Councillor Lund –Building Permits in non-serviced area of HRM

"That the Environment and Sustainability Standing Committee request staff to investigate the feasibility of requiring as a condition of issuing a Building Permit in non-serviced areas of HRM, that the house and auxiliary buildings be placed on the lot to avoid being flooded. Further, that drainage from these buildings are not directed to natural watercourses nor directed in such a manner as to adversely affect neighbouring properties (ie. cause flooding)."

MOVED by Councillor Lund, seconded by Councillor Hum that the Environment and Sustainability Standing Committee request staff to investigate the feasibility of requiring as a condition of issuing a Building Permit in non-serviced areas of HRM, that the house and auxiliary buildings be placed on the lot to avoid being flooded. Further, that drainage from these buildings are not directed to natural watercourses nor directed in such a manner as to adversely affect neighbouring properties (ie. cause flooding).

During the discussion Councillor Lund expressed concern with placement of homes on lots that experience repeat flooding during heavy rain, providing examples in his District. He noted that he has been in discussions with legal and questions have been raised respecting HRM's liability and accountability.

Discussion was held related to the Storm Water Management Plan and Lot Grading By-law. Councillor Sloane provided an example of property along the Peninsula that experiences repeat flooding and suggested HRM ask the Province to review the floodplains. As this was outside the scope of the motion, staff advised that similar issues have been raised in District 8 and that they would follow up separately with those Councillors.

Councillor Fisher suggested adding the word *such* so that the motion would read *...that the house and auxiliary buildings be placed on the lot such to avoid being flooded*. The mover and seconder agreed and the motion before the Standing Committee now reads:

MOVED by Councillor Lund, seconded by Councillor Hum that the Environment and Sustainability Standing Committee request staff to investigate the feasibility of requiring as a condition of issuing a Building Permit in non-serviced areas of HRM, that the house and auxiliary buildings be placed on the lot such to avoid being flooded. Further, that drainage from these buildings are not directed to natural watercourses nor directed in such a manner as to adversely affect neighbouring properties (ie. cause flooding).

A brief discussion ensued and the **MOTION WAS PUT AND PASSED.**

9. ADDED ITEMS

9.1 Clarification re: Partnership Agreement – Clean Nova Scotia

Staff memorandum dated November 30, 2011 was before the Standing Committee for review and consideration.

It was noted that the revisions to the motion are to clarify that it is a sole source partnership agreement and provide clarity with regard to funding sources.

MOVED by Councillor Nicoll, seconded by Councillor Hum to accept the revisions of the motion passed by the Environment and Sustainability Standing Committee on November 14, 2011, as outlined in the November 30, 2011 staff memorandum as follows:

It is recommended by the Environment and Sustainability Standing Committee that Regional Council:

- 1) Approve a sole source partnership agreement with Clean Nova Scotia, under the FCM Green Municipal Funding program and as outlined in the October 14, 2011 staff report, to deliver a 2012/2013 HRM's Fleet Fuel Consumption Reduction Program in support of HRM's green house reduction objectives.**
- 2) That funding for the partnership agreement, in the amount of \$50,000 in fiscal 2012/2013, be provided from Operating Account D948 (Sustainable Community Projects) on the condition that funds are not from General Tax Revenues but are generated through interest savings in the Sustainability Communities Reserve (Q127) and will be contingent on the partnership investment leveraging substantial additional funding for the development and delivery of the program.**

MOTION PUT AND PASSED.

9.2 Information Item 2 - Information report dated November 4, 2011 re: Open Space Functional Plan – Scope and Process

Holly Richardson, Coordinator Real Property Policy, Planning and Infrastructure, and Project Manager for the Open Space Function Plan, provided an overview of the scope and process of the Open Space Functional. It was noted that in the coming weeks staff will be bringing a similar information report to the Community Planning and Economic Development Standing Committee and Transportation Standing Committee. As the Functional Plan moves forward, staff will be working to coordinate and align the plan with the applicable Committees, Divisions and Departments.

Councillor Nicoll understood that the focus is on the Regional Centre under the Regional Plan but suggested in future staff identify how and why their focuses are prioritized.

Staff provided clarification respecting the concept of private open space, noting that development pattern and lot size has a major influence on whether Council should, or is called upon, to provide a certain level of Municipal open space. As a result of the three volume approach, there are different onuses on private open space in urban, suburban and rural areas (ex. fishing on private lands). The development pattern will influence the Municipality's approach to open space. In urban or suburban areas the size of backyards has an impact on whether or not people are using the open space the Municipality is providing and on the type of open space.

Councillor Lund suggested adding the wording *and islands* following watercourse buffers, as part of the Objectives; item 7, page 3 of the November 4th staff information report. His reasoning being to establish a strategy for not only access to coastal areas and lakes and protection of watercourse buffers but also protection of islands. He provided examples of numerous privately owned islands that are unprotected and can be developed by private developers. Historically, a majority of the islands are being used by the public even though they are privately owned. Once developed, they are no longer accessible to the public.

Staff clarified that Councillor Lund's suggestion fits with the objectives and aims of the Open Space Functional Plan. Staff will add language relative to islands into the plan and further explore the process around privately owned islands.

Staff responded to further questions of clarification relative to the Open Space Functional Plan and provided an overview of the timeframes for the public engagement process. Staff will be coordinating and aligning with the Province and Federal governments as needed.

9.3 Discussion re: HRM Hosting Future FCM Meeting 2013/2014

Richard MacLellan, Manager, Sustainable Environment Management Office, provided an overview of the announcement made by FCM respecting an expression of interest from Municipalities to host an FCM Sustainable Communities Conference in either 2013 or 2014. It was noted that the conference is typically hosted in Ottawa every second year and in other Municipalities the following years. The conference attracts approximately 500 delegates and HRM had good experience hosting the FCM general conference in 2011. Staff has reviewed the Request for Proposal with Councillor Dalrymple as Chair and Councillor Walker as HRM's FCM representative. He asked whether the Standing Committee was interested in asking staff to prepare a response to host a future FCM Sustainable Communities Conference in either 2013 or 2014. He noted that HRM would have to respond to FCM by January 20, 2012. If the Standing Committee was agreeable, staff would come back at their January 5th meeting with a recommendation to forward to Regional Council for endorsement to apply to FCM.

It was noted that Councillor Walker is attending an FCM meeting this week but has spoken with Councillor Dalrymple and staff. Any additional information from the FCM meeting will be provided in an update to the Standing Committee at their January 5th meeting.

Councillor Walker had indicated to Councillor Dalrymple that one of those years will be hosted in Ottawa. Charlottetown has expressed an interest, or may have already applied, for the other year.

MOVED by Councillor Fisher, seconded by Councillor Sloane that the Environment and Sustainability Standing Committee request staff to investigate the opportunity of hosting an FCM environmental conference in either 2013 or 2014 and report back to the Standing Committee for their January 5, 2012 meeting.

It was noted that budgetary items would be identified in the staff report coming forward to the Standing Committee January 5, 2012, along with feedback from Councillor Walker from the FCM meeting.

MOTION PUT AND PASSED.

9.4 Information Item 1 - Briefing Note December 1, 2011 re: Regional Plan Review Project Scope: Environment and Sustainability Subjects

Councillor Lund requested a status update on the creation of the Water Issues Advisory Group.

Richard MacLellan, Manager, Sustainable Environment Management Office, highlighted the direction given by the Standing Committee during their October 6, 2011 meeting, as outlined in the September 19, 2011 staff report:

- Create a Water Issues Advisory Group for a term of 12 months with a mandate to work with staff on the priority actions of the Save our Lakes project as identified by the Environment and Sustainability Standing Committee
- Prepare an Annual State of the Lake Report in conjunction with the Water Issues Advisory Group
- Identify possible opportunities and best management practices for inclusion of Green Infrastructure in the Red Book and for municipal internal practices

It was noted that the meeting relative to green infrastructure was cancelled due to bad weather and will be rescheduled in January 2012. An invitation will be re-extended to the Watershed Advisory Boards.

10. NOTICES OF MOTION

10.1 Councillor Watts

Take notice that at the next regular meeting of the Environment and Sustainability Standing Committee meeting, to be held Thursday, January 5, 2011, I proposed to request a staff report on the disposal of surplus HRM equipment to ascertain environmental impacts of our disposal practices.

11. NEXT MEETING DATE – January 5, 2012

11.1 Discussion - Location of January Meeting

Following a brief discussion, the Standing Committee agreed to hold their January 5, 2012 meeting in the Dartmouth Chamber, 90 Alderney Drive, Dartmouth.

It was noted that locations of future meetings will be considered on a month by month basis as construction continues on the exterior of the City Hall building.

12. ADJOURNMENT

The meeting adjourned at 3:05 p.m.

Krista Vining
Legislative Assistant

INFORMATION ITEMS

1. Briefing Note December 1, 2011 re: Regional Plan Review Project Scope: Environment and Sustainability Subjects
2. Information report dated November 4, 2011 re: Open Space Functional Plan – Scope and Process
3. Briefing Note dated December 1, 2011 re: Japanese Knotweed, Shubie Canal Locks
4. Copy of Response Letter to Community Monitoring Committee dated November 15, 2011 re: Otter Lake Landfill - Site A
5. Approved Environment and Sustainability Standing Committee 2012 Meeting Scheduled