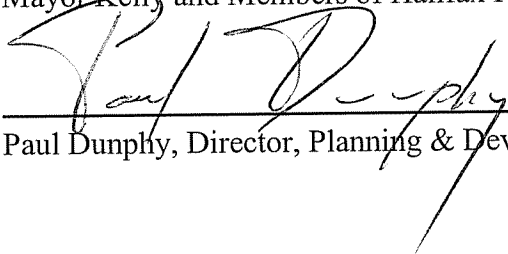
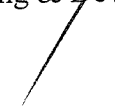


Halifax Regional Council  
July 16, 2002

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:

  
Paul Dunphy, Director, Planning & Development Services

  
Kurt Pyle, Planner, Planning & Development Services

DATE: July 11, 2002

SUBJECT: **PROJECT NO. 00082: C&D WASTE MANAGEMENT STRATEGY**

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### INFORMATION REPORT

#### ORIGIN:

- On July 9, 2002, Regional Council agreed to set public hearing dates for the adoption of amendments to all Municipal Planning Strategies and Land Use By-laws and two site specific plan amendments (contained within June 13, 2002 staff report) to implement HRM's C&D Waste Management Strategy.
- Council also directed that three separate public hearings be scheduled and asked that staff handle the details of scheduling these.

#### BACKGROUND:

- Council is considering two broad issues with respect to regulating construction and demolition debris as follows:
  - ☐ adoption of "general" Plan and Bylaw amendments required to establish a regulatory framework for all types of construction and demolition operations; and
  - ☐ consideration of "site specific" Plan amendments required to allow the operation of construction and demolition disposal operations at two specific sites.

- On July 9, 2002, Regional Council agreed to:
  - ① proceed to public hearing on the general municipal planning strategies (MPS) and land use by-laws (LUB) amendment package and two site specific amendments for C&D disposal (RDM Recycling Ltd - Harrietsfield and Halifax C&D Ltd - Antrim);
  - ② hold separate public hearings on each plan amendment (total of 3 public hearings) as follows:
    - General MPS and LUB Amendment Package
    - RDM Recycling Limited - Harrietsfield
    - Halifax C&D Limited - Antrim
  - ③ hold the public hearing on the general amendment package first, followed by the site specific amendments; and
  - ④ separate the public hearing on the general amendment package and the public hearings on the site specific amendments by a few weeks. During this time a staff report would be prepared discussing the implications for the two specific sites if Council does not approve the general amendments or makes changes to it.

## **DISCUSSION:**

### General MPS and LUB Amendment Package

Based upon Council's direction, the first public hearing will be for the general MPS and LUB Amendment Package. By holding this public hearing first, Council will be establishing the overall framework first before considering either of the site specific amendments.

Staff are recommending that Council follow its standard public hearing practice where Council hears from the public and debates the amendments the same night.

### Site Specific Amendments

Due to the sensitivity of the site specific amendments, staff are recommending that Council set aside a day for each amendment plus a third date in case Council has not heard from all residents. The ad for the public hearing shall clearly indicate the time, date and the amendment to be heard in order to avoid confusion on the amendments and to clarify when a resident needs to attend relative to a specific amendment.

The format for the public hearings should follow the same procedure as used for the Pesticide By-law where Council heard from the public first and then debated the issue at a separate meeting. This approach will allow Council to hear each proposal before making a decision on either site specific amendment.

### Site Specific Public Hearings

Staff are recommending this approach as it allows Council to consider the broadest range of policy options in order to address a serious regional issue stemming from a lack of appropriate C&D disposal sites. This situation currently limits HRM's ability to effectively implement HRM's Integrated Waste/Resource Management Strategy (IWRMS) in an environmentally acceptable and cost-effective manner. If none of the two proposals are permitted, HRM may not see a C&D disposal site established until 2003 or 2004 and existing stockpiles will continue to grow. HRM has a responsibility to address the issue of the disposal of C&D waste as it is part of IWRMS.

In an ideal world, HRM's policy priorities (Integrated Waster Resource Management Strategy and Municipal Planning Strategies) could be implemented without any compromise on the basic principles. In this case, there is a very real possibility that Council may have to compromise competing policy priorities in order to implement the C&D Waste Management Strategy. It is clear already from Council's debate and the fact that Council has agreed to set public hearing dates on the two site specific plan amendments (despite one being inconsistent with the Strategy and the other requiring further information) that some level of compromise will be considered in order to implement the C&D Waste Management Strategy.

### Alternative for Site Specific Public Hearings

If Council does not support the proposed approach to scheduling hearings and debate, the alternative is to follow the same process as proposed for the general amendment package. In other words, hold the hearing on the first site and then debate the case and make a decision. This would be followed by the same process for the second site. The risk inherent in this alternative approach is that if the first site is not approved, Council may feel greater pressure to approve the second site in order to get a disposal site in place. Also, it may turn out that after hearing the second case, it has less merit than the first case. Had Council known that, the first site might have been approved.

### Attendance/Scheduling

In light of the attendance during the public consultation process on the strategy and the site specific amendments, Council should anticipate that approximately 100 people may attend each public hearing. Consequently, staff are recommending that Council hold the hearings on dates other than their regular Council session nights. Further, each public hearing should start at 3:00 p.m. and end at 10:00 p.m. (with a break for supper 5 pm to 6 pm ) to allow adequate time to hear from residents.

### Public Hearing Dates

The public hearing for the general amendment package should be held on August 28, 2002. In regard to the Site Specific Amendments, Council has two options on which to proceed:

**Option 1 - Proposed Sequence** (Debate Occurs Concurrently)

Amendment	Action	Date	Action	Date
RDM Recycling	Hearing-no debate/decision	Sept. 16/02	Debate/Decision	Sept. 24/02
Halifax C&D	Hearing-no debate/decision	Sept. 18/02	Debate/Decision	Sept. 24/02

Notes If first hearing is not completed on scheduled date, it will resume at the next scheduled date.  
An addition date has been set side if Council has not completed the hearings.

**Option 2 - Standard Process** (Debate Occurs Separately)

Amendment	Action	Date	Action	Date
RDM Recycling	Hearing-no debate/decision	Sept. 16/02	Debate/Decision	Sept. 18/02
Halifax C&D	Hearing-no debate/decision	Sept. 25/02	Debate/Decision	Sept. 30/02

Note: An addition date has been set side if Council has not completed the hearings.

**BUDGET IMPLICATIONS:**

None

**FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN**

N/A

**ALTERNATIVE**

1. Staff will pursue the sequence of public hearings and debates described in this report as Option 1 unless Council directs otherwise.
2. Council could direct staff to schedule the public hearings and debate as described in Option 2.

**ATTACHMENTS**

None

Additional copies of this report and information on its status can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report prepared by Kurt Pyle, Planning Services, 490-4428