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Halifax, Nova Scotia
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Item No. 8

**Halifax Regional Council
August 11, 2009**

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:

A handwritten signature in black ink, appearing to read "Paul Dunphy".

Paul Dunphy, Director, Community Development

DATE: July 27, 2009

SUBJECT: Temporary Construction Uses (Portable Rock Crushers)

INFORMATION REPORT

ORIGIN

Motion of Halifax Regional Council, January 20, 2009 (item 8.1):

“Moved by Councillor Mosher, seconded by Deputy Mayor Hendsbee that Halifax Regional Council direct staff to consult with the industry and the Nova Scotia Department of Environment to see if there are additional amendments which can be agreed upon to further improve the practicality and effectiveness of the by-law provisions:

MOTION PUT AND PASSED.

BACKGROUND

At its January 13, 2009 meeting, Halifax Regional Council held a Public Hearing regarding proposed amendments to all HRM Land Use By-laws respecting the use of temporary (portable) rock crushers within the municipality. At the Public Hearing, a small number of speakers voiced concerns regarding the restriction on transporting aggregate between construction sites.

Council deliberations on this matter took place on January 20, 2009. Certain Councillors expressed concerns that prohibiting the transport of aggregate (processed by temporary rock crushers) was overly restrictive. Following deliberations, Council approved the by-law amendments as proposed by staff, and subsequently passed a separate Motion (Origin section of this report) to have staff further investigate this matter.

DISCUSSION

Throughout the course of preparing the By-law amendments ultimately approved by Council, frequent consultation took place with senior staff at NS Environment. This is because the processing of aggregate material is the jurisdiction of the Province, regulated through the Pits and Quarries Guidelines. The Land Use By-law amendments now in place are consistent with the regulations of the province.

As per Council's direction, staff is preparing to again consult with NS Environment in an effort to determine if there are opportunities, within either jurisdictional level, to address the movement of finished aggregate and/or raw material between sites, where such activity involves the use of temporary rock crushers. Upon exploring these matters, staff will arrange a meeting(s) with representatives of the relevant industry stakeholders to discuss. Staff will then prepare a report to Regional Council, with an anticipated timeline of December, 2009.

BUDGET IMPLICATIONS

Any HRM costs associated with this initiative can be accommodated within the approved operating budget for C-310.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

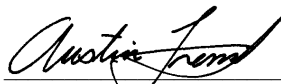
This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ATTACHMENTS

None.

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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Report Approved by: Austin French, Manager, Planning Services, 490-6717