

Item No. 11.2.1
Halifax Regional Council
October 22, 2013

TO: Mayor Savage and Members of Halifax Regional Council

Original signed

SUBMITTED BY:

fw / Linda Mosher, Chair, Halifax and West Community Council

DATE: October 9, 2013

SUBJECT: Case 17413: MPS/LUB Amendments for 16 Mills Drive, Goodwood

ORIGIN

- Application by Halifax C&D Recycling Limited
- April 17, 2012 Regional Council initiation of the MPS Plan Amendment Process
- Staff report dated August 28, 2013
- Halifax and West Community Council, October 7, 2013 Item No.11.1

LEGISLATIVE AUTHORITY

HRM Charter; *Part VIII. Planning & Development*

HRM Charter; Part 1, section 30 (3) *respecting the authority of a Community Council to amend land-use by-laws.*

RECOMMENDATION

Halifax and West Community Council recommends that Halifax Regional Council:

1. Give First Reading to consider the proposed amendments to the Municipal Planning Strategy (MPS) and the Land Use Bylaw (LUB) for Planning District 4 as set out in Attachments A and B of the staff report dated August 28, 2013 and schedule a public hearing; and
2. Approve the proposed amendments to the Municipal Planning Strategy (MPS) and Land Use By-Law for Planning District 4, as contained in Attachments A and B of the staff report dated August 28, 2013.

BACKGROUND

The applicant, Halifax C & D Recycling Limited, operates a construction and recycling processing facility located at 16 Mills Drive in Goodwood. Halifax C & D proposes to expand its existing processing operation (zoned R2) on to 29,000 square feet of land (Zoned I-1) which currently houses a tire storage facility. To implement this expansion, the CD-2 zone will be applied to the expansion area, which restricts the use of this land for Construction and Demolition usage. Amendments to the MPS and LUB, as outlined in the August 28, 2013 staff report are required for this case.

DISCUSSION

Halifax Community Council have reviewed this matter and recommend that Halifax Regional Council give First Reading and set a date for a public hearing to consider the proposed MPS and LUB amendments.

FINANCIAL IMPLICATIONS

As outlined in the staff report dated August 28, 2013.

COMMUNITY ENGAGEMENT

All meetings of Halifax and West Community Council are open to the public.

ENVIRONMENTAL IMPLICATIONS

As outlined in the staff reported dated August 28, 2013.

ALTERNATIVES

None were identified by Community Council.

ATTACHMENTS

1. Staff report dated August 28, 2013

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.

Report Prepared by: Liam MacSween, Legislative Assistant, 490-6521

Halifax and West Community Council
October 7, 2013

TO: Chair and Members of Halifax and West Community Council

Original Signed

SUBMITTED BY: Brad Anguish, Director of Community and Recreation Services

DATE: August 28, 2013

SUBJECT: **Case 17413: MPS/LUB Amendments for 16 Mills Drive, Goodwood**

ORIGIN

- Application by Halifax C&D Recycling Limited
- April 17, 2012, Regional Council initiation of the MPS Plan Amendment Process

LEGISLATIVE AUTHORITY

- *HRM Charter*; Part VIII, Planning & Development

RECOMMENDATION

It is recommended that Halifax and West Community Council recommend that Halifax Regional Council:

1. Give First Reading to consider the proposed amendments to the Municipal Planning Strategy (MPS) and the Land Use By-law (LUB) for Planning District 4 as set out in Attachments A and B of this report and schedule a public hearing; and
2. Approve the proposed amendments to the MPS and LUB for Planning District 4, as contained in Attachments A and B of this report.

BACKGROUND

General Background

Halifax C&D Recycling Limited (Halifax C&D) operates a construction and demolition materials (C&D) processing facility at 16 Mills Drive in Goodwood (existing facility). The existing facility has operated since 1995 on two adjoining parcels of land, which together total 4 acres and 385 feet of street frontage (Map 1). The facility has operated on these lands since 1995. Halifax C&D proposes to expand on abutting land west of the existing facility (Map 1). As the proposed expansion does not comply with applicable policies contained in the MPS nor the requirements of the LUB, Halifax C&D has requested that both community planning documents (MPS and LUB) be amended to allow for the proposed expansion.

Location and Surrounding Land Use

The existing facility is located on the southern side of Mills Drive, which is designed as a cul-de-sac. Development fronting on Mills Drive is primarily industrial in nature. The existing facility abuts a general contracting operation (to the east) and a tire recycling facility (to the west). Surrounding land uses south of Mills Drive are mainly single unit dwellings (along Prospect Road), while land immediately south of the existing facility is undeveloped.

Designation and Zoning

The existing facility is located within the Planning District 4 (Prospect) Plan area, and is designated Residential B by the Municipal Planning Strategy for Planning District 4 (MPS) (Map 2). To reflect the long standing use of the property, the existing facility is zoned CD-2 (C&D Materials Processing Facilities) by the Land Use By-law for Planning District 4 (LUB) (Map 1).

Proposed Expansion

Halifax C&D wishes to expand the processing operation onto land immediately west of the existing site (Map 1). The land in question is approximately 29,000 square feet in area, and if included with the existing operation, would represent a 17 percent increase in area. This land is zoned I-1 (Light Industry) by the LUB (Map 1), designated Residential B by the MPS (Map 2), and lies within a larger parcel currently used as a tire recycling facility.

C&D Requirements

Municipal planning documents adopted or amended prior to 2002 did not recognize the various types of C&D operations (transfer, processing, and disposal) as unique forms of land use. Instead, land use regulations generally provided for these uses under regulations intended to apply to other uses such as salvage yards and 'industrial' or 'processing' operations.

In September of 2002, as part of a Construction and Demolition Waste Management Strategy, Regional Council adopted amendments to all of HRM's Municipal Planning Strategies and Land Use By-laws. These amendments recognized the unique land use requirements of the C&D industry, and in turn, provided a consistent and comprehensive set of land use regulations through specific planning policy and zoning. These amendments also recognized existing C&D operations by applying appropriate zoning to reflect their use.

MPS Context

The MPS identifies lands along Highway No. 333 (Prospect Road), including Goodwood, as predominantly residential, but with a significant non-residential component. In turn, the Residential B designation was applied to these areas, including lands in the vicinity of Mills Drive. However, the MPS also expresses intent to acknowledge existing industrial areas through the LUB. As a result, the I-1 Zone was applied to lands surrounding Mills Drive (Map 1).

Amendments to municipal planning documents adopted in 2002 identify the context by which new or expanded C&D facilities should be considered. In general, newly established or expanded C&D facilities are considered more appropriate in areas identified for industrial or resource purposes, and may be considered subject to the rezoning and subsequent site plan approval processes. In the case of Planning District 4, the MPS does not include an industrial land use designation. As a result, MPS policy for Planning District 4 indicates that new or expanded C&D facilities may only be considered in the Resource designation.

Although land surrounding Mills Drive carries an industrial zone, the existing residential designation does not contemplate the circumstances by which an expansion of the C&D facility could occur.

DISCUSSION

Municipal Planning Strategy Amendments

The MPSs of the Municipality lay out the intent of HRM regarding appropriate land use and future patterns for development. Amendments to a MPS are not routine undertakings and Council is under no obligations to consider such requests. Amendments should only be considered when there is reason to believe that there has been a change to the circumstances since the MPS was adopted or last reviewed, or in cases where circumstances are significantly different from the situations that the Plan anticipated.

Change in Circumstances

When the C&D planning policies were adopted (2002), the existing facility at Mills Drive was acknowledged as an existing operation and permitted to continue. The 2002 amendments also contemplated that new C&D processing operations would come forward in other locations and did not contemplate expansion of the Mills Drive facility.

Since 2002, new C&D processing facilities have not come forward. In fact, as of January of 2013, the existing facility is the only C&D processing facility licensed in HRM to process C&D debris. As the existing facility is now the only C&D processing facility in HRM, additional land is required in order to improve diversion opportunities and operational efficiencies at the site. Diverting C&D materials is an important goal of HRM's Construction and Demolition Waste Management Strategy, which has set C&D recycling targets and requires the diversion of C&D materials from Municipal landfills. For example, HRM requires licensed C&D processing facilities to recycle a minimum of 75% of all incoming C&D debris annually, with the remaining C&D debris being landfilled into the privately operated C&D landfill located in Antrim. Over the past three fiscal years, this system has diverted approximately 251,700 tonnes of C&D debris away from HRM's landfill.

Proposed Amendments to the MPS

In order to allow for improved diversion and efficiency at the only licensed C&D processing facility in HRM, changes to the current planning policy are necessary. This is achieved through the proposed amendment to the MPS, which is provided for in Attachment A. The proposed policy allows for a modest expansion of the existing processing facility, and addresses matters related to land use compatibility by restricting the proposed expansion to land currently zoned for industrial uses (Attachment A).

Proposed Amendments to the LUB

To implement the proposed expansion policy, the CD-2 Zone will be applied to the applicable portion of the abutting tire recycling facility. Development of the existing facility, including the expansion area, will continue to be regulated through the requirements of the CD-2 Zone, which includes the site plan approval process.

Advantages of CD-2 Zone vs. Existing I-1 Zone

Land Use: The proposed expansion area is currently zoned I-1, which permits a wide range of industrial and commercial uses. If the CD-2 Zone is applied, uses allowed under the I-1 zone would no longer be permitted, and only C&D processing and transfer will be permitted.

Environmental: The existing I-1 Zone, like most other zones in the LUB, requires a standard watercourse buffer of 20 metres (up to 60 metres for steep slopes). In contrast, if the CD-2 Zone is applied to the subject location, any expansion of the existing facility would be regulated through specific zoning and site plan approval requirements. CD-2 Zone provisions require a minimum 60 metre setback from watercourses, and prohibit C&D operations within a 1:100 year floodplain. Site Plan provisions also require consideration related to stormwater and surface water management.

By-law L-200: Construction and Demolition processing facilities are also licenced under HRM By-law L-200, which includes environmental protection requirements separate from any Land Use By-law requirements.

Halifax Watershed Advisory Board (HWAB)

Wetlands and watercourses are located immediately south of the existing processing facility. HWAB reviewed the application on February 20, 2013. HWAB's recommendations are as follows:

- Approve the application by C&D Recycling Limited for an amendment to the Municipal Planning Strategy and Land Use By-Law for Planning District 4 (Prospect);
- Require that the applicant forward results of the water quality testing undertaken at the site, on annual basis, to the Environment and Sustainability Standing Committee and HRM's Energy and Environment section; and
- Direct staff to explore the possibility of including an oil and grit separator requirement in the CD-2 site plan approval process.

Staff has reviewed HWAB's recommendations, and provide the following comments:

- Water Quality Testing – HRM By-law L-200 requires the submission of an operational plan that includes the methods of processing, materials to be recycled, environmental controls, and a fire safety plan. The environmental controls submission may include dust and debris control, berms to protect watercourses, and any surface and groundwater monitoring and leachate treatment and control. Environmental controls submissions require verification from a certified Environmental Engineer. HRM Solid Waste Resources does not automatically receive surface water test results, however; test results are available for viewing at any time. If lab results indicate any exceedances to standards (HRM By-Law W101 for Stormwater System Discharge) HRM will be contacted to confirm the course of action to mitigate exceedances. HRM Solid Waste Resources has advised there have been no exceedances noted. In light of HWAB comments, Halifax C&D now provides their surface water testing results to HRM Solid Waste Resources.
- Oil and Grit Separator – The CD-2 Zone requires Site Plan Approval. As part of the Site Plan Approval process, the Development Officer is required to consider certain provisions, including “measures, including but not limited to lot grading, berms, shall be required to adequately address the management of stormwater and surface water.” This provision is aimed at managing storm and surface water through site design elements, and would not typically include mechanical elements such as oil and grit separators. However, By-law L-200 requires an operational plan as part of the licensing process, which must indicate appropriate environmental controls. HRM Solid Waste Resources has advised that the potential for requiring an oil and grit separator could be investigated in the event there are environmental concerns, but has also advised that there are currently no environmental concerns at the site. If in the future there was need, HRM Solid Waste Resources would look at requiring an oil and grit separator.

Public Concerns

As part of the planning process, a public information meeting (PIM) was held on July 18, 2012 to discuss the proposed expansion. Minutes from the PIM are provided as Attachment C. Additional public correspondence is provided in Attachment D. As noted in the PIM minutes, the primary concerns expressed by the public are related to aesthetics, traffic, and water runoff.

Aesthetics: Public concern related to the overall appearance of the existing facility appeared to be focused on the stockpiling of debris. Although Land Use By-law provisions do not regulate the height and size of stockpiles, HRM By-law L-200 restricts the size of stockpiles to 6 meters in height, 75 meters in diameter, and 5 meters from an adjacent stockpile.

Traffic: Public concern related to traffic was expressed at the PIM. Both Prospect Road and Mills Drive are owned and maintained by the Province. The proposed expansion, including the traffic impact analysis provided with the proposal, was reviewed by the Nova Scotia Department of Transportation and Infrastructure Renewal (NSTIR). NSTIR have no comments or concerns related to the proposed expansion.

Water Runoff: Public concern related to storm and surface water runoff appeared to be focused on potential negative impacts on the Drysdale bog and domestic wells in the area. In 2010,

HRM and the Province created a Goodwood Steering Committee to review the existing industrial and commercial land uses in Goodwood, and to assess the current state of the environment within the community. The steering committee completed studies related to Drysdale Bog, Drinking & Groundwater, and Potential Environmental Effects of the Industrial Park (Attachment E). The following provides a brief summary of the findings (see Attachment E for further details):

- Drysdale Bog – This study found that Drysdale Bog is not vulnerable to potential sources of contamination to the east along Mills Drive.
- Drinking & Groundwater – This study focused on drinking water well results and potential sources of negative impacts to groundwater and found that, in general, groundwater quality is good.
- Potential Environmental Impacts of the Industrial Park (Mills Drive) – This study collected 17 soil samples from 10 different locations and analyzed them for petroleum hydrocarbon. The results of the analysis did not identify any petroleum concentrations above the most stringent guidelines (Atlantic Risk-Based Corrective Action Guidelines).
- Overall findings of the 3 Studies - The information gathered during all three studies did not identify any concerns with water quality that can be directly related to industrial operations in the area.

Conclusion

While current policies and regulations do not allow the applicant to proceed with the proposed expansion by rezoning and site plan approval, enabling a modest expansion of the existing processing facility has merit due to its location within an existing industrial area. Further, as the Mills Drive facility is now the only C&D processing facility in HRM, additional land is required in order to improve diversion opportunities and operational efficiencies at the site. Diverting C&D materials is an important goal of HRM's Construction and Demolition Waste Management Strategy, which has set C&D recycling targets and requires the diversion of C&D materials from Municipal landfills. Therefore, staff recommend that Regional Council adopt the amendments to the Planning District 4 MPS and LUB provided in Attachments A and B of this report.

FINANCIAL IMPLICATIONS

The HRM costs associated with processing this planning application can be accommodated within the approved 2013/14 operating budget for C310 Planning & Applications.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was consultation, achieved through a Public Information Meeting (PIM) held on July 18, 2012. Attachment C contains a copy of the minutes from the meeting. For the PIM, notices were posted on the HRM website, in newspapers (regional and local), and mailed to property owners with the notification area shown on Map 3.

Prior to considering the approval of any MPS amendments, Regional Council must hold a public hearing. Should Regional Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, individual property owners within the notification area will be advised of the public hearing by regular mail. The HRM website will also be updated to indicate notice of the public hearing.

The proposed amendments will potentially impact the following stakeholders: local residents and property owners, community or neighbourhood organizations, and business and professional associations.

ENVIRONMENTAL IMPLICATIONS

The proposal satisfies applicable environmental policies as contained in the Planning District 4 MPS. For C&D facilities, the LUB requires a minimum 60 metre setback from watercourses, and prohibits C&D operations within a 1:100 year floodplain (CD-2 Zone provisions). Preliminary information provided as part of this proposal indicates the proposed area of expansion will comply with these requirements. Final verification will be required as part of the development permit process.

Further, provisions in the CD-2 Zone address stormwater and surface water management, which must be demonstrated as part of the site plan approval process.

Lastly, as previously noted in this report, recent environmental studies carried out in the Goodwood area by the Goodwood Steering Committee did not identify any concerns with water quality that can be directly related to industrial operations in the area.

ALTERNATIVES

The Halifax and West Community Council could recommend that Halifax Regional Council:

1. Approve the proposed amendments to the MPS and LUB for Planning District 4, as contained in Attachments A and B of this report. This is staff's recommendation. A decision of Council to approve these proposed amendments is not appealable.
2. Modify the proposed amendments to the MPS and LUB for Planning District 4, as presented in Attachments A and B. If this alternative is chosen, specific direction

regarding the requested modifications and amendments is required. Substantive amendments may require another public hearing to be held before approval is granted.

3. Refuse the proposed amendments to the MPS and LUB for Planning District 4, as contained in Attachments A and B of this report. Council is under no obligation to consider a request to amend its MPS and a decision not to amend the MPS cannot be appealed. This is not the recommended course of action.

ATTACHMENTS

Map 1	Location and Zoning
Map 2	Generalized Future Land Use
Map 3	Area of Notification
Attachment A	Proposed Amendment to the Planning District 4 MPS
Attachment B	Proposed Amendment to the Planning District 4 LUB
Attachment C	Minutes from the Public Information Meeting
Attachment D	Additional Public Correspondence
Attachment E	Goodwood Steering Committee Update – November 3, 2011

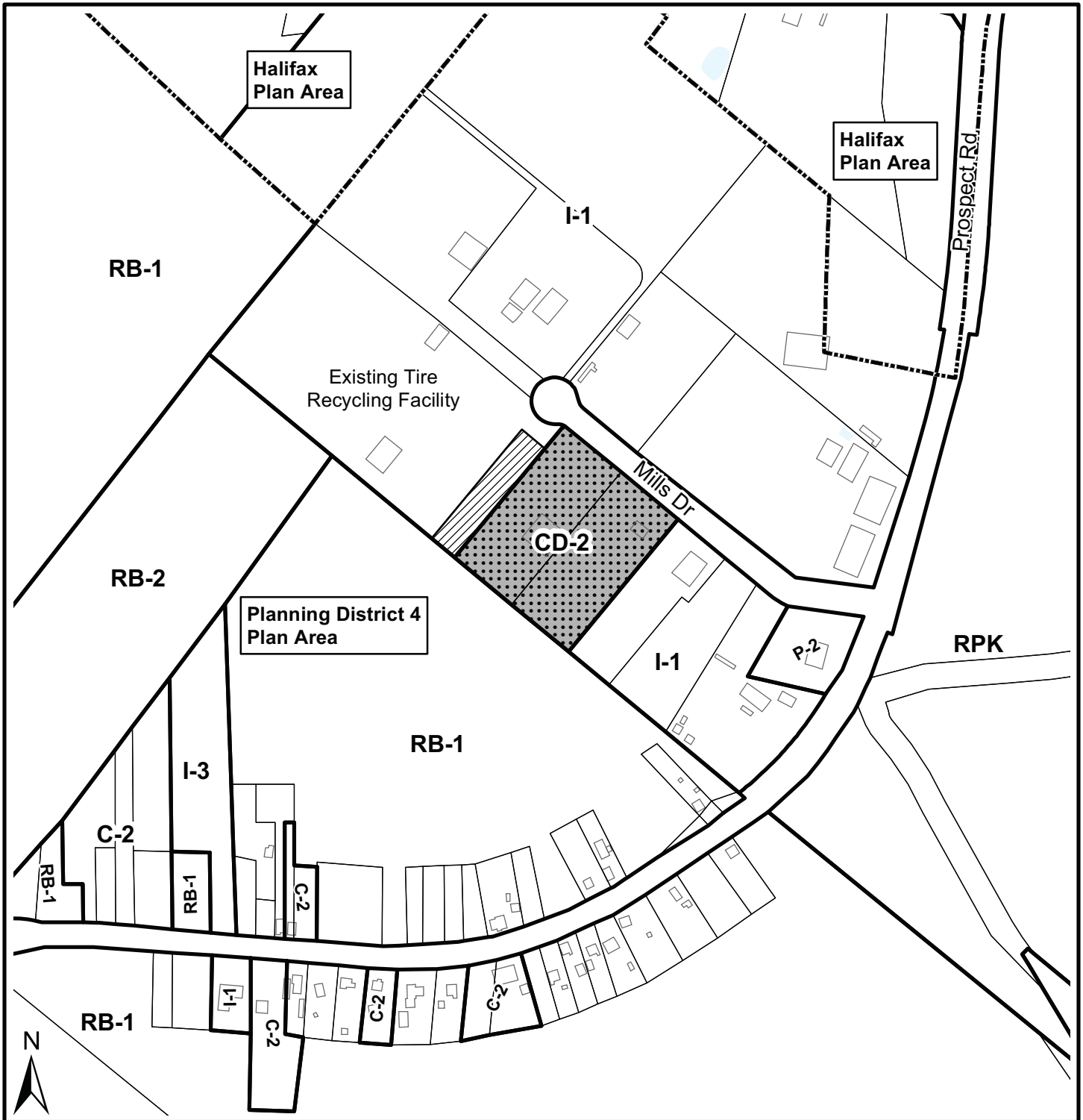
A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Miles Agar, LPP, Planner 1, Development Approvals, 490-4495
Original Signed

Report Approved by:  Kelly Dent, Manager of Development Approvals, 490-4800
Original Signed



Report Approved by:  Austin French, Manager of Planning, 490-6717
Original Signed

Report Approved by:  Gord Helm, Manager, Solid Waste Resource, 490-6606



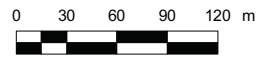
Map 1 - Location and Zoning

16 Mills Drive
Goodwood

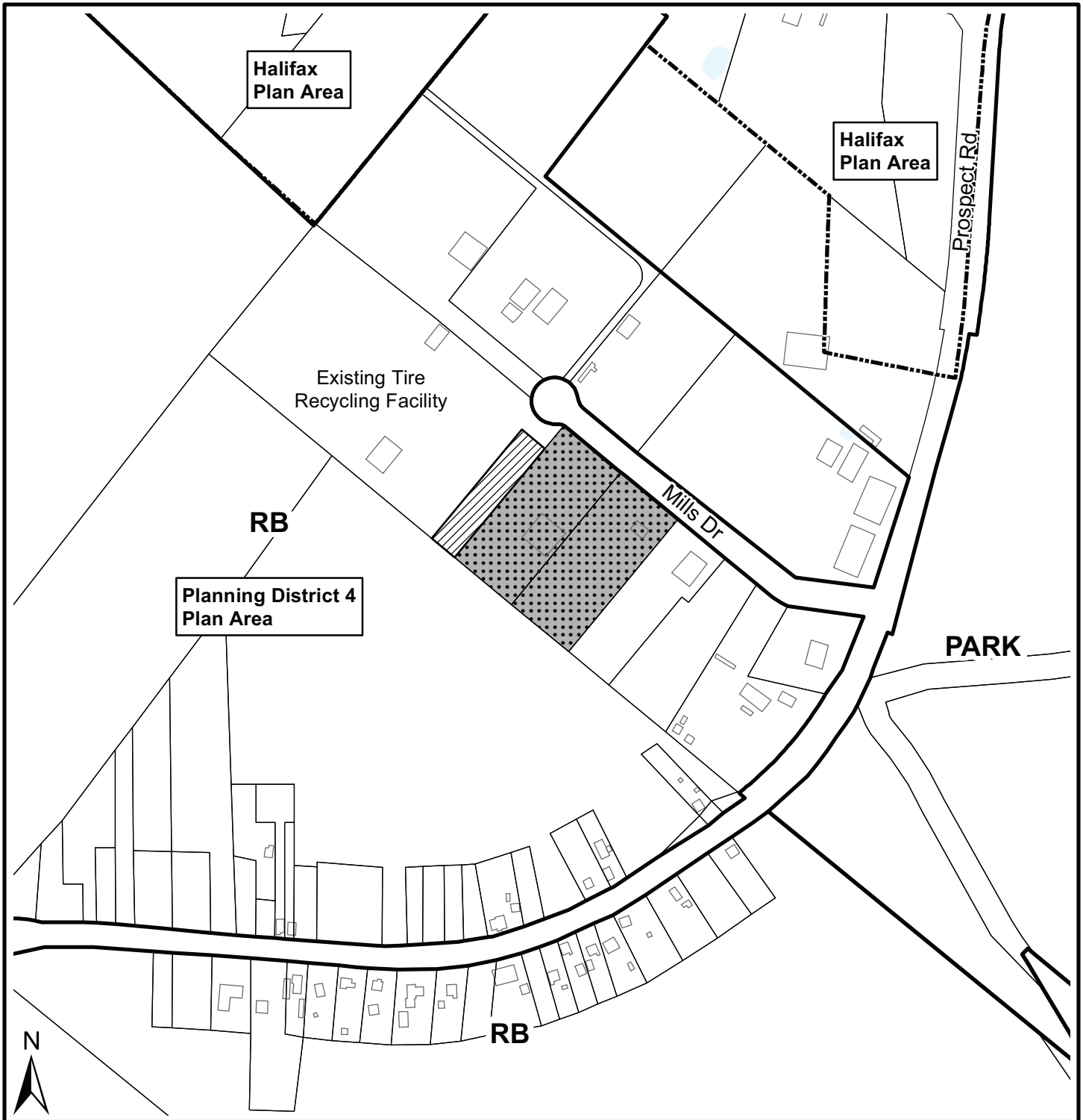
-  Existing CD-2 facility
-  Area proposed to be identified as Appendix C in the MPS and rezoned from I-1 (Light Industry) to CD-2 (C&D Materials Processing facilities)

Planning District 4
(Prospect) Plan Area

Zone	
RB-1	Residential B-1
RB-2	Residential B-2
C-2	General Business
I-1	Light Industry
I-3	Local Service
P-2	Community Facility
RPK	Regional Park
CD-2	C&D Materials Processing Facilities



This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.
HRM does not guarantee the accuracy of any representation on this plan.



Map 2 - Generalized Future Land Use

16 Mills Drive
Goodwood



Existing CD-2 facility



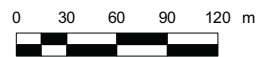
Area proposed to be identified as
Appendix C in the MPS and rezoned
from I-1 (Light Industry) to CD-2
(C&D Materials Processing facilities)

Planning District 4
(Prospect) Plan Area

Designation

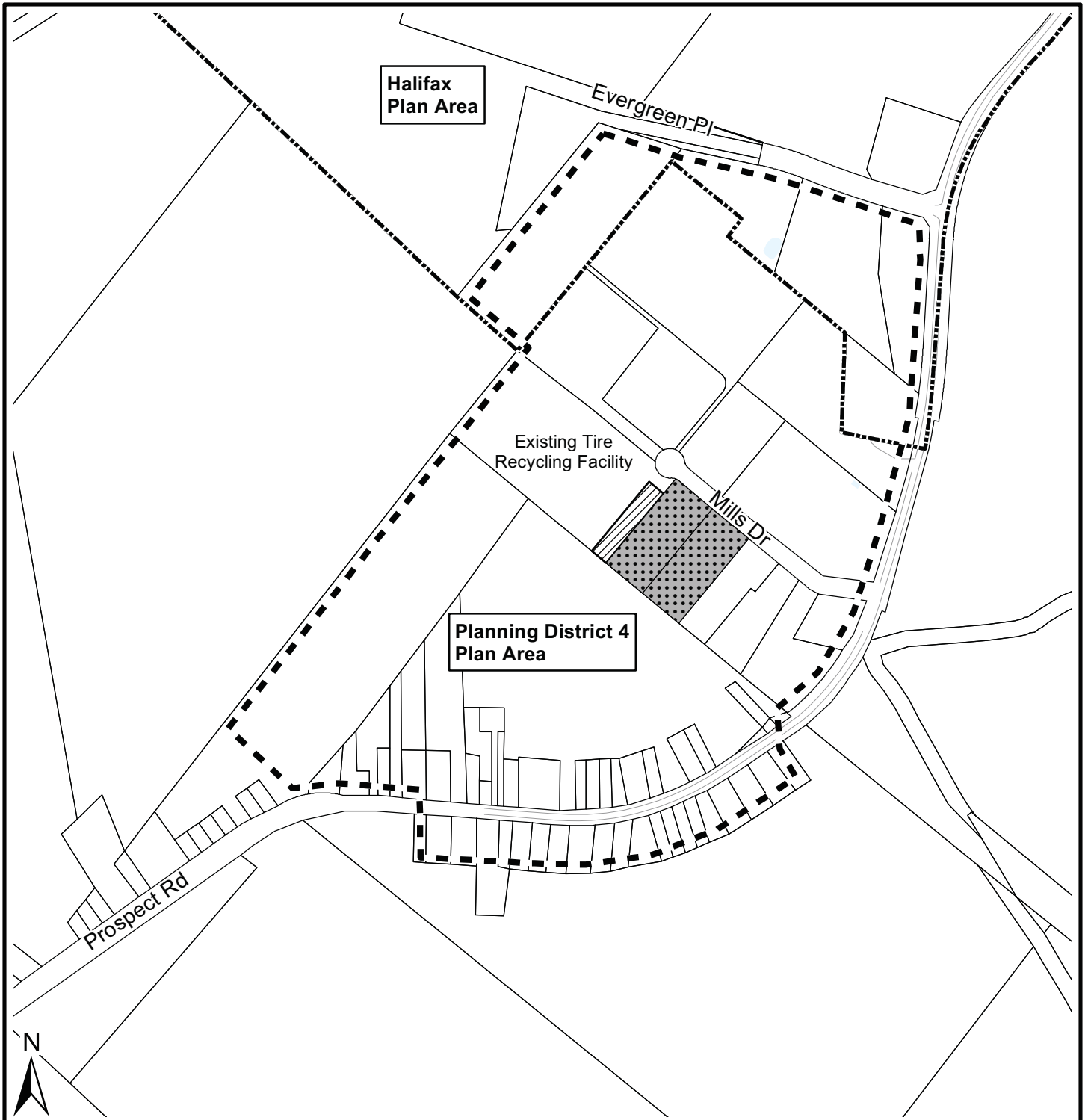
RB Residential B
Park Park

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES




This map is an unofficial reproduction of
a portion of the Generalized Future Land
Use Map for the plan area indicated.


HRM does not guarantee the accuracy
of any representation on this plan.





Map 3 - Area of Notification

16 Mills Drive
Goodwood

 Existing CD-2 facility

 Notification Area

 Area proposed to be identified as Appendix C in the MPS and rezoned from I-1 (Light Industry) to CD-2 (C&D Materials Processing facilities)

0 30 60 90 120 150 180 210 m


Planning District 4
(Prospect) Plan Area

HRM does not guarantee the accuracy of any representation on this plan.

Attachment A

**Proposed Amendments to the Municipal Planning Strategy for Planning District 4
(Prospect)**

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Planning District 4 (Prospect) is hereby amended as follows:

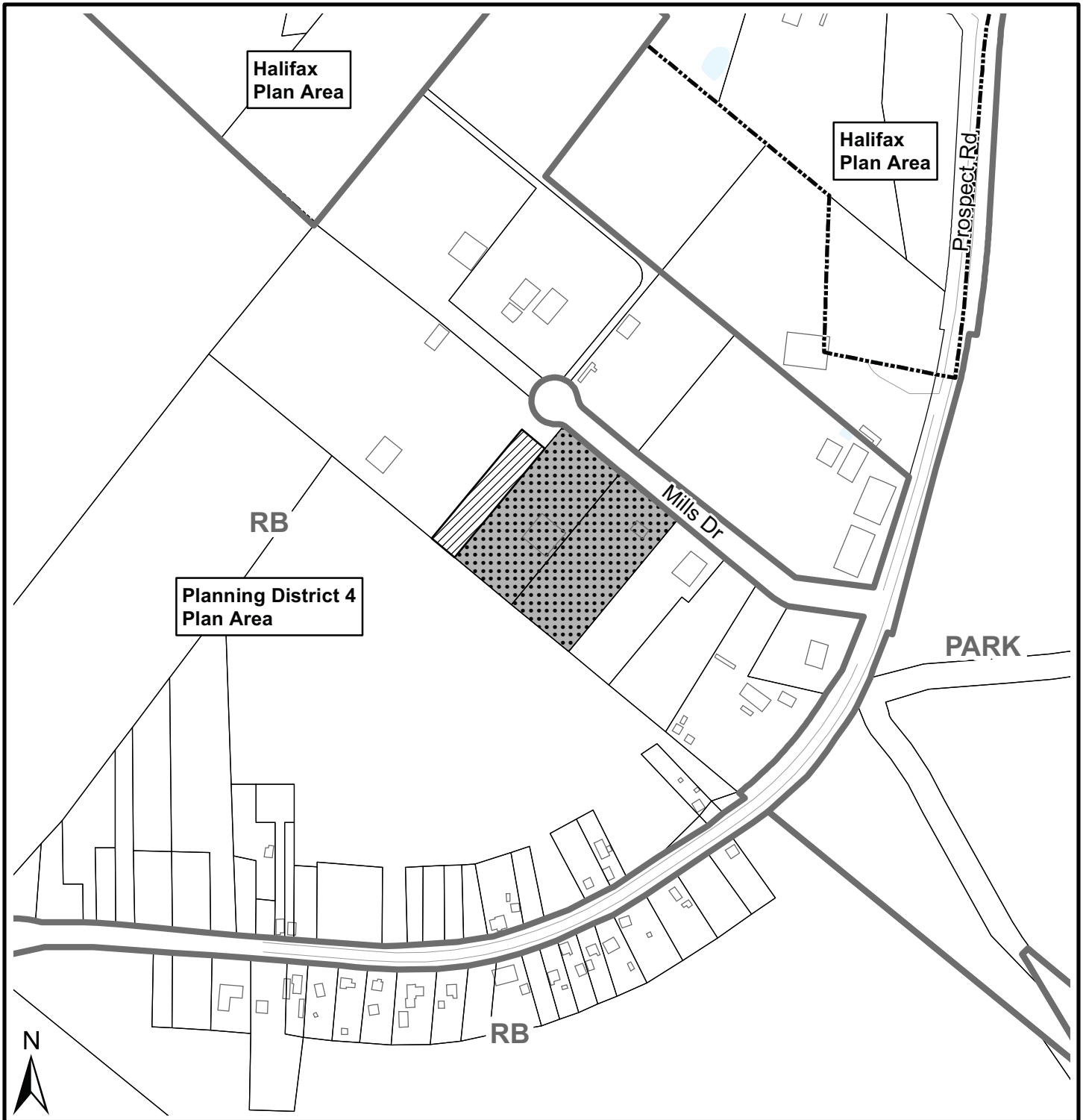
1. In the Construction and Demolition Waste Management Strategy subsection of Section II, add policy SW-10A immediately following policy SW-10:

“SW-10A Notwithstanding Policy SW-7, it shall be the intention of Council to allow a modest expansion of the existing C&D transfer and processing facility at 16 Mills Drive in Goodwood by applying the CD-2 Zone to a portion of land located immediately west of the existing operation, as shown on the attached Schedule A.

I HEREBY CERTIFY that the amendments to the Municipal Planning Strategy for Planning District 4, as set out above, were duly passed by a majority vote of the Halifax Regional Municipal Council at a meeting held on the day of , 2013.

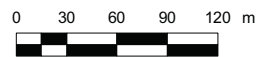
GIVEN under the hand of the Clerk and the Corporate Seal of the Halifax Regional Municipality this day of , 2013.



Municipal Clerk



Schedule A MPS - Creation of Appendix C

16 Mills Drive
Goodwood



-  Existing CD-2 facility
-  Area to be identified as Appendix C in the MPS

Designation

Planning District 4
(Prospect) Plan Area

RB Residential B
Park Park

This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.

HRM does not guarantee the accuracy of any representation on this plan.

Attachment B

Proposed Amendments to the Land Use By-law for Planning District 4 (Prospect)

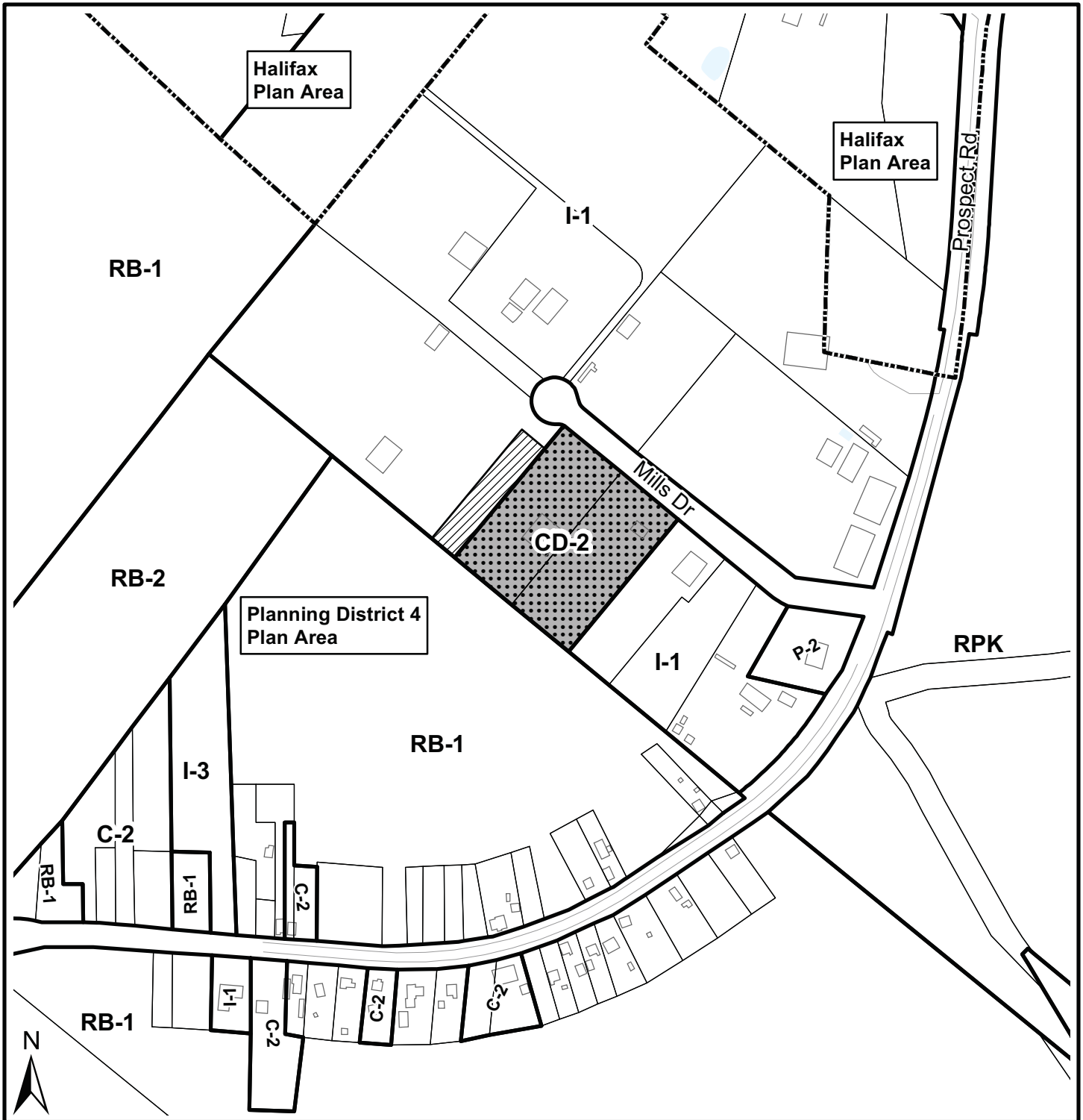
BE IT ENACTED by the Council of the Halifax Regional Municipality that the Land Use By-law for Planning District 4 (Prospect) is hereby amended as follows:

1. By amending the Planning District 4 Zoning Map of the Land Use By-law as shown on the attached Schedule A.

I HEREBY CERTIFY that the amendments to the Municipal Planning Strategy for Planning District 4, as set out above, were duly passed by a majority vote of the Halifax Regional Municipal Council at a meeting held on the day of , 2013.



GIVEN under the hand of the Clerk and the Corporate Seal of the Halifax Regional Municipality this day of , 2013.

Municipal Clerk



Schedule A LUB - Area to be rezoned

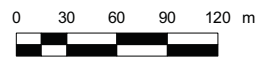
16 Mills Drive
Goodwood

-  Existing CD-2 facility
-  Area to be rezoned from I-1 (Light Industry) to CD-2 (C&D Materials Processing facilities)

Planning District 4
(Prospect) Plan Area

Zone

- RB-1 Residential B-1
- RB-2 Residential B-2
- C-2 General Business
- I-1 Light Industry
- I-3 Local Service
- P-2 Community Facility
- RPK Regional Park
- CD-2 C&D Materials Processing Facilities



This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

HRM does not guarantee the accuracy of any representation on this plan.

Attachment C – Minutes from the Public Information Meeting

HALIFAX REGIONAL MUNICIPALITY
Public Information Meeting
Case No. 17413

Wednesday, July 18, 2012
7:00 p.m.

Prospect Road Community Centre, Hatchet Lake

STAFF IN

ATTENDANCE: Miles Agar, Planner, HRM Planning Applications
Kurt Pyle, Supervisor, HRM Planning Applications
Hilary Campbell, Planning Technician, HRM Planning
Jayne Anderson, Planning Controller, HRM Planning

ALSO IN

ATTENDANCE: Councillor, Reg Rankin, District 22
Dan Chassie, Halifax C&D Recycling Ltd.
Scott Kyle, Dillion Consulting

PUBLIC IN

ATTENDANCE: Approximately 11

The meeting commenced at approximately 7:05 p.m.

1. Opening remarks/Introductions/Purpose of meeting – Miles Agar

Miles Agar opened the meeting by introducing himself as a planner for the Western Region with Halifax Regional Municipality (HRM). He welcomed everyone to the meeting.

He stated that the reason for the meeting was to review an application by Halifax C&D Recycling Ltd, for 16 Mills Drive, Goodwood. The request is to expand the existing the construction and demolition materials processing facility.

He stated that the purpose of this meeting was to identify that the planning department had received a planning application and to receive feedback from the public. He noted that no decisions would be made at the meeting.

He provided the agenda and the ground rules for the meeting.

2. Overview of planning process – Miles Agar

Mr. Agar showed the subject area and provided background. The existing processing operation encompasses approximately 4 acres and was established in 1995. The proposed expansion is

roughly 29,000 sq. ft. which represents about a 17% increase in the existing facility. The proposed area is zoned I-1 Light Industry and is located within a larger parcel. The portion where the expansion is located is actually part of the larger parcel that is currently used as a tire recycling facility. The existing C&D processing facility includes weight scales and the access gate associated with the existing C&D operation.

He explained the existing zoning compared to the proposed zoning. The existing zoning is referred to as a light industrial zone which includes a wide range of uses, such as; manufacturing operations, warehousing, general contracting, storage yards and automotive repair outlets. The proposal is for a strip of land to be also zoned CD-2. This land is currently zoned I-1 He emphasized that the CD-2 zone only permits two uses, being a construction/demolition materials transfer station use and a construction/demolition materials processing facility use. These two uses both currently happen at the existing facility.

Mr. Agar explained the planning process. Staff completes a review of the Municipal Planning Strategy and Land Use By-law. This allows Regional Council to consider the proposal. The process states that public feedback is required and is attached to a recommendation, provided by Staff. On April 17, 2012, Council directed Staff to initiate the process and move forward with public consultation. He reiterated that no decision would be made at the meeting. Applicable agencies need to also comment on what their standards are, concerning the application. For example the road itself is not owned by the municipality. Mills Drive is owned by the Province so staff will seek comment from them. Ultimately staff will provide some form of recommendation back to Regional Council in the form of a staff report. No recommendations have yet been formulated. A public hearing will be held concerning a decision or any changes.

Councillor Reg Rankin stated that the reason for going to Regional Council is that the review will also require review of the Municipal Planning Strategy so if the proposal is to be approved, amendments to the Municipal Planning Strategy will also be required. These types of decisions are made by Regional Council.

3. Presentation of Proposal – Scott Kyle

Scott Kyle introduced himself as a civil engineer with Dillion Consulting Ltd. He deals with solid waste management throughout Canada. He has worked on a number of C&D related projects within the HRM over the last number years. They are the company, of record, as it relates to the proposed layout for the proposed expansion of Mills Drive. He showed the existing area being used for CD-2 activities by Halifax C&D Ltd.

He showed the same basic layout of the tire recycling facility that operates on the far western portion of the overall area, including the strip of property to be added on to the existing CD-2 operation. The area barrier boundaries are already in place. There is an entrance gate and scales that have been established along with the scale house. This addition will give Halifax C&D the opportunity to make their layout more efficient. Right now any equipment associated with the C&D processing effort has to be kept specifically on this property. This includes stockpiling of materials after processing, storage of equipment, etc. Having this additional piece of land will allow for storage and expansion of some of these materials. In terms of formalized operations, the bulk will remain with the existing property. This area mainly serves as an overflow area for activities specifically related to the CD-2 operation. The 17% increase seems pretty modest to the overall layout but it does give Halifax C&D the opportunity to spread out the operation more

effectively. Moreover, there are issues of workers safety that are of concern in terms of trying to keep all this activity on a smaller footprint. In speaking with the Nova Scotia Environmental Department and HRM construction and demolition staff, debris materials have been specifically identified as targeted items to try and improve the level of diversion efficiency to reduce the amount sent to the landfill. It is anticipated that facilities like these are going to continue to see significant tonnages in the years to come as HRM maintains its position as a leader in progressive waste management. The By-law that is in place for HRM, as it relates to C&D material management, obliges operators like Dan and the other operator RDM to achieve a 75% diversion rate of all materials that enter their site.

He stated that all scale records are scrutinized by HRM; 75% has to be diverted away it cannot go out to the landfill facility that exists. The ability to come up with new methods to divert materials like shingles and drywall is great. It is not a simple matter of just bringing it on the site, grinding it up and hauling it away. It is trying to come up with progressive measures to divert more material away from landfill and find uses for these previously disposed of materials.

He wanted to make clear, the size and the location of the area being considered. He referred to an article in the Chronicle Herald where they mixed up facts from a couple of submissions. There was a previous submission that involved a larger piece of property. They have found an opportunity to spread out his operation. The owner has another facility in East Hants where he is able to process some materials to reduce the requested footprint change here at Mills Drive to this fairly modest piece. The newspaper also talked about the installation of retention ponds and larger footprint than what has been talked about tonight. The proposal shown tonight is in fact the proposed amendment on the table tonight.

Dan Chassie, Halifax C&D Recycling Ltd., advised that he owns the 16 acres of property which currently does not have homes on them. He noted that they had made application in the past but has since made changes. He noted that the cost of doing business in HRM was taking about 50% of their processing. Shingle grinding, wood grinding and recycling are all moving out of Goodwood. The new facility will become a first step in processing and transferring of materials. They have scaled down the project; with 17% increasing, they are not increasing the number of trucks or volume of material. They already have 95% of the market. The only difference will be that this facility will have the material being trucked out, so the destination will be different than it is now for material to be further processed.

Mr. Agar opened the floor for questions and comments.

4. Questions/Comments

Bob Dooly, Hatchet Lake, asked if the intention wasn't to rezone the residential property and put ponds in, as was discussed in April 2009 and if that arrangement would be permanent. He is concerned as to why the public were asked to discuss the application. The applicant is trying to enlarge the footprint by 17% and Monday there is another hearing regarding application for a rezoning on the other end of the property. He asked if the proposal from 2009 was permanently put to bed.

Dan Chassie advised that he doesn't have any plans for further expansion as they have already expanded in Milford to process this material. They are investing in the other facilities to see if they can process the materials. They had planned to originally expand on the current site. The

property serves as our setback distances from residential property.

Bob Dooly asked if the necessity for the ponds and things that were discussed before those necessities have disappeared.

Dan Chassie advised that they are back to the same facility they had started with. They are using the water for dust control. It is coming from the 1.5M liter site pond at the tire recycling facility.

Bob Dooly asked if the company might change your mind in the future.

Dan Chassie stated that he doesn't know what the future holds.

Frank Johnston, Goodwood, advised that he has been a resident in the area for 12 years. He asked how the development would improve the residential character and the general overall quiet enjoyment of the area of Goodwood. He asked how it would improve anything in Goodwood and what it would bring to the community.

Dan Chassie advised that as a community, the area has the largest diversion rate of any C&D facility in North America. Without Halifax C&D the diversion numbers of HRM alone would drop to around 32% and the province to 37%. He stated that 95% of all residential renovations and new home building material flows through that facility, to be recycled and kept from landfill. He stated that did not know what else they could do.

Frank Johnston feels that the community itself doesn't necessarily benefit. It is more likely that the whole province will benefit.

Dan Chassie advised that the community would also benefit. He stated that the company is a great corporate citizen. They just did a fundraiser with the Lions Club and the Prospect Citizen on Patrol and raised over \$4500.00 for them. They continually do other community things. They have taken calls from such people as councillors, asking for help with materials that someone had dumped near the road. They will go and retrieve it. He feels that the community does benefit from what they do.

Frank Johnston inquired about the proximity of the facility to the Drysdale Bog. He also stated concerns about water runoff contents and if there were wells involved in the watershed.

Dan Chassie replied that the facility is closer to the Drydale Bog and that it did not encroach on it at all. The Terrace Bay water system is in a different watershed and wells were there. Mr. Chassie stated that the water runoff is tested, although it is not required under any mandate or regulation. A third party test is completed periodically, throughout the year, by Dillon Consultants. He feels that the water is as clean as any dishwater.

Frank Johnston asked if Dillon Consulting was paid by Mr. Chassie or by someone else.

Dan Chassie advised that they are paid engineers.

Frank Johnston referred to Item 13.1 which was submitted to the Western Region Community Council in July 5, 2011. It was submitted by Councillor Steven Adams, who was the chair of the Western Region Community Council, at that time, it was Case #01213, an MPS amendment for

the land surrounding Drysdale Bog, Goodwood. This property is not next to but in the neighborhood of C&D recycling. He read some excerpts from this submission.

Under character and land use planning – eliminating the future development of the subject lands to residential uses is consistent with the evolution of land use planning in Goodwood. There may be differing opinions about the character of Goodwood through community planning but there has been an emphasis on reducing the opportunities for industrial expansion on recognizing existing residential uses over the past few decades. It supported residential development while only applying commercial industrial zoning to existing uses. Other planning initiatives in the community such as development of the Western Commons have further envisioned non-industrial development. So, essentially what this document states and it was after the result of community planning and community efforts this is a document that is furthering recommendations by HRM staff that we would limit the expansion of industrial lands in the area of the Drysdale Bog as well as Goodwood in general. It says the mixture of land uses in the community was established before the implementation of any planning policies and regulations when zoning was initially applied to part of Goodwood general industrial zoning was established over large areas including the subject lands, this was the lands near Drysdale Bog, which are next to the lands being discussed tonight. When actually community planning was initially undertaken with the adoption of the District 4 MPS the zoning approach was far more detailed and it supported residential development while not supporting the expansion development.

As a resident of Goodwood and a driver of the Prospect Rd, I have spoken with business people who have stated that they do not like many of the vehicles that deliver materials to the C&D site. There are vehicles where things have fallen off the back in which I have cleaned up. Business people have stated it's unpleasant to look at, they wonder if it's affecting customer usage in their area? It also contradicts the plans submitted last year by Western Region Community Council and also encroaches upon the Drysdale Bog the whole water system all the way down Prospect River.

Vicki Brown, Whites Lake, asked why additional space is needed if they are trucking 75% of material away now.

Dan Chassie replied that 75% of all the material received is recycled. 25% or less goes to our C&D landfill. We hit 84% diversion one year.

Vicki Brown asked, if materials staying on-site were intended, previously, to go to Milford.

Dan Chassie replied that extra space is needed because we have outgrown the footprint and our processing has gotten to the point where we cannot have cross contamination of wood, shingles to gyproc. We need that extra space to keep the material free from other types of C&D materials. If we didn't move our woodpile by the end of this week we would be shut down, we would be completely full. So we are continually moving material we don't have enough capacity in our C&D yard to last 2 weeks without trucking material.

Vicki Brown asked if more product was coming in?

Dan Chassie replied that no more product coming in unless we have an event like Hurricane Juan or a flood. Material that comes in is typically not in our yard for more than 2 weeks.

Bob Dooley stated that if processed material isn't larger and capacity hasn't changed, why do you need more space?

Dan Chassie replied we started producing a cow bedding product and that requires another 60 feet of equipment and takes more space for processing.

Bob Dooley questioned that with every new process are you going to continue to need more land and expand into the residential area?

Dan Chassie answered that he doesn't think it's going to be very easy to move into a residential area and that's why he dropped his application in the first place and decided to move out of HRM for processing. It's not an easy process and I have spent about \$140,000 on this with three different proposals we are trying.

Bob Dooley asked if the land would increase your capacity in any way to process materials?

Dan Chassie replied not unless there is a big boom from the shipyards, that's the only way we receive more material.

Scott Kyle stated that Dan Chassie has hosted an open house where folks have been invited from the community to take a look at the operation. The site is run as closely as it can be run if you're concerned with health and safety. There are commercial haulers, and individuals with half tons and members of the public. Having the additional piece of property will allow overall operations to expand to a larger footprint. Notwithstanding that, the amount of C&D that's arriving on the site isn't expected to change in any marked way in the near term. The layout is getting better but it's not optimal for efficiency and safety for both staff and people who use the site. One of the benefits highlighted in the application to HRM is that by providing that additional portion of land it does give the ability to broaden out the footprint to address issues of efficiency, layout and safety.

Councillor Reg Rankin stated that he would like to offer some additional clarification in relation to Council's action taken in July 2011 that was in reference to the Drysdale Bog, which was completely different file, in which the community came forward and made the case. In turn staff brought forward a recommendation to move from industrial to residential. That in my opinion, was a considerable achievement if not unprecedented highly unusual. When the I-1 was identified in 1989 you have a new kind of zone that wasn't even recognized at the time or established until we got involved with the solid waste strategy and we recognized operations which was the C&D. This is a shift, for this is a rezoning not from residential but from industrial. Keep in mind what the list is; auto repair and such and of course I have some concerns that would not be much different from C&D in terms of influence. Now let's distinguish what his earlier aspiration was, to go from residential to C&D much different and that is something I would pass that certainly staff would have much harder time, not speaking with the political branch making a case going from residential to C&D. Among other considerations what's the balance of consideration when it reaches to a public hearing? It's in a community, it's an operation, is there any risks, would it continuance if you do not have efficiencies. Is there any other set of environmental considerations that I should keep in mind that would be associated with C&D that's not associated with the existing zone of I-1. So that is why we are here today talking about I-1 to allow the expansion of an existing C&D. Here it's not allowed for more industrial. You already have the industrial here that we would move to C&D. I just want to

make that clarification. But I will certainly be making up my mind at the public hearing with staff with not any influence from me but I would have observed over the years will make an objective recommendation. I don't think anybody can infer that somehow I'm a promoter of Dan Chassie's C&D over the years. I think at Council I wanted the opportunity for the applicant to move forward with the consideration to moving to a C&D and that's where we are today.

Jack Mitchell, Prospect Rd, stated that he has been a part of this community for 25 years and has chaired the committee for the landfill. The committee has made many visits to the place, council and provincial government have also been invited, he's been very open. Because I had a very negative picture about this whole thing for 5 years and I've worked against it. I know he is an honest person. Thank you.

Frank Johnston requested Mr. Agar to review the difference between I-1 and a CD-2 Zone.

Mr. Agar stated some of the primary uses in the I-1 zone include manufacturing operations, warehouses, recycling depots, building supply, outdoor display courts which are basically automotive sales, and automotive repair. The big difference is under the CD-2 zone, which is intended to be a very predictable zone. Most zones in the municipality when you get into an industrial zone are usually layered and they allow for many types of industrial uses. They also allow for many types of commercial uses and so on. In this case the CD-2 if applied to a property clearly states that only two things can happen on the site, the transfer where materials can be dropped off, and at this site in particular processing also happens.

Frank Johnston asked what types of industrial uses.

Mr. Agar replied there is a wide range of uses.

Bob Dooley asked if they would all be light industrial?

Mr. Agar stated the existing zone is identified as a light industrial zone.

Bob Dooley asked if CD-2 considered light industrial?

Mr. Agar answered that the CD-2 is its own category of land use.

Bob Dooley asked without a definition of the level of industry.

Mr. Agar stated by definition it explains what happens at a site. So materials from the construction and demo of buildings being brought to a transfer site and being held there and then through processing it explains what happens in that regard. So there are three types of CD zoning and their own specific type of land use. So they could be generally grouped into, if you are looking at a hierarchy of zoning, they could be classified in that very general industrial ground where the range of uses or the type of uses is much broader. But they are their own land use. So that's the main point to differentiate here, CD-2 is not permitted in the I-1 zone, it is a stand-alone zone.

Frank Johnston asked which one is going to generate more varied runoff, the waste recycling unit or a building supply? So if there is no difference between the two things or one is less harmful than the other or are they more harmful to the environment than the other. Is there more

of a chance of a runoff in a CD-2? Is the runoff of garbage or building supplies more polluted??

Mr. Agar commented that he couldn't answer that without providing a very general answer. And to answer your question I am a landuse planner with the municipality. Something like an automotive repair outlet if not properly managed would have environmental impact.

Frank Johnston stated that he has worked in an automotive repair environment and I understand what can be done and cannot be done. Usually it is well enclosed, where if you have a transfer facility the items are often open. I drive by the C&D waste handling and there is usually a huge pile of open garbage, so if there is rain the runoff would be more of an issue than a CD-2 environment than in I-1 environment.

Frank Johnston wanted to make it clear for the record that I'm opposed to any expansion of this industrial base. This is an expansion, whatever you want to call it. I don't see any benefit to my neighborhood to the expansion of this industry. I'm opposed to any expansion and I do feel there is some danger to the increasing impact on the environment and peaceful good enjoyment of my residential neighborhood.

John Cascadden, MacDonald Lake Subdivision – I've been water sampling with Five Bridges Wilderness Heritage Trust and Inland Fisheries on the Prospect River system over the past few years and the water quality is good. The representative from Dillon mentioned that they carry out water sampling but there is no requirement for them to do so. When there is no requirement to do so one wonders why is it done unless there is some concern that there is the potential for harmful effects from storm water runoff as to opposed to actual processing. When the water sampling takes place is that after heavy rain events when the greatest potential for runoff situations occurs? Your nodding your head so I'm taking that would be a yes. Since there is no requirement for testing, there would be no requirement to provide results. Are they taken to the municipality for monitoring purposes and would that info be available for public review. From the HRM side why is there not a requirement for regular water quality sampling from designated locations and at designated time periods when the potential for storm water runoff to possibly affect local water shed conditions. Why that is not a requirement. And why that info would not be public for the public to be aware of what is going on.

Mr. Agar replied that under the land use bylaw the municipality because of the provincial statutory regulations we do not have the ability to write something like that into a land use bylaw. However the C&D format is separated into two regulatory parts, one is the land use bylaw which includes the provisions related to land use and permitting, and the other is the C&D bylaw which the planning department does not get involved with but our solid waste department does administer the bylaw related to C&D materials. And there is requirement for an operational plan and does speak to ground water and surface monitoring.

John Cascadden stated with the Halifax Charter, the province has given HRM the authority to monitor storm water runoff. Whether HRM does it is another situation, we don't have an actual storm water regulation. My understanding is that it's been under development for a number of years. Storm water management plan for this particular production facility that would be registered or passed to HRM for planning scrutiny and that document would be available for public review. But with respect to any industrial operation that takes place within HRM that has a potential to effect the environment, just because it's not in the Charter in direct word form.

Another wording in the charter is that the HRM is given broad administrative authority to ensure that what regulations they create are to the benefit of HRM. There is no regulation in the charter that says you cannot or shall not do water monitoring or water testing. It's a copout to say that it's solely a provincial responsibility, you do water testing at beaches that's not in the Charter.

Dan Chassie replied that everyone is all under the same general provisions of the Environment Act, my business is no different than the Irving station which requires no water monitoring unless you are under industrial environmental permit. You do not require a water monitoring plan unless the industrial permit states that. C&D CD-2 is only policed by HRM. Every year when we renew our license we submit an environmental plan and a fire plan, then DOE and the Fire Department has to sign off on it. There is more auditing done on CD-2 and a CD-1 than any other industrial act in the whole city. We do more testing at our C&D landfill than Otter Lake does. That's what we wrote into our industrial permit. Halifax C&D tests water so that when I get to a public meeting like this, and someone says, I've contaminated a well, I can go back and say here these are my water samples. I also test the other industrial sites that are draining onto my land so I know what the water is coming onto my property that's just a liability thing for myself, I'm under no obligations to do it, but it's protection for my own insurance on my property. Every 3 months, we get an inspection from HRM look at our CD-2 CD-1 bylaw enforcement representative and they audit our material that comes onto our site and the material that leaves, and where it went, how long it was there. All that criteria, as well as, our environmental impact. It's a very highly policed industry, based on other operations that are under industrial permits from the DOE you'd be lucky to see them once every 2 or 3 years. HRM is looking after their system.

John Brown, Prospect Bay, stated he was a life time resident of Prospect. I am very concerned with what I see happening in Goodwood in the respect to the size of these industrial parks have grown. I am of the opinion of Mr. Dooley in that this may be a slippery slope. We get an expansion this year, and then another expansion next year. I would like to go on record that this is limited in some way and all the environmental and other concerns that come with an industrial site are monitored.

Frank Johnston asked Councillor Rankin why people wish to expand on Mills Drive and not on Ragged Lake. He asked what's so unattractive about Ragged Lake as to oppose to Mills Drive. He wondered how these types of businesses operate in Ragged Lake.

Councillor Rankin stated he didn't know when Ragged Lake was opened up and they have to look from the expansion but that was a right before you arrived. As so today there is a right to have an industrial company. Descriptives of that could be a warehouse, maintenance yard, garages, oil tanks underground with lots of solvents. So when someone says industrial park that's by right now. So someone could make the argument I certainly rather a C&D operation than a warehouse operation which is privy by right. So let's just deal with the facts. So why do they come here? Because they have the right.

Frank Johnston asked Mr. Chassie why expand as opposed to moving your facility to Milford?

Dan Chassie replied that industrial property is hard to get. This was the only C&D facility actually operating on industrial land and the property was a pipe yard for the oilfield for 39 years ago. So it's been heavy industrial for a long time in fact when we did the study for the tire facility we reduced the amount of truck traffic by 50% from the pipe yard days. If there is more

industrial property available I would probably have a lot more competition. You can buy property in Burnside and move a C&D facility in there easily so expansion is preferred to moving.

Frank Johnston questioned if expansion is preferred to moving because of limited locations.

Dan Chassie replied, it's location, we have transfer stations in Dartmouth, Cole Harbour and in Goodwood and it wouldn't be feasible for customers and contractors to start travelling to Milford. Also the bylaw for waste transfer in HRM makes it illegal to truck material out of HRM unless it's processed.

Jack Mitchell stated that he had been a councillor for eight years and asked why it didn't go to Ragged Lake, because they didn't have a plan and land was too expensive.

Barb Allen, Terrace Bay, has lived in Terrace Bay for more 30 years. Years ago I felt it wasn't great to have a C&D Recycling place in our community, but I have to say I was really impressed with the work he does there. I think in this day and age we shouldn't be frightened of recycling. Some of the things that Dan does is very innovative and because I was so impressed I have offered to give tours. I don't have a problem with it in my community because I use it. It's well used and whenever I'm there it is really busy with not just contractors but homeowners and people like you and me. Twenty years ago we would have taken it up the River Rd and just dump it in the bog there and years ago when that did happen I'd call Halifax C&D and they came down and cleared it. I encourage you all to go and take a look at the set up because it is great. I think we are leaders in Canada with the work that he does. I will support this expansion and I think as well you need to go and see the size of the piece of land that he needs to expand. Its creating jobs and it's wonderful that he's taking a lot of it up to Milford at a cost of \$3M dollars or whatever. He also took with that 20 or 30 jobs that could have been here. He has about 35 people working in Goodwood which a lot of them are locals. Friends have told me that they have never seen such safety minded employees. They are well trained and well protected with safety goggle and hard hats. I think this expansion at the base will make a safer and freer flowing operation.

Donna Pettipas, Prospect Rd, stated that except for the 4 wonderful years I've spent in beautiful downtown Terrace Bay I have been in this area for years. Jack Mitchell is my uncle. I drive by everyday sometimes 10 times a day from the time I was able to see what was happening on that property I was extremely concerned. My first concern has to do with water quality, what is this doing to the wells? I have high regard for the work HRM has put into the Waste Management Strategy and I have high regard for the people who work in that sector. I have felt over the more recent years less concerned about those things it's not my fortay, I'm a social worker by profession so waste water and storm water and ground water are outside of the my skill set but I have been delighted to know that there are extremely conscience people in the great community because Prospect Road and all its tentacles is like one big long village. I'm delighted that there are so many people that have such knowledge that put their personal time and effort into inquiring on such things. I do every effort to keep abreast of those things and I've been very happy with HRM approach to these things. Reg Rankin and my uncle when he was councillor were very diligent in all of those matters of community, business and health and safety. I have to say it's a god awful ugly site. It has just pained me to know end to see what that looks like and when I really notice it times when a colleague is coming home with me for the first time we are stopping for a minute and that's when I really see it. Years ago I remember asking Mr. Mills at a

public hearing about the incredible mess and devastation that he had on the property he owned and he stated that he didn't live near the site. And there is another gentleman who owns a sizeable piece of property in Goodwood I think it abuts the Drysdale Bog and I remember asking him that and he lived out towards Purcells Cove. I don't want to be trite about my concerns and I don't want anyone to think I just want it to be pretty but it is god awful to look at its mountains of debris and mess. And one of the things I've been wondering for a very long time is what can you do about that. I think it has really hurt our very little community it's a terrible entryway to an entire community. We have all travelled and you make certain assumptions it just casts something on an entire community. I am absolutely in no way less concerned about health and safety matters both for your staff and for the operation that you have or for anyone in our near or further community. I do appreciate all the information you provided here tonight and the support and it does give me more balance in what you are trying to achieve but I do want to say it's hard for me to think of an expansion of two feet for a bigger mess, two more mountains of debris and so I am reserving a further opinion. I absolutely could not support it with what I feel at this moment, I need to think more about it. Our community all of Nova Scotia is very happy with what we have done with waste management in this province, however it is hard to live by these things. They are unpleasant, ugly and in your face all the time. So that's a big concern of mine. My question is what can you do to change that to make that better.

John Cascadden wanted to clarify that he is not saying C&D is causing pollution. This a proposal that affects an industrial area and my concerns are with storm water management from all potential sites located here and off of Prospect Rd or anywhere in HRM that we want to see storm water management plans as a requirement for all industrial use locations. And for these plans to be made publically available and that water testing is an essential and a necessary item that HRM should not divest themselves from. There are a few thing in life that are 100% requirements for us to live and water is one them we can ill afford to ever play around with our water quality. Other locations have shown that once a bad event occurs its generations before the environment can recover. Bottom line is this is a proposal for an expansion it's all an opportunity to ensure that storm water management is part of the picture whether or not it's a provincial requirement or not. I think HRM should go back to the province and say we do have a right for storm water management and we want any water sampling that takes place be made available to the public, so they have the ability to also overview what is going on. How can we beautify the area? C&D can get together with the property owner at the Prospect Road and perhaps agree to put in a 30 yard buffer of trees that will grow nice and tall and close together to shield the view from the roadway. That's the only way short of moving the industrial operations out of this area.

Tom Labours, Prospect, asked if the proposal of the expansion will go past Exhibition Park.

Mr. Agar replied that he can't speak of that since it's not related to this proposal.

Tom Labours stated that a lot of the complaints are the visibility of the industrial area at C&D Recycling. Could HRM start encouraging business to move into Ragged Lake give them their own exit right onto the 103 Highway? It would alleviate a lot of traffic and all those problems people are bothered by. It's not just C&D it's the industrial area itself in that section. The trucks could go right out to the highway and not come onto the Prospect Road and eventually possibly even start moving those facilities over into Ragged Lake. Whether it would be an expense that would be bore by the city whether a deal they could make with the companies to be good corporate citizens to help move. Eventually separate the residents from the industrial areas that's

what I'm hearing tonight. The biggest concern most people have is there is not buffer between the residences and the industry and there is not buffer driving by every day and seeing all this activity of industry on the road. Could there be anything done there? As far as the expansion goes it's already industrial I really don't have feelings one way or another. The only question I did have directly to that would be about water containment is there any? I assuming with all the talk about water run off there is no form of water containment.

Dan Chassie answered there is no containment from the C&D area. All the water runoff from Mills Drive industrial park basically from the Mills yard and even a portion of the Ace yard. John Ross's yard runs into the back 16 acres of our residential property and is filtered through the woods. All this property here, this expansion area all runs into this property and again towards the Prospect Road and the Terrance Bay watershed system and the other facility goes into a lined sub ponds and that's how water containments use to recycle.

Tom Labours stated so basically all the runoff from everywhere runs off into the ditch.

Tom Labours asked if there a way the city can put in any form of stipulation or action in place to contain the water from any specific sites or is that just not something HRM can do?

5. Closing Comments

Mr. Agar responded that with respect to this particular proposal we can look at that as part of this process in terms of what our abilities to address storm water and we will provide recommendations to regional council prior to any decision being made.

Mr. Agar reminded everyone that the application was in the beginning stage of the planning process. He welcomed any other comments.

Mr. Agar provided his contact information.

6. Adjournment

The meeting adjourned at approximately 8:30 p.m.

Attachment D – Additional Public Correspondence

From: Frank Johnston
Sent: July-13-12 8:34 AM
To: Agar, Miles
Subject: How best to express local Resident's opposition to expansion of C&D Facility?

Hello Mr. Agar,

I live across Big Indian Lake from the C&D Material Handling Facility, aka construction garbage dump. I along with other local residents have petitioned for and thankfully the Regional Council agreed to change nearby zoning to R2. This was done to protect the area around Drysdale Bog, the headwater for drinking water all the way to Prospect Bay. Allowing any further encroachment of the Construction Debris facility or anything similar increases the possibility of a sudden environmental catastrophe or more likely a gradual poisoning and destruction of sensitive eco systems over time.

There are other reasons to oppose any expansion of C&D, they are:

I have heard that a local business feels that having his customers drive behind all kinds of vehicles having their garbage loads poorly secured is already detrimental to his business, allowing more can only hurt his business more. In addition the general unsightliness of the Facility takes away from the curb appeal of this gentleman's business. This is likely a common sentiment of many business people in the area.

Driving behind various trucks, etc. carrying construction material has caused much more collection of litter along the Prospect Rd., I know because I helped to clean it up for the local Lions.

Lastly for now the area was not originally meant to have such Heavy Industries in the original plans, it was meant to be more Light Industry. As a local resident, I feel that more efforts should be made to make this area, which is after all very close to the Downtown, more of a community of homes for families, not a festering area of unpleasant businesses.

Please advise of any methods you may know that a resident can ensure that there disapproval is recorded.

Sincerely,

Frank Johnston
Goodwood



**Goodwood Steering Committee Update
Thursday, November 3, 2011
7:00 p.m.
St. James United Church
1078 Prospect Road, Goodwood**

In the summer of 2010, residents of the community of Goodwood expressed concerns over potential environmental impacts to groundwater, surface water, and Drysdale Bog. In response to the residents' concerns, Mayor Peter Kelly and Environment Minister Sterling Belliveau agreed to create a Goodwood Steering Committee to review the existing industrial and commercial land uses in Goodwood, and to assess the current state of the environment within the community. The steering committee included representatives from Nova Scotia Transportation and Infrastructure Renewal (NSTIR), Nova Scotia Environment (NSE) and the Halifax Regional Municipality (HRM). A Goodwood Community Committee comprised of four community members was also established.

Since that time, the steering committee has been busy coordinating a number of studies in the community. Three main studies were completed by the end of August 2011.

Study #1 – Wetland Evaluation (Drysdale Bog)

The first study was a Wetland Evaluation of Drysdale Bog, Highway 333 (Prospect Road), Goodwood, and was finalized on February 3, 2011. A consultant was commissioned by Nova Scotia Transportation and Infrastructure Renewal (NSTIR) to verify the wetland boundaries of Drysdale Bog and some associated wetland areas and gather baseline environmental data. In their report, the consultants conclude that: "Based on available information and our interpretation of the hydrology of the area, it is our opinion that Drysdale Bog is not vulnerable to potential sources of contamination to the east along Mills Drive".

Study # 2 – Drinking Water & Groundwater

The second study focused on drinking water well results and potential sources of negative impacts to groundwater. It was finalized in March 2011. In general, groundwater quality is good. Some common issues related to aesthetic considerations such as iron, manganese, turbidity and TDS were noted. The principle water quality issue appears to be related to elevated uranium concentrations, which is most likely due to the geology of the bedrock in the area. Petroleum was not detected in any of the water samples.

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Study # 3 – Potential Environmental Effects of Industrial Park

The third study was completed recently and was designed based on interviews conducted as part of Study 2. During interviews, residents expressed concerns about potential environmental impacts the industrial park might have on groundwater quality in the study area and on Drysdale Bog, which reportedly drains into the Prospect River Watershed. Some residents have reported that oil has been “dumped” in the ditch along Prospect Road. To address this potential concern, the consultant collected 17 soil samples from 10 different locations and analyzed them for petroleum hydrocarbon. The results of the analysis did not identify any petroleum concentrations above the most stringent guidelines (Atlantic Risk-Based Corrective Action Guidelines). Overall, the information gathered during all of these studies did not identify any concerns with water quality that can be directly related to industrial operations in the area.

A fourth study is being planned, which would include the installation of six monitoring wells in the study area to conduct long term groundwater quality testing over a number of seasons. The steering committee and community committee members and Councillor Rankin invite the residents of Goodwood to attend a community meeting on November 3, 2011 to discuss the results of the studies described in more detail. The meeting will take place at St. James United Church, 1078 Prospect Road, Goodwood from 7:00 p.m. - 8:30 p.m. If you require further information, please contact Councillor Rankin’s office at 490-2012.