



**WESTERN COMMON ADVISORY COMMITTEE
SPECIAL MEETING MINUTES
October 25, 2107**

PRESENT: Tom Musial, Chair
Dusan Soudek
Kelly Carlton
Beth McGee
Jane MacNeill
Wayne Shellnut
Councillor Steve Adams

REGRETS: Shirley Jollimore, Vice Chair

STAFF: Maria Jacobs, Planner I
Ben Sivak, Principal Planner
Krista Vining, Legislative Assistant
Sharon Chase, Legislative Support

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, reports, supporting documents, and information items circulated are online at halifax.ca.

The meeting was called to order at 6:31 p.m., and adjourned at 7:25 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 6:31 p.m., in the Prospect Road Community Centre Art Room, 2141 Prospect Road, Hatchet Lake.

- COMMUNITY ANNOUNCEMENTS FROM COMMUNITY MEMBERS

Beth McGee noted that there will be a Council of Community Organizations (COCO) meeting at 7:00 p.m. November 15th at the Lakeside Community Centre.

2. APPROVAL OF MINUTES – September 27, 2017

MOVED by Dusan Soudek, seconded by Jane MacNeill

THAT the minutes of September 27, 2017 be approved as presented.

MOTION PUT AND PASSED.

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

The agenda was approved as distributed.

4. BUSINESS ARISING OUT OF THE MINUTES – NONE

5. CALL FOR DECLARATION OF CONFLICT OF INTERESTS

A written submission was received by the Clerk's Office on October 18, 2017 from Shirley Jollimore declaring a conflict of interest for Case 21209 (Item 6.1). The following reasons were provided: As the Executive Director of the management organization for Prospect Road Community Centre, the compensation funds that would come to the centre have a direct impact on my work. The amount approved in principle, \$325,000, is considerable and I would not want it to appear that I am supporting the project solely for that reason, or not supporting it because the funding will bring with it considerable work to administer. In the interests of my own integrity and public perception, I believe I need to declare a conflict of interest. Shirley provided regrets for this meeting.

In response to questions raised, the Legislative Assistant provided the following clarification: The Municipal Conflict of Interest Act requires any member who has any 'direct or indirect pecuniary (financial) interest' in any matter before the Committee to disclose the interest and general nature. The member will then take a seat away from the table and refrain from taking part in the consideration of the matter in any way before/after the matter is considered, debate at the meeting or voting.

Councillor Adams had joined the meeting during the discussion of Item 6.1 (Case 21209), declared a conflict of interest and recused himself from the debate and vote, see page 4.

6. CONSIDERATION OF DEFERRED BUSINESS – September 27, 2017

6.1 Case 21209: Amendments to the Regional Municipal Planning Strategy (MPS), The Halifax Municipal Planning Strategy and Land use by-law for the expansion of HRM Compost Facility at 61 Evergreen Place

The following was before the Committee:

- (i) Extract of WCAC September 27, 2017 draft minutes
- (ii) Staff Memorandum dated September 21, 2017
- (iii) Staff Presentation

- (iv) AIM Environmental Group Annual Report January – December 2016 dated March 15, 2017
- (v) Ragged Lake Composting Facility Annual Report – 2016
- (vi) Correspondence from Stantec Consulting Ltd. dated June 13, 2014
- (vii) New Era Technologies Ltd. Annual Report January – December 2004

The Committee resumed their discussion from the previous meeting where Maria Jacobs, Planner I, and Ben Sivak, Principal Planner, were on hand to answer any questions.

In reviewing the information before them, members noted that the water testing provided mostly positive data but that there seemed to be little soil testing results included. The question of how soil quality is measured was addressed by Ben Sivak, Principal Planner. Nova Scotia Environment oversees regulatory approvals and would require testing and remediation depending on the land's proposed use. The property owner, in this case the Municipality, assumes responsibility for the environmental assessment. Staff confirmed the Nova Scotia Environment has resolved the broken sewage pipe incident that occurred there in 2008. The Committee pointed out that some samples exceed the guidelines. Typically, data would be reviewed to determine if it was a one-off or always exceeding, with regulators looking at all of the data in context. The impact of surface water leaving the property was questioned. The Committee also asked if additional sampling was done as suggested in the 2014 Stantec Report. Issues such as site drainage would be looked at during the development of site plans and the issuing of an operating permit. Once approved, soil sampling and recommendations from Stantec could be considered.

Members noted key points that should be considered as a framework for data analysis and assessing what this facility meant to the community: location, zoning, environmental assessment, encroachment, and financial incentive.

Tom Musial stepped down from the chair during the discussion to speak to the matter and place a motion on the floor. Kelly Carlton assumed the Chair.

MOVED by Tom Musial, seconded by Dusan Soudek

THAT the Western Common Advisory Committee does not support replacing and enlarging the HRM Compost Facility at 61 Evergreen Place (Case 21209) for the following reasons:

1. Location

The area has a history of contamination difficulties and offensive smells. Such problems are not good for a sensitive environment, the local community, or a wilderness recreational park.

2. Zoning

Designating a sensitive wetland area 1-3 (General Industrial) would be inappropriate and would set a precedent for future heavy industrial use in the area.

3. Environmental Assessment

The WCAC may not have the necessary expertise to do a proper assessment of the data that has been provided for review. Such analysis is best done by Nova Scotia Environment, and NSE has not conducted an environmental assessment of the site of the proposed new facility.

4. Encroachment

The Western Common was set aside as designated Park land in 2002 in part so that it would not be used as a "land bank" from which to borrow land anytime a need might arise. Encroaching on designated Park land would contravene this principle and would set a precedent for future encroachment on Western Common lands.

5. Financial Incentive

The proposal to replace and expand the present facility does not acknowledge the contamination or smell issues that the present site has experienced, does not indicate what remediation (if any) would be carried out, and does not provide any safeguards that would prevent these issues from recurring

on an even larger sale. No amount of financial incentive would provide adequate compensation in exchange for the possible perpetuation of these issues.

Councillor Adams joined the meeting during the discussion of the motion but recused themselves from the debate, citing a conflict of interest.

MOTION PUT AND PASSED UNANIMOUSLY.

Tom Musial resumed as Chair.

Councillor Adams rejoined the meeting.

7. CORRESPONDENCE, PETITIONS & DELEGATIONS – NONE

8. INFORMATION ITEMS BROUGHT FORWARD – NONE

9. REPORTS/DISCUSSION – NONE

10. ADDED ITEMS – NONE

11. PUBLIC PARTICIPATION

Scott Guthrie, Vice Chair of the Otter Lake Community Monitoring Committee (CMC)/Halifax Waste-Resource Society noted that there appeared to be synergies between the Western Common Advisory Committee and the CMC. They invited the members to attend the CMC's next meeting. The Committee welcomed the opportunity.

12. DATE OF NEXT MEETING - Wednesday, November 22, 2017 at 6:30p.m., Prospect Road Community Centre Art Room, 2141 Prospect Road, Hatchet Lake

13. ADJOURNMENT

The meeting adjourned at 7:25 p.m.

Sharon Chase
Legislative Support