

"THAT a Public Hearing be held with respect to Industrial Machinery Limited, Planned Unit Development Agreement on June 16th, 1980 at 7 p.m."
Motion carried.

Warden Lawrence read to Council a letter from the Solicitor to Mr. Meech in response to letter from Mr. Copp requesting an adjournment of the Public Hearing from June 16th and several Councillors commented upon the respective correspondence.

It was moved by Councillor Walker and seconded by Councillor Baker:

"THAT the Report of the Director of Planning and Development be approved."
Motion carried.

ADDITION OF ITEMS TO THE AGENDA:

Councillor Topple	Untaxed Lands
	Anti-dumping Bylaw
	Assessment Reports
Councillor Margeson	Committee Structures
Councillor MacKay	Schools
	Minutes
	Sewer Legislation
Councillor Deveaux	Bylaws
	Sewer appeals
Councillor Benjamin	Setback regulations around lakes

Council agreed to hear Councillors Smith and MacKenzie on matters which they deemed of some urgency.

It was moved by Councillor Smith and seconded by Councillor Walker:

"THAT a plebiscite be held in District Number 10, by the Liquor Licensing Board concerning the sale of alcoholic beverages."
Motion carried.

It was moved by Councillor MacKenzie and seconded by Councillor Gaetz:

"THAT a letter go to the Federal and Provincial Ministers of Fisheries requesting immediate action to compensate the fishermen for losses incurred during the storm of the weekend of April 20th, 1980."
Motion carried.

Warden Lawrence advised Council that copies of the Centennial Committee Budget had been placed in the Councillors mail boxes and requested that it be dealt with at this Session as it is a pressing matter.

Councillor Wiseman advised Council that when the budget was being discussed at Council it was suggested that a budget be back in Council for May 20th so, although it's not on the Agenda, it was the intent of Council at the time to have the budget here for the 20th.

It was moved by Councillor Margeson and seconded by Councillor Eisenhauer:

"THAT the Centennial Committee Budget be approved minus the Beerfest."
Motion defeated.

There was a great deal of discussion pro and con regarding the Beerfest.

It was moved by Councillor Walker and seconded by Deputy Warden Poirier:

"THAT the budget of the Centennial Committee be approved in total."
Motion carried.

Deputy Warden Poirier announced to Council that on Tuesday, the 27th of May, a general meeting will be held in her area to present the costs of water and sewer to the residents. People will be there to answer any questions which may be asked and any Councillor who would like to attend is invited. The meeting is scheduled for 7.30 in the Sacred Heart Hall.

Warden Lawrence advised Council that this is the deferred Session of the Annual Session and it should be adjourned again to June 3rd. Hopefully the tax rate can be set by that date and if not it would have to be deferred again.

It was moved by Councillor Topple and seconded by Councillor Walker:

"THAT the Annual Session be adjourned to June 3, 1980."
Motion carried.

It was moved by Councillor Wiseman:

"THAT Council adjourn."
Motion carried.

M I N U T E S & R E P O R T S

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THE MUNICIPALITY OF THE COUNTY OF HALIFAX

MINUTES OF COMMITTEE OF THE WHOLE MEETING

Monday, June 2nd, 1980

COUNCILLORS IN ATTENDANCE:

Councillor Walker
Deputy Warden Poirier
Warden Lawrence
Councillor Baker
Councillor Stewart
Councillor Topple
Councillor Gaetz
Councillor Smith

Councillor MacKenzie
Councillor McCabe
Councillor Lichter
Councillor Benjamin
Councillor Margeson
Councillor MacKay
Councillor Curren
Councillor Eisenhauer

Warden Lawrence called Council to Order at 7 p.m. and opened with the Lord's Prayer. Mr. Kelly called the roll.

Warden Lawrence introduced the Municipality's new Chief of Planning and Development, Mr. Keith Birch and welcomed him to the County of Halifax.

The Warden asked Mr. Meech to give some background on the reason for the Committee of the Whole Meeting and the subjects to be discussed.

Mr. Meech advised that essentially the purpose of the meeting was to put forward the whole background story of the development of the servicing boundaries that were developed through the Planning in 1964. On several occasions there have been requests of the Municipality to consider revisions or amendments to the servicing boundaries. He noted that Mr. Gallagher would do the presentation with respect to providing the background on how the boundaries initially came about and the purpose for them and to give some indication as to the impact it has had over the last number of years in bringing about orderly development.

Mr. Gallagher informed Council that in 1964 the Municipality adopted an official Town Plan and since then there has been a slow evolution of formulating in order to allow the people to develop in an orderly manner. He said the official Town Plan states that the policy of Council will be able to ensure the development of a complete system of piped water supply and a sanitary sewage collection system and disposal in the urban sector. The areas to be serviced between 1965 and 1985 were Bedford, Sackville, Cole Harbour, Westphal, Eastern Passage, Lakeside and Timberlea. Mr. Gallagher continued to give Council a detailed explanation of the areas and boundaries pointing out on 4 maps of these areas the situation as it presently exists. After each map was dealt with Councillors asked questions concerning the serviceable areas and boundaries.

Councillor Topple inquired of Mr. Meech how long the Housing Commission has had phases 11 and 12 and was informed that it came to the attention of the Municipality about a year or so after the boundaries had been set. He raised the point that the Provincial Government directed the County to have serviceable boundaries designed to accommodate certain housing developments and then another arm of the Provincial Government asking them to break their agreements to service certain areas and go outside of those to accommodate them at the expense of some of the inside serviceable areas, that it doesn't make sense and should be made known to the Provincial Government.

Councillor McCabe inquired as to when or if he may expect to have the 2 villages in his district to be serviced in the future and there was a great deal of discussion concerning the servicing of rural areas.

Councillor MacKay inquired of Mr. Gallagher what would happen if the Nova Scotia Housing Commission came along and said they didn't want to go ahead with Millwood but they did want to go ahead with phases 11 and 12 and Mr. Gallagher replied that the ultimate decision would have to be made by Council as to whether or not it wanted to change the serviceable area boundary.

Councillor Benjamin said he would like to see infilling done before the boundaries are expanded.

Mr. Wdowiak clarified a point concerning the serviceable area in the vicinity of the Bicentennial Highway and Hammonds Plains Road.

Mr. Gallagher advised Council that water and sanitary sewer system was installed in the Lakeside Industrial Park at the expense of a private undertaking on the basis that it would eventually be taken over by the Municipality when it was feasible to do so and when the Department of Environment advised they would like to be unburdened the Municipality did then purchase the system.

Mr. Gallagher said that in the areas of Cole Harbour, Eastern Passage the serviceable area lines approximate but don't exactly follow the drainage area. Because of problems being experienced in Sunset Acres due to malfunctioning septic tanks the serviceable area was then deflected to suit this situation well in advance of that which might be possible if it had to be developed and follow the natural drainage patterns so arrangements were made with the City of Dartmouth at that time to pump sewage from Sunset Acres. There was a portion of the Morash Subdivision outside the serviceable area and a portion inside the serviceable area so it was determined that only the portion inside the serviceable area would be serviced. This has happened in several subdivisions where only the portion inside the serviceable would be allowed to develop, and this became a very contentious issue in several cases. He said the Nova Scotia Housing Commission own lands which are outside the serviceable area and they've been the subject of a number of approaches to the Municipality and comparatively recently lands were expropriated adjacent to Morris Lake which are also outside the serviceable area. When plans were being formulated for the servicing of that area there'd been no movement towards development of the area and where the plan envisaged a collection of sewage in the vicinity of Bissett Lake for pumping treatment to Eastern Passage a decision had to be reached whether it should be a one shot effort or planned at a later time. A decision was made to go with a single line with a view to paralleling that line at a later date.

Councillor Stewart stated that because of the servicing in Colby Village and Forest Hills that Bissett Lake was ruined after 6 months and is still in a bad state. He wondered how far is urban sprawl to be encouraged out from the metro area. As serviceable boundaries are increased so is urban sprawl. He felt that infilling should take place where there are services or where they can easily be put in.

Councillor Toppie said he felt that Council must do some planning for an expansion or extension of another boundary with additional treatment facilities. Future development must be planned for.

Mr. Gallagher explained that one or two developers had been allowed to subdivide as a portion of their land was within the serviceable areas in order to obtain an easement and

Mr. Meech brought out the fact that, although it had never been included technically on the plan, that area was officially to be part of the boundary area.

In reply to a question posed by Councillor Stewart Mr. Gallagher informed Council that the holding pond to be constructed in Colby Village is to be a million gallon capacity and the treatment plant in Eastern Passage is presently designed with a capacity of 1.9 million gallons with a future capacity of 4.5 million gallons per day.

Warden Lawrence inquired as to whether the infiltration problem in this area is as severe as it is in the Sackville system and Mr. Wdowiak commented on that to Council. A study of this problem was carried out by consultants and it painted a grim picture for both areas.

Councillor Gaetz inquired whether the boundary could be extended to Little Salmon River because of the arsenic problem in the water in that area.

Several questions were asked by Councillors of Mr. Gallagher and Mr. Wdowiak concerning infiltration.

Mr. Wdowiak pointed out the areas of concern in the last map and Mr. Gallagher explained that the Eastern Passage area was one of their most difficult problems and explained to Council where the difficulties lay and the remedies which have been used to accommodate these difficulties.

Warden Lawrence expressed the appreciation of Council to Mr. Gallagher and Mr. Wdowiak for their contribution to this meeting and for the enlightenment they had brought to the Councillors.

Councillor Poirier inquired as to why the Beechville/Lakeside/Timberlea area had not been discussed and Mr. Gallagher apologized for not having a plan of that area. He said that he could possibly address himself to that at some other meeting of Council but at this particular time they couldn't come up with a plan that would cover that area. He stated that he could bring this up at the next Council Session on the following day and Deputy Warden Poirier felt that, as the project is about to be started, Council should know where the service line is.

Councillor MacKay said when talking about the serviceable boundary and the Regional Development boundary with regards to Sackville and Phases 11 and 12, the Regional Boundary encompasses 11 and 12, and he hopes that with a new Municipal Development Plan and a new Regional Development Plan that boundary will not shrink to exclude Phases 11 and 12.

It was moved by Councillor Baker:

"THAT Council adjourn."

Motion carried.

THE MUNICIPALITY OF THE COUNTY OF HALIFAX

PUBLIC HEARING MINUTES

Monday, June 23, 1980

Present Were:

Deputy Warden Poirier	Councillor MacKenzie
Warden Lawrence	Councillor McCabe
Councillor Williams	Councillor Lichter
Councillor Baker	Councillor Benjamin
Councillor Deveaux	Councillor Margeson
Councillor Stewart	Councillor MacKay
Councillor Topple	Councillor Curren
Councillor Adams	Councillor Eisenhauer
Councillor Gaetz	Councillor MacDonald
Councillor Smith	Councillor Wiseman

Warden Lawrence opened the Public Hearing at 7 p.m. with the Lord's Prayer following which Mr. Kelly called the roll.

Warden Lawrence welcomed the Public who were in attendance, advised the content of the Hearing and asked Miss Smith to outline the details of the first Application.

MISS SMITH: This is Rezoning Application Number 5-80 and it's for Bedford Village Properties Limited and it is a request to rezone Block B-1 located at the intersection of Moirs Mill Road and Millrun Crescent from R-1 (Residential Single Family Dwelling Zone) to R-4 (Residential General Zone). This application has been advertised under the terms of the Planning Act and we have not received any correspondence opposing the Application. We have however received one letter from Mr. Dan English, the Chief Administrative Officer for the Town of Bedford outlining that the Town of Bedford passed a motion supporting this application. (Miss Smith then outlined the basic location of the property). This plan shows the existing land use in the area. The proposed building is a 36 unit apartment building. The Planning Department is recommending that this Application be approved, basically because we feel that existing land use in the vicinity of the property, as well as the road configuration, is appropriate for this kind of use. The lot, as you will notice, was located not very far from the Bedford Highway, which gives access onto the Bedford Highway from this proposed use very easily. Because of the drainage easements and the sewer easements over the property the size of the building is somewhat limited. The lot itself could support about 80 units but because of the configuration and the slope to the property 36 units will be constructed and we feel that this is not a size of a building that would have a great impact on the immediate area. Also we feel that this building is in keeping with the general overall development plan for Bedford Village that was proposed by the developers a number of years ago and that we feel this is in keeping with that overall comprehensive plan that was submitted at that time.

Warden Lawrence explained the rules of the Public Hearing to the Gallery and called for speakers who wished to speak in favour of the rezoning to come forward.

TED ANDREWS: Your Worship, Members of Council, Ladies and Gentlemen my name is Ted Andrews, Vice President of Bedford Village Properties Limited. I will be very brief, I

MR. ANDREWS: (cont'd) think the Staff have adequately outlined the request as submitted and I really am only coming here to indicate that this is a continuing part of our development program for Bedford Village and if I can answer any questions that the Councillors may have I'll be glad to do so.

Warden Lawrence called three times for speakers in favour of the Rezoning Application and there was no response. Warden Lawrence then called three times for speakers in opposition to this Rezoning Application and there was no response.

It was moved by Councillor Curren and seconded by Councillor MacDonald:

"THAT Council approve the Request to rezone Block B-1, Lands of Bedford Village Properties Limited, Moirs Mill Road and Millrun Crescent, from R-1 (Residential Single Family Dwelling Zone) to R-4 (Residential General Zone), Application No. 5-80."

Motion carried.

Warden Lawrence read the second Application of the evening and asked Miss Smith to outline the details.

MISS SMITH: This is Application Number 10-80 and it's a Request by Jim-Jer Investments to rezone the parcel of property located at Lower Sackville from R-1 (Residential Single Family Dwelling Zone) to C-2 (Commercial General Business Zone) and P (Park and Institutional Zone). This application has been advertised as prescribed under the terms of the Planning Act and we have not received any correspondence either in favour of or opposed to the Application. (Miss Smith then outlined the location of the property for Council.)

The Department of Public Works have no objections to this Application and they feel that the development of this site with C-2 uses would create densities in keeping with that of the sewer capacity of the area. Briefly the Planning Department's recommendation would be of approval and our reason being mainly is that this area, basically the area of Highway 1, located between the Cobequid Road and the Beaverbank Road has traditionally been viewed as commercial core of Sackville and in keeping with the development of this core we felt it appropriate to zone the rear portion of this property to commercial to accommodate a Nothin' Fancy Furniture Store and warehouse facilities comprising an area of about 50,000 square feet because, in fact, this is in keeping with that core concept we would recommend approval.

Several questions were put to Miss Smith by Councillors.

Warden Lawrence then called for speakers who wished to speak in favour of the Rezoning Application to come forward.

CHARLES E. RICHARDSON: My name is Charles E. Richardson and I'm looking after the rezoning on this particular piece of land and if there's any questions - I noticed there was one question about that particular ditch and I'd just like to point out at this time that any streams or any brooks in the Province come under the jurisdiction of the Department of Environment for water courses, lakes and they're very cautious and very careful as to any of the flow changes or directional changes of any of these and these will be treated at the time with the Department of Environment as the construction goes forward, for sure.

Councillor Deveaux suggested he didn't share the view of Mr. Richardson as to how careful the Department of the Environment is concerning water courses and Mr. Richardson stated he had had many disagreements and agreements with the Department during the course of his

MR. RICHARDSON: (cont'd) experience as a land developer and that they have always been very conscious of the problems.

Several questions were asked of Mr. Richardson by Councillors to which he responded and advised that he was seeking this rezoning on behalf of a Mr. Bonang, the owner of the land. He stated that, as per the suggestion of the Planning Department, the owner has agreed to Park and Institutional zoning for two and a half acres, more or less, around the river.

Warden Lawrence called three times for further speakers in favour of the Application and there was no response. She then called three times for speakers against the Rezoning Application and there was no response.

It was moved by Councillor MacDonald and seconded by Councillor Margeson:

"THAT Council approve Application Number 10-80, Request to Rezone Lot B, Lands of Jim-Jer Investments Limited located on Highway No. 1, Lower Sackville from R-1 (Residential Single Family Dwelling Zone) to C-2 (Commercial General Business Zone) and P (Park and Institutional Zone)."

Motion carried.

Warden Lawrence read the third Application of the evening and asked Miss Smith to outline the details of the Application.

MISS SMITH: This Application is for Giroux Enterprises Limited and is a request to rezone Block X1A-6 from R-1 (Residential Single Family Dwelling Zone) to C-1 (Commercial Local Business Zone). This application has been advertised as prescribed under the terms of the Planning Act and we have received 2 letters in opposition to this Application. These have all been xeroxed and given to the Councillors. The first letter is from the Cole Harbour Rural Heritage Society and the second letter is from the Minister of Transportation, Mr. Tom McInnis. (Miss Smith then outlined for Councillors the area in question.) I'd like to give you a little more information about the proposed use. We've been advised that it is primarily a cleaning company, they do cleaning, apparently, of two kinds - pressure cleaning, which would involve the cleaning of equipment such as pulp mills, oil refineries, power plants and shipyards and apparently that is done using pressurized water. They also do chemical cleaning, that being boilers, towers, heat exchangers et cetera and the chemicals involved in that process would include acids, lyes, detergents, solvents and/or a combination of those. We've been advised by the Applicants that they do not intend to store great quantities of the chemicals on this site for any period of time given that the chemicals are purchased and used immediately. They also have vacuum trucks which go around to clean up oil spills and gather waste oil. They do not have any means of disposing of any waste oil that they collect and that is the responsibility of their clients. It was indicated to the Department of the Environment, in a letter from them to us, that they may be considering getting into the cleaning of septic tanks but that we do not have any more information on. The Department of the Environment have basically said that they have certain concerns about this Application but that they do not have enough information on the proposed use at this time to give us any comment as to whether or not they would grant a permit for this use. They have sent an application for a permit to the Applicant and have basically indicated that once the outcome of this Application is known that they will assess their application. The Planning Department is recommending rejection of this Application for a number of reasons. First of all we do not feel that this particular site is suitable for this particular use, given that we have a very quiet residential subdivision in the immediate area through which or near which access will be gained and also, because of the nature of the

MISS SMITH: (cont'd) business, that being one which involves chemicals and heavy equipment and trucks. We are also very concerned about the environmental impact of such a use on the property. Given the nature of the use, under the zoning that exists on the property, we have very little control over what actually happens there. Once the building goes there, given that the zoning is of an unzoned status, the Applicants can do whatever is appropriate in that zone and the only control that would be placed on the land would be that determined by the Department of the Environment and the Department of Health. We are also very concerned about the concerns that the residents have raised. The area residents here have worked for a number of years and months getting together to form a citizens' group to determine their own development in a community by way of a development plan and we feel, at this time, to encourage this kind of what we would consider to be an obnoxious use in the area would be not at all suitable at this particular time.

Deputy Warden Poirier suggested that without a report from the Department of the Environment it was premature to be considering this Application.

Councillor Deveaux questioned the access road and Miss Smith stated that the company would have to change the site of the access road from the existing one through the residential area.

Several questions of Councillors were answered by Miss Smith.

Warden Lawrence called for speakers in favour of the Application to come forward and state their views.

AL STACKHOUSE: Thank you Warden Lawrence, my name is Al Stackhouse, I'm General Manager of Giroux Enterprises and I'd like to try to clear up some of the confusion that exists on how we're going to use this land. First of all, as far as the environment people goes, I received a letter from them on June 13th asking for further information, specifically on what types of materials we would use in our cleaning process and if I may I'll read the letter I sent to Mr. Duncan McKay. "Dear Mr. McKay: Re your request for further information regarding our Application 80/132." (This was an application we put in to them some time ago and they didn't want to rule on it until this ruling was made, which seems to be putting the cart before the horse.) "As stated in my previous letter the chemicals which we use in our cleaning process are used totally at the customer's site. In our 3 years of operation in the Halifax and Dartmouth area none of these chemicals have ever been at our shop. I want to make it clear that any equipment used in the transportation, pumping, handling etcetera of these chemicals is thoroughly cleaned and neutralized before leaving the customer's site. Specifically we use hydrochloric acid 22 degrees BE, anhydrous caustic soda, anhydrous soda ash, acid inhibitor Ceda HIB 50 manufactured by Chem Wash Industries, Calgary, Alberta. Surfactants NP4 and NP9, which are manufactured by Alkadril Chemicals Limited, Montreal, Quebec. As to the type of maintenance we would be performing on our equipment our plan is to hire a mechanic who would be doing routine service of the equipment, that is oil changes, grease jobs, tune-ups and engine and drive line overhauls. Any cleaning would be nothing more than normal washing of the exterior of the equipment for appearance sake. We would not be cleaning the interior of vacuum unit tanks or chemical drums." We are attempting to find permanent facilities for our equipment and our business, a business which has been done in the past by outside companies from Montreal, Toronto and the U.S. which come in and take out the money but not the effluent, no different than we would as far as the effluent goes, they leave it here, leave it on the customer's site the same as we would. We have the expertise and the equipment to do this type of work and we've had the encouragement and support of local industries who see the advantages of a local company doing this work. Time

MR. STACKHOUSE: (cont'd) Is of the essence, we have to get this settled up and have permanent quarters in which to do this type of work.

In reply to a question by Councillor Baker Mr. Stackhouse stated that there are 8 people presently employed but with permanent facilities the number would be at least doubled. The company, at present, send all of their equipment back to Saint John. He stated that Arrow Enterprises will guarantee a long term right-of-way to the property and that the company has been operating out of Arrow Enterprises for the past year and a half to two years which is next door to the land which they propose for their business.

Councillor Benjamin inquired whether the chemicals used would be offensive to neighbours and Mr. Stackhouse replied that they would certainly, if they were used on the site, however there was no intention of using them on the site. The chemical cleaning is all done at the customer's site.

Several more questions were addressed to Mr. Stackhouse to which he replied. He explained to Councillors what is done with the waste oil when it has been transported to Saint John.

Warden Lawrence called three times for further speakers in favour of the Rezoning Application and there was no response.

Warden Lawrence called for speakers in opposition to the Rezoning Application to come forward.

CHARLES RICHARDSON: Again, my name is Charles Richardson. I just want to shed a bit of light. I originally never came for this particular Application but since it's here and since it's people in my own community I would have been here at a different night if it had been. I want to basically tell the Council what led up to this particular Giroux Enterprises buying this particular piece of land. The piece of land in question was a block, at that time called Block X, which I sold - I bought in 1973 and in 1974 I sold it to BJ Construction Limited who subdivided it and built those 9 houses that are on the present property. In 1973, when the Ross Road Zoning Committee decided to zone Ross Road and that particular area of Lawrencetown 1, at that particular time, owned four to five hundred acres, maybe more, in the area and at that time the Councillors here, the Planning Department, myself, the Committee and other people in the Lawrencetown area worked very long and very hard at a rezoning proposal that everybody agreed with which, as you know, is no easy chore and we came up with an agreement because I wanted some of my lands to be commercial, obviously, because I had intended to use some as commercial, and at that time we came up to an agreement which you can see in your prospectus, in the front, that the first 500 feet on both sides of the road would be residential excepting the 500 feet which is shown as commercial there. That, everybody agreed at the time, would be the commercial base because every community does need a commercial base and that would represent the commercial base for the area. That was agreed on and passed. I also owned the piece of land across the street, the 22 acres, which had about 900 feet of ocean frontage on Cole Harbour which I applied to the County of Halifax for a building permit for my own personal home. In the very first part of 1975 that permit was granted by the County and it was then rescinded by the Province of Nova Scotia under the new Planning Act which came out in April 1975 because they wanted to zone that particular piece of land on that side of the road Park and Institutional and would not allow, at that time, the building of my own personal dwelling. I subsequently sold the land. To bring you up to date the zoning stayed as it was except for the Province of Nova Scotia wanting that to be Park and Institutional. Two years ago, give or take a bit of time, Giroux came to me and was interested in buying some land to put a building on that would hold their

MR. RICHARDSON: (cont'd) hold their trucks and I met with the Giroux people and the piece of land that's adjacent to their access road there, which is the body shop where, if you've got pictures there, you'll probably see a few old derelict cars around it. At that time I had possession of that building. I showed them that building and a piece of land behind the building which constituted about 3 acres of commercial land and we negotiated on a price which was too high for them at the time. At the time, to set the record straight, at the time Giroux was dealing with me one of their concerns was that the land had to be large enough and the drainage had to be adequate enough for them to install a large holding tank which would be used for the purpose of holding chemicals. I mentioned to the Giroux people at the time that the land in that particular area behind the Arrow building and behind the body shop, which they would be interested in buying from me, was wet, that it did drain across the block X1A-5 in a westerly direction and did drain into the Little Salmon River which does drain into Cole Harbour. They then - that's the last I heard of them, after that discussion took place I heard no more. To go back to V.J. Chater - V.J. Chater Construction Company went out of business. I had pledged the mortgage that I took back from V.J. Chater Construction to the Credit Union for collateral on other loans and the Credit Union was forced to foreclose the land on V.J. Chater Construction. I was morally obligated, not legally but morally obligated on the mortgage for the simple reason that I did a lot of business with the Credit Union and I was morally obligated to try and retrieve the money that was owing on the mortgage of V.J. Chater which had come down to around the twenty thousand dollar mark. The next thing I know the Credit Union calls me up and says we have a client for that 17 acres of land for twenty thousand dollars which will eliminate your obligation on the mortgage, do you wish to sell. I said fine, not asking who it was. I subsequently found out later that it was Giroux. I mentioned to the Credit Union at the time that Giroux, I thought, would have an awful problem establishing a commercial entity on that particular piece of property because number 1 there was 500 feet of zoning which was fought very hard for, number 2 I want to make this very clear so there's no misunderstanding, the rest of the land, the other 700 feet, is not zoned Commercial, it's zoned General. The Credit Union entered into an Agreement of Sale with Giroux. Giroux then, through some problems, didn't quite get their act together on closing at the time they were to close. The Credit Union then called me and said I think Giroux is backing out of the deal. I said fine, I can find you somebody who wants to buy the land. That somebody was one of the residents that lives in the Timberland Subdivision on the road. I approached him and I said do you want to buy that land behind to keep it for your people, you know, for the people in the subdivision, and have it as your own land - he said yes. We arranged the financing and arranged the deal but then Giroux, at the 12th hour, came and purchased the land and that was that. So basically what I want to say is a couple of things. The access road, which is through the Arrow property, which I also built, goes across some wet land, a little bit of wet land. It also passes directly over the well for that particular building and also over part of the septic field. Again I want to emphasize when I was negotiating with Giroux they were looking for a place to put a holding tank for their chemicals. I lost a piece of land myself that I couldn't build my own home on through rezoning, I live in the area, I still own over 200 acres of land there which I haven't operated a gravel business on for some years, trying to clean up the environment. One of the biggest problems we have in the area is people coming on the land and dumping garbage on it, which we have tried to stop many, many times, and I don't think that, at this time, the County Council should go against the wishes of the residents on the original zoning, should go against the recommendation of the Planning Department, which you have to put a bit of faith in since you've hired them. They don't recommend it and it's very easy to see why they don't. The residents have a committee and they don't want it and no offence to the person who represented Giroux but I think he's misrepresenting to Council on the things that he told me. I think all these things should be taken into consideration before the Council votes. Thank you.

Warden Lawrence called for further speakers in opposition to the Rezoning Application to come forward.

ALBERT BOHEMIE: I'm here to represent the Timberlands Subdivision residents. Last September of 1979 workers began to clear a forested area behind our house and two weeks later more equipment moved in, he had equipment and he cleared a big area of residential land and, needless to say we were upset and we came to County offices, we talked to the Chief Building Inspector and we asked at the Planning and Development offices who was doing that, why and basically nobody knew. No inquiries had been put in and no permits had been given to build or receive. Eventually, after questioning enough people and we did have to call - we made a lot of calls - we called Moncton, we called Fredericton, we were trying to get hold of the Giroux people 'cause we were told they were the ones. After a long time we found who owned the land and we sort of started to piece the puzzle of what was to be used. Giroux Enterprises Limited at the time had their offices in Burnside Industrial Park but who were a New Brunswick based company were planning, we were told, to establish a commercial and industrial waste cleaning facility to clean and service their fleet of high pressure cleaning and suction waste pumps. We were also informed earlier that year from company officials that they were planning to relocate to the site holding tanks for some waste oil and some chemicals, those tanks that are presently located in Porter's Lake. All the residents who bought new homes in this subdivision had, up to this time, wrongly assumed that the land in our immediate area was zoned residential since when we bought the land we thought the whole subdivision that we bought into was all residential. Since 1975 both Provincial and local governments have acknowledged the sensitivity of this area, ecological problems including pollution, commercial development and large scale high density residential development like Forest Hills and Colby Village. The Lawrencetown area, it was decided, was to be developed in such a way as to put major emphasis on retention of the natural environment. Outdoor recreation, beaches, preservation of the wet lands where an estimated 5,000 migrating Canada Geese stop yearly on their route up north and down south. There's a lot of clam digging, a lot of hunting and fishing in this area and all these areas, they're an integral part of the Lawrencetown area. The proposed and actual commercial operation of Giroux Enterprises constitute in our mind a very serious threat to all these. As a representative of the homeowners in that division I wish to put across the threats that we feel are posed to our young children, our surface wells, the Little Salmon River and ultimately the fragile wet lands of Cole Harbour, and also basically the peace and quiet of our area. Giroux Enterprises not only makes use of heavy equipment but also makes use of very extremely harmful chemicals and Mr. Stackhouse awhile ago made a comment on acids and chemicals they use and he stated a lot of company names but basically those companies make a lot of chemicals and, you know, he didn't commit himself on what chemicals would be used or that they intend to use and as far as we know we're at a loss as to knowing exactly what chemicals they intend to use in the future. The General Manager also stated that the company did not store any chemicals or waste oil on site for any length of time and we've observed and photographed that since early 1979 the company has been storing chemicals behind the building they presently occupy. Last Autumn, in November, they had 10 barrels full of chemicals, now four of the barrels are still full. Throughout that time period we've observed people pouring chemicals out of those barrels and some of the photographs you may have seen the snow around the barrels was yellowish, greenish, and also oil was spilled underneath the trucks and if you saw the area in winter underneath the trucks where the trucks park at night the flushing equipment on the trucks drip oil on the ground and some of the photographs indicated that you can see a pool of oil on the ground. Also numerous visitors in the area have reported driving behind the Giroux trucks and observing black, oily liquids and yellowish liquids dripping from the flushing equipment. Recently, in the last 2 weeks, two 500 gallon tanks have been stationed behind Giroux' building. One tank was filled with waste oil last week and a second tank

ALBERT BOHEMIE: (cont'd) is almost full now. This is the oil we took out of the tank, it's waste sludge oil as far as we could smell and determine. Tanks are left open and there is even ladders for kids to climb on if they wish to do so. Basically we did not have to wait for the environment people to report on what was happening in the area, we've been watching it and for a long time now. This whole affair has raised a lot of serious questions. Because Giroux Enterprises have bought the land does that mean that they virtually should be able to do what they please with it and force us to constantly watch them and to make sure that they are not using the land for the purposes other than stated. There is a lot of land around Lawrencetown that is zoned General and very little land that is zoned Residential. Why then does Giroux have to get a piece of residential land, rezone it commercial just to suit his purpose. Why is Giroux asking the system to bend instead of him bending to the system a little bit. Do we have to continuously watch our children and our pets to ensure that they're not playing with chemicals or falling into unlocked 500 gallon tanks of oil? Why has Giroux felt free to block permanently a little stream that flowed behind the hill behind our residences which drains the land immediately behind Arrow Enterprises. That little stream has been blocked since last November and we've shown it to the Department of Environment and as of yet nothing has been done and we fear that a lot of the trees may die shortly if this is not unplugged. Why did Giroux apply for a building permit last November, a permit to construct a building to house 5 one ton trucks, and this I quote from the Building Inspector. 5 one ton trucks when he needed one to clean and service his fleet of numerous 5 ton chemical cleaning and vacuum suction waste trucks. Because Giroux has invested approximately 20 thousand dollars does that mean that our collective investments of approximately 450 thousand should be devalued by an estimated 25 percent as estimated by a local real estate company. Such activity by Giroux is not compatible with the preservation of the beautiful yet fragile environment in this area. The release of chemicals and oils onto the ground could eventually contaminate the shallow wells in our subdivision as well as the nearby Salmon River which drains into Cole Harbour and tonight if you're watching the CBC news at 6 o'clock they shot some film this afternoon of one of Giroux' employees washing a truck down with high pressure water and whatever he was washing off the trucks, you know, we don't know. It could have been caustic soda or whatever chemicals, was washing right on the ground and it drains right behind our properties. It is not that we have any choice of wells in this area as most of our drilled wells are contaminated with arsenic and mine has got .20 arsenic which doesn't allow me to drink at all. We feel that the rezoning of residential to commercial uses would constitute a dangerous nuisance to the residents and we'll get a step backwards in our community. We do acknowledge that a type of Giroux company, which is a Canadian company we admit, it has room in our society and possibly it does serve a useful purpose but this is why we have Burnside Industrial Park, this is why we have other parks and that's where they should be. Finally it is the expressed wish of all the residents that this whole subdivision remain a residential area where we can raise our children in the type of environment we chose to live in in the first place. Thank you very much.

Warden Lawrence called for further speakers opposed to the Rezoning Application to come forward.

DONALD GRADY: My name is Donald Grady, I've been sent as a representative of the Lawrencetown Citizens' Committee which is many and, as you know, is a committee elected by the residents of the Lawrencetown area, some 2500 people, to represent the interests of all members of our community and to protect both the environment and the future of Lawrencetown. I think it's one of the most ironic commentaries on the state of the life we live that Council should be considering this Giroux Enterprise proposal. I recognize that Council is bound at law and in regulations and in practice to give a fair hearing to any reasonable proposal regarding the use of land in the County but I, for one, as a

DONALD GRADY: (cont'd) representative of citizens of Lawrencetown want to state very clearly to Council that the citizens of Lawrencetown are uniformly absolutely and irrevocably opposed to Giroux' presence in our community. You hear from one resident in the area who is a landowner and who's been involved in this process for some years, he expressed his opposition to the Giroux proposal. You heard from Mr. Bohemie representing all of the residents of Timberland Subdivision, they are opposed to the Giroux proposal. Now I wish you to understand, as clearly as I can convey to you, that the citizens of Lawrencetown are very definitely opposed to the presence of Giroux Enterprises in our community and we, as I'm sure you, understand that Giroux' presence in our community is contingent upon this Council's approval of the Application for changes in zoning which Giroux Enterprises has made. I hope I'm not being naive in my understanding that if Council tonight rejects the Giroux proposal Giroux will have no alternative but to seek an alternative site. If you'll indulge me I'd like to give you an indication of some of the thinking that has gone on in our committee and, in response to more than 60 telephone calls received since last Thursday night in response to the open letter to the residents of Lawrencetown circulated by the residents of the Timberland Subdivision. People in Lawrencetown are very angry. Very, very angry and their anger is directed at the fact that we have been working for more than 2 years, I think very constructively and very creatively, with representatives of the Provincial Government to try to work out a system for life in Lawrencetown which would permit individuals and appropriate commercial businesses from locating and operating happily and creatively in our community and during this 2 year period, which is often the case in processes that involve government action and government decision, we've been working in good faith on the assumption that nothing would be done to our community while the process of the development of regulations is under way. As some members of Council who are on the Planning Advisory Committee are aware and as others may be aware from reading the newspapers the Lawrencetown Citizens' Committee is currently involved in very, very creative negotiations with representatives of Provincial Government and with representatives of County Planning in order to work out a set of regulations which will protect the Lawrencetown environment and make it possible for something to be done to at least maintain the somewhat fragile quality of life that exists in our area. It would be absolutely disastrous if, during the process of these discussions with government and during what I'm sure will be long months of negotiation that will take place in discussions between our committee and County Planning and Municipal Affairs and the Department of the Environment, be disastrous if during that process of democratic discussion and creative, I think, regulation building an enterprise like Giroux were to be located in Lawrencetown. Last week the committee met and reviewed the correspondence that we had available to us. Members of Council will know that our committee has twice written to Council supporting the Timberland residents and opposing the Giroux proposals. We wrote in February, when we became aware of the situation, and we wrote in collaboration with the Timberland residents earlier this month to Council. There's no need for me to summarize or re-read that correspondence since you've heard most of the arguments that we've made from other speakers earlier in opposition to the Giroux proposal. The fundamental problem - we discussed it last week - was a problem that one of our committee members described as the problem of the invisible elephant. If you read the Giroux side of what is going to happen on that site, if you read the Giroux discussions regarding the intentions of that business organization, the responsibility, the desire to create jobs, the desire to be creative and appropriate corporate citizens no reasonable person would object to having Giroux Enterprises in Lawrencetown. I mean it can be seen, simply by listening to Mr. Stackhouse's observations here this evening, no harmful chemicals are on the Giroux site for any length of time, no waste oil or sludge oil is found on the Giroux site for any length of time. I was appalled when I sat back in the room and listened to Mr. Stackhouse respond to what I regarded as very intelligent and very reasonable questions from members of Council inquiring whether sludge oil would be on the site. Mr. Stackhouse said, if I understood him correctly, no,

DONALD GRADY: (cont'd) there would be no sludge oil. But last Wednesday when I went to Giroux Enterprises 1, like other residents of Lawrencetown, observed that there was in fact sludge oil on the site, 2 very large tanker truck bodies just down behind the Giroux building. I think, if citizens are to maintain confidence in the governments which serve them, then citizens have to understand and correctly believe that governments are protecting the public interest and if Giroux Enterprise is permitted the zoning proposal that is put before Council, is permitted to establish in Lawrencetown, I can assure you gentlemen that the residents of Lawrencetown are not going to believe that County Council has acted in the public interest. It's understandable, you know, when you get down to human nature it's understandable that Mr. Stackhouse and other representatives of Giroux would want to impress you with the fact that their enterprise is a correct and appropriate and safety conscious and environmentally responsible organization but surely one cannot let the evidence of one's own eyes deny one's ability to reach a reasonable conclusion. If what Mr. Stackhouse told the County Planning Department is true there would be no sludge oil behind Arrow Enterprises. If what Mr. Stackhouse and Mr. Giroux told the Department of Environment was true there would be no harmful chemicals stored on the site. But there are harmful chemicals stored on the site and there is sludge oil stored on the site and I, as an ordinary regulation human being cannot believe that a business organization or a person who will tell untruths as to his or her activities is a business organization that any reasonable governmental body would encourage in its presence and activities. Now obviously Council doesn't have authority nor, I presume, would Council wish to have authority to tell Giroux Enterprises that they should or shouldn't establish their enterprise in an appropriately protected industrial park. From what I understand of our discussions in the Lawrencetown area, and especially in the Lawrencetown Citizens' Committee, no member of that committee opposes Giroux' presence in the Province of Nova Scotia, no member of that committee and to my knowledge no member of the Lawrencetown community opposes Giroux' presence in the County of Halifax. All we as that County Council do is to make sure that wherever Giroux is operating Giroux is operating in a way that does not compromise and inflict detrimental and irrevocable damage on the environment and safety of the people who live there. Lawrencetown is not the place for Giroux Enterprises. If I understood one of the Councillors from Sackville issued a somewhat facetious invitation to Giroux they might consider relocating in an industrial park in Sackville. I spoke last week to Mr. McInnis and again I don't understand what happened to the English language or how Giroux Enterprises is operating but I spoke to Mr. McInnis last week and he assured me, I have no reason to question his integrity, he assured me that he had recommended that Giroux consider locating in an industrial park in Musquodoboit. That's where Giroux Enterprises - personally I might be happier if Giroux located in Upper Sackville. If Giroux decided to concentrate and relocate in Calgary I would be even happier, but the essence of the point, I think, that's been made by a number of speakers tonight is that Lawrencetown is not the place, it's the wrong place. It's a glass house into which you are inviting a man with a heavily laden box of explosive materials. That's exactly where we live and exactly how we see it and whatever assurances Giroux has given members of this Council let me tell you, as a resident of Lawrencetown and a representative of the people of Lawrencetown, whatever assurances Giroux has given you is a set of assurances furnished by the practice of the business organization that we have had living, temporarily I hope, in our community for almost 2 years. Thanks very much for your patience and attention.

DEPUTY WARDEN POIRIER: Mr. Grady I can appreciate your concerns and the concerns of your people but as Councillors we can only listen to your side of the story and to the other side of the story and be impressed or not impressed by either one. Frankly I was very impressed with the information given by Mr. Stackhouse and he struck me as a person that seemed to be straightforward and I felt what he was saying was the truth, perhaps it wasn't. There are 2 things involved here as far as the situation as I see it. The

DEPUTY WARDEN POIRIER: (cont'd) Department of Environment doesn't play around these days and if there's a problem, particularly in an area like yours, I can't imagine this firm being allowed in if they're against whatever the Department of Environment would allow. My second point I would like to bring up, you seem to think they are not running a clean business out there, if that's the way you can put it, a clean operation. They have an operation in New Brunswick somewhere, have you checked this out to see what kind of an operation they run there? These are 2 points that to me have surfaced and are rather important to the issue.

MR. GRADY: I don't know whether or not I can help you too much on the judgement side but on the fact side I can. We felt as a community, we had heard about Giroux, we had heard from a number of residents who were very concerned about it and spoken to representatives of County Planning and representatives of the Department of Highways and representatives of the Department of Municipal Affairs and we felt we should also speak to Mr. Giroux himself so I went over one morning last week, walked in to the office and spoke to a supervisor in person who was in the office at the time and I said look, there's a lot of concern in our community about the possibility of pollution, chemical and oil. He said 'my good man, don't you worry'. I said well I'm sorry to seem unreasonable but the reason I'm here is because I am worried, I live here and I'd like to know what you're doing and what you plan to do. He said 'have no fear, we do not store any chemicals on our property'. I said oh, that's very interesting, what about oil. 'The customer takes care of the oil, no sludge or waste oil comes on to our property - for any length of time.' I said oh, any length of time - I was walking out behind your building when I noticed 2 large tanker bodies and I, out of curiosity, looked in one of them and it appears to be filled with sludge oil. He said 'oh, well that will be out of here in no time'. Now I think you're quite right to place faith in the Department of the Environment. I have no doubt and we had experience in Lawrencetown with the efforts of the Department of the Environment and it's populated with good, public spirited civil servants who want to do the best job available and possible in protecting our environment. One of the problems that we in Lawrencetown have had with the Department of the Environment is the expressed concern of representatives of that Department with the limitations on their powers to effectively control the environment. I've spoken to individuals in the Department who represent it and they have said to me that their problem is they don't have the clout and the teeth to control the situation. Again it's not in reference to Giroux because I did not discuss Giroux with the Department of the Environment, it's in reference to the building of a causeway in Cole Harbour from Highway 207, a causeway that caused considerable concern in the community. The Federal Department of Fisheries and the Nova Scotia Department of the Environment both sent representatives to a public meeting in Lawrencetown and at that public meeting each of the representatives said he was very sorry, there was nothing that Federal Fisheries could do and nothing that the Nova Scotia Department of the Environment could do and that's been our experience. Not with the good faith and the sincerity and the reliability of the people who are in these bodies but with the effectiveness of their action in preventing problems and threats to our environment. You ask about Giroux and you commented that you thought Mr. Stackhouse seemed like a very straightforward and honest person. I must say he did seem to me to be the same because I sat at the back of the room and observed him in his answers to your questions. Forthright, direct, I would say sincere, even effective. He also told categorical untruths. He told them in a sincere, direct, forthright and effective way but they were categorical untruths. Now the problem which I pose for you as members of Council is, as you suggest, you must sit tonight and hear both sides and then decide on the basis of what you hear from both sides which is the appropriate thing for the Lawrencetown community. My feeling is you can avoid a lot of problems with dealing with the credibility, the apparent credibility of the witnesses by asking yourselves would you like to have Giroux Enterprises 250 feet from the back line of the place you're now living?

Warden Lawrence called for further speakers opposed to the Rezoning Application to come forward.

JOHN WHITMAN: Good evening Madam Warden and Councillors, my name is John Whitman and I'm from Conrad Road. Conrad Road is in Lawrencetown, it's about 6 or 7 miles away from the site that you're looking at further east. Now as far as the site is concerned it won't directly affect my life, I just drive by it each day and unless I happen to run into a truck there's no direct effect. Also it drains into Cole Harbour and I don't live on Cole Harbour, but the reason that I'm here is because me and I think a lot of other residents are very concerned about things of this nature. Now before this planning that was mentioned by Mr. Grady there was another group in the community called the Concerned Citizens of Lawrencetown. The Concerned Citizens of Lawrencetown are an association and what we are interested in is seeing the community remain protected and in founding this group we went around and talked with a lot of people in the community so I talked with about a hundred people and I've gone to about 33 or so homes and the people generally, I think, are of the same sentiment as myself and what they say, to put it in a sentence, is to keep Lawrencetown as it is and as a sort of definition of 'as it is' means we live there, we want to enjoy our properties, we want to see small scale useful commercial development that's controlled but we're afraid of large scale housing and we're afraid of large scale commercial developments and this is the category that I think this falls into so I think there is really a strong support by other people in the community saying we don't want this sort of development there. We're afraid that a very dangerous precedent could be set. Now I won't take too long but as far as the Department of the Environment is concerned I'm sure they're doing their very best and in fact there was a spill in the Sackville River right where I work, which is Sunnyside Place, awhile ago. I was told by the Environment that it was due to perhaps a service station having its tanks flushed, it was a very foul odour, and they couldn't track it down. They went to Provincial, Provincial went to County and the Town of Bedford didn't have the plans for it and there was a big circle where they were trying to track this thing down. Eventually the Mayor of Bedford noticed this and then it went to the press and then I guess there was more action taken. I don't know if they found out who was causing the pollution or what but it has slowed down right now. The point I'm making is this is one example where the Department of the Environment really didn't have the tools necessary and we're afraid that things like this will take place in our area. In fact in our area right now we have a business operation called Kinsmen's Auto Sale which I use regularly, go in and pick up parts for my car, but unfortunately with the heavy rains you'll see oil being washed from the cars and I've seen it go down and spill into this Little Salmon River and this Little Salmon River which people like to fish is a river into which the property that Giroux is considering drains into. So I think we could have the same problem there. Other things people have pointed out, I guess it was touched on briefly, are accidents. What happens if a tank ruptures, what happens if a child turns a valve or some vandals get at something they shouldn't and that particular piece of land looks like it was stripped by the glaciers and all that's left is rock and a thin crust of soil and it was used as a gravel pit and it's notorious for having things like arsenic in the wells, I guess, and problems with pollution. You can't really tell with that type of rocky underlaying soil, it's not as if it was well drained. As far as I understand there's been a problem getting a lot of building permits there because of bad perc tests so when things do happen you don't really know which way the sludge is going to go. It could go into a fissure in the rocks, something like a gold mine I guess, because you have arsenic there, it's probably that type of rock. It could go into a fissure in the rocks and be channelled to, perhaps, a well. So I don't want to take too much of your time but what I want to point out is from personal conversations with around a hundred people in the area, many of whom are members of our group, and now we have a membership of 240 people. This is another group in the area augmenting the Lawrencetown Citizens' Committee and we're saying that we

MR. WHITMAN: (cont'd) don't want to see this kind of dangerous precedent and this sort of development come in. Thank you.

MR. FLINN: My name is Mr. Flinn, I'm one of the residents of the Timberland Subdivision and I do a lot of travelling, I'm a sportsman. The reason I moved to Timberland Subdivision or in that area was because of the environment there. I thought, what I heard down the road a year ago, it was going to be called a green belt. It was going to be for the preservation of the geese, the 5,000 or 6,000 geese that do come there. It is a glass house, it's a beautiful area and I have a little boy and I have a dog and in the last year I've been away but my neighbours have been watching what has been going on and I'm glad that Mr. Stackhouse wasn't under oath here tonight because of what I saw. We're very upset, I'm worried about my little boy now, I have to keep my dog penned up all the time because of the chemicals in the area. Somebody made the statement that if this did go through tonight he would have a free hand to do what he wanted in this area also the corner in question is a very bad corner. I've been living in Lawrencetown for a year and a half now and so far there's been 4 accidents on this corner and all you need, ladies and gentlemen, is one of these trucks to be hit by a car and there's a lot of traffic on the Lawrencetown Road in summertime because of the beaches, because of the beauty of the area and you just need one accident, a 750 gallon tank of oil to be spilled to cause a very major spill. You'd kill a lot of birds, you'd kill a lot of geese and you'd kill a lot of fine, fine swamplands. It's beautiful out there and using my common sense there's a place for everything in this world and I don't think Giroux belongs in an environment that is as nice as the Lawrencetown area. I built there because of the beauty of the area, because it's a quiet place to live and I think all the people of Lawrencetown said tonight, it's not because we have anything personal against the man. He's talking about hydrochloric acid, he's talking about oil, sulphuric acid and this evening CBC was out there, they took pictures of the situation and we were at least 300 feet from Giroux' building where they were spraying down a truck and I quote the woman from CBC, she said "I smell an acidy smell in the air". Now that's just one truck and he hadn't even started production yet. Everything he said, it wasn't just oil. I can go over and over and over it with all these gentlemen and just confirm what they said because I seen it with my own eyes and I think Mr. Giroux should know there's other places he can go. There's places for this and it's not Lawrencetown. Thank you very much.

Warden Lawrence called for further speakers opposed to the Rezoning Application to come forward.

TERRY DEGEN: My name is Terry Degen, I'm a resident of Upper Lawrencetown, I do not live in the Timberland Subdivision. I'm currently a law student going into my third year, I'm specializing in Environmental Law. Those of you who feel that our Environmental Department aren't totally up to scratch and haven't all the tools to work with I'm sorry I can't agree with that but I think the principle that should be on your minds in deciding this particular application is whether or not this will be conducive to planning within the Lawrencetown area and if it will be of benefit to the Lawrencetown area. Some of you are concerned that we need an industrial base, commercial endeavours within the area. I would agree with it but I don't think you saw any of the residents from the area here tonight singing the praises of employment in the area with this particular type of enterprise. The basis of the entire decision, I think, is whether this particular enterprise with its particular reputation within the community should be there. It's definitely needed but not in Lawrencetown. In an industrial park, that's where it should be. We don't have the facilities, as yet, to handle one of the spills. As one gentleman said, what happens if a car smashed into one of those trucks and it rolled. I was involved in the Curdestan oil cleanup. You just don't pick it up with a spoon and wash it all away. It's a very difficult problem. And the chemicals of which we do not know what particular

MR. DEGEN: (cont'd) types they're using. They've given us brand names, what's in Kellogg's Corn Flakes, you know. The thing is that they've given us brand names, we do not know what particular chemicals they're going to be using. They said they don't store them on site. It seems to be pretty conclusive that they do. It should not be the responsibility of the people who live in this particular area to keep one eye over the back fence for Johnny. One Councillor referred that perhaps it could be fenced. Kids climb trees, they wouldn't climb a fence? They love dials, they have a riot on those trucks. It just should not be in Lawrencetown at this particular time.

Warden Lawrence called three times for any other speakers in opposition to this rezoning request and there was no response.

It was moved by Councillor Gaetz and seconded by Councillor Eisenhower:

"THAT Application #33-79 to rezone a portion of Block X1A-6, Lands of Giroux Enterprises Ltd., located on the Lawrencetown Road at Lawrencetown from R-1 (Residential Single Family Dwelling Zone) to C-1 (Commercial Local Business Zone) be rejected."

Motion carried.

RECESS CALLED BEFORE COMMITTEE OF THE WHOLE MEETING.

THE MUNICIPALITY OF THE COUNTY OF HALIFAX

PUBLIC HEARING MINUTES

Monday, June 30, 1980

Present Were:

Deputy Warden Poirier	Councillor MacKenzie
Warden Lawrence	Councillor McCabe
Councillor Williams	Councillor Lichter
Councillor Baker	Councillor Benjamin
Councillor Deveaux	Councillor Margeson
Councillor Stewart	Councillor MacKay
Councillor Topple	Councillor Curren
Councillor Adams	Councillor MacDonald
Councillor Gaetz	Councillor Wiseman
Councillor Smith	

Warden Lawrence opened the Public Hearing at 7 p.m. with the Lord's Prayer following which Mr. Meech called the roll.

Warden Lawrence advised Council of the content of the Hearing and asked Miss Smith to outline the details of the first Application.

MISS SMITH: This is a request by Industrial Estates to rezone lands presently owned by the Halifax/Dartmouth Regional Authority located on the Cobequid Road at Lower Sackville from P (Park and Institutional Zone) to I-1 (Industrial Zone). This application has been advertised as prescribed under the terms of the Planning Act and we have not received any correspondence either in favour of or opposed to this Application. (Miss Smith went over the location of the area in question.) The Planning Department is recommending approval of this Application. Planners Atlantic Limited, acting on behalf of Industrial Estates Limited, have forwarded a concept plan which outlines various elements of the proposed industrial park. There is a copy of this concept plan attached to your zoning report which you may wish to review. The Applicant may be able to provide you with more detailed information on the contents of the concept plan. Industrial Estates have advised that the proposed park will primarily be composed of light industrial uses. It includes approximately 165 acres to be subdivided into about 57 lots, each containing an average of about 2.5 acres. A high standard of landscaping and general appearance will be maintained under Site Development Covenants governing lot sales. The Public Works Department have indicated that from their point of view there is no reason why this Rezoning Application cannot be favourably considered because there are adequate services in the area. The Department of Municipal Affairs have indicated that the concept plan meets with the requirements of the Regional Development Plan and that this Application is eligible for Regional Development Permits subject to all other Municipal requirements being met. They have, however, added one additional comment - that being in regard to the lots that front along the Cobequid Road. The Department of Municipal Affairs have suggested that the Applicant may wish to include a small change to the road layout to include a small cul-de-sac for access for the lots that front on the Cobequid Road. In other words, instead of having them front on the Cobequid Road and add additional traffic to the Cobequid Road they may wish to investigate an internal cul-de-sac which would mean that the traffic would exit onto the Cobequid Road in one location. The Department of Transportation did not comment on this concern of both ourselves and Municipal Affairs. What they have said is that they are prepared to approve in principle the recommendation to establish an

MISS SMITH: (cont'd) Intersection at the Cobequid and Glendale Drive. They have also suggested that they could not give any indication as to when the new arterial road proposed for the northern boundary of this site will be constructed. The Planning Department recommends approval for the following reasons: The first one being that the property in question was identified as early as 1969 as a suitable location for an industrial development and this was indicated in a study carried out by Canadian British Consultants Limited for the Department of Public Works regarding servicing for the area. In addition the Halifax/Dartmouth Regional Development Plan has identified the creation of a concentration of jobs in the Bedford/Sackville area and we feel that this will help with that objective. We also feel that the construction of the arterial road will provide an alternate means of accessing onto major transportation routes for this site and in that case we feel that this is very valuable. We also feel that this site is what we would consider to be an extension to a developing industrial corridor that extends from the Circumferential Highway in Dartmouth right through to and including the industrial park in Bedford and the development of this site will compliment that industrial corridor. Our one concern is, as mentioned previously, about the internal road layout and we would also have some concern about a number of lots accessing directly onto the Cobequid Road. In summary, in light of the longstanding Provincial and Municipal intentions to develop these lands for industrial development we would have no objections in recommending approval of this Application.

COUNCILLOR WISEMAN: Has there been any indication that these lots would have access to Cobequid Road from Industrial Estates Limited?

MISS SMITH: Yes. If you look at the rough subdivision plan just shown on the screen, it's attached to the very back of your report and it shows Lots 1 through 4 and 52, 53 and 54 as fronting on the Cobequid Road. Although we cannot force the Applicant to do this under the Zoning Application it is just a comment we would offer at this time. That would be dealt with at the time of subdivision approval for the lots.

COUNCILLOR MARGESON: Looking at that map the proposal at the top, that was a proposed roadway that would continue out from Dartmouth eventually. Was it the intention that that would pick up the Collector Road?

MISS SMITH: Preliminary plans that I've seen would indicate that it may not intersect with Glendale but that it would about the Cobequid Road north of it.

COUNCILLOR BENJAMIN: I'm concerned with the approaches to the Cobequid Road, particularly coming off this property, the traffic making a left hand turn in the event of heavy traffic. That doesn't seem to be a good situation to have and yet the Department of Transportation have stated something that they approve in principle. I think we've seen before where the Province has approved in principle and then changed their minds.

MISS SMITH: Well I think again that will be something that could be ironed out in more detail at the subdivision approval stage when the Department of Highways take a more detailed look at the actual road location. That is also when they actually negotiate the takeover of the roadways. What they've said is that they've made provision for the centralization of traffic signals - that will depend on the amount of traffic generated - so there may in fact be traffic signals there, which will assist in any problems that might arise as far as traffic buildup.

COUNCILLOR DEVEAUX: If you look at the Planners Atlantic Limited on page 2, I understand this parcel of land is outside the Regional Development Boundary, is that correct?

MISS SMITH: Yes, I understand that the Regional Boundary runs up the Cobequid Road and lands on what would be the western side of the Cobequid Road are included in the Regional Development Boundary and those east of the Cobequid Road would be outside the Regional Development Boundary but because this site contains more than 100 acres it would be eligible for Regional Development permits.

COUNCILLOR LICHTER: Now that you have identified that it's outside the Regional Development Boundary I was wondering if the same lot restrictions are going to apply as they apply to many of us, one per year.

MISS SMITH: I've spoken with a representative of the Department of Municipal Affairs and apparently that does not apply to industrial subdivisions, that there is an unlimited lot approval for industrial subdivisions whereas residential subdivisions are held to the 20 lots a year.

Warden Lawrence welcomed those of the public in attendance and particularly the MLA for Sackville, Malcolm MacKay.

Warden Lawrence called for speakers in favour of the rezoning to come forward.

FRANK LeTOURNEAU: Thank you Madam Warden, Councillors - I am Frank Letourneau and the Manager of Industrial Parks for Industrial Estates Limited. Industrial Estates, in this instance, has been charged by the Department of Development to proceed with the development of an industrial park in the Sackville area. IEL has retained Planners Atlantic Limited to prepare the conceptual plan which was shown to you earlier. IEL is involved in the ownership and operation of 8 industrial parks throughout the Province including one in the metro area at this point but none in the County of Halifax and I personally feel that this is an outstanding location for an industrial development of this type and am very excited about it. I know Mr. Malcolm MacKay, the MLA for the area, has played a very large part in securing this project and I'm very pleased to be involved in the implementation of it.

COUNCILLOR MACKAY: Could you give us your development schedule, subsequent to approval, how fast the industrial park would develop? Over what time span and also phases 1 and 2?

MR. LeTOURNEAU: Yes sir, on the completion of the rezoning process we expect to be in a position to call tenders on the development of the first phase - and when I say the first phase I refer to the budget of this project. We have been given a two million dollar budget, we expect a good portion of that, perhaps up to a quarter of that amount to be devoted to the acquisition of the land with the balance being spent as quickly as possible in servicing as much of the area as possible in the initial stage. Now whether that takes place over one or two phases the detail design and the actual tendered prices will probably tell us.

COUNCILLOR MACKAY: Have you any indication, at this point in time, that there would be a desire for prospective clients to locate in that industrial park?

MR. LeTOURNEAU: Yes sir. We have a perception that many of our prospective clients who are now looking for establishment in the metro area feel that the Burnside area is becoming congested and it's becoming increasingly difficult to provide them with site identification, if you will. As you are aware your Lakeside Industrial Park is virtually full so we feel that industries would now be looking at locating in the metro area would be very interested by this particular site because of its strategic location. Now specifically no, we do not have a list of prospects waiting for lots in this park.

COUNCILLOR MACKAY: What type of prospective client do you think this would be attractive to?

MR. LeTOURNEAU: We feel that activities involved in the distribution industry, light manufacturing, perhaps even some wholesale/retail activities. Essentially all the activities that are now taking place in the Burnside Industrial Park could locate in Sackville with the exception of those that would require rail.

Mr. Letourneau then explained to Councillor MacKay the types of covenants which would be included in the Agreements or Deeds.

Councillor Benjamin inquired as to how the park would be administered and Mr. Letourneau replied that it is an open issue at the moment and that they are open to negotiations with the County.

Warden Lawrence called for further speakers in favour of the rezoning:

JOE MAUND: Thank you Warden, Councillors, I'm Joe Maund from the Sackville Chamber of Commerce. We feel that we, as a Chamber of Commerce, have been working along with our Member of the Legislative Assembly in working for this development and we feel that it's badly needed and not only for the County as a whole but also for the community of Sackville. It's needed to provide employment close to home. We have quite a population in Sackville that currently is spending a great deal of energy moving back and forth for employment and with the development of this park we feel that there could be quite a net savings of energy for the metro area. There are many other reasons that we have worked for it and we very respectfully solicit your support.

COUNCILLOR LICHTER: I hope, Mr. Maund, that once this becomes a reality and Sackville and the County of Halifax will be so much richer that some of the people in Sackville will adjust their thinking and will want to remain with us. Thank you.

Warden Lawrence called for further speakers in favour of the rezoning:

PAUL HYLAND: My name is Paul Hyland and I wish to address the hearing tonight on behalf of the Sackville Advisory Board and its Land Use Development Committee of which I am a member. For Council members that aren't aware the Sackville Advisory Board was formed shortly after the last Municipal election in Halifax County and consists of the five elected Councillors of the District of Sackville, the MLA for Sackville and 2 Directors from each District. The MP for Halifax West sits as an ex officio member. Councillors we wish to endorse this industrial park endeavour and encourage County Council tonight to do the same. We feel this park has been carefully planned and will start to fill a void in our community. Over 80 percent of the Sackville development during the past 12 years has been in the area of residential housing, creating only a bedroom community for Halifax/Dartmouth to date. With this park we can now bring jobs to Sackville and hopefully create a more balanced community with a good mix of industry. With industrial growth we can add substantially to our commercial tax base and this should help present homeowners in the Sackville area with future local taxation. The park, we feel, is well located, being on the fringe of the residential community and located to the junctions of Route 1 and 2 and not a potential traffic or safety hazard to the community. Also, with the completion of the Sackville express route to Burnside the location becomes even more advantageous for attracting industry to locate in our park. The County as a whole will also benefit from this project with increased taxation and with the loss of Bedford tomorrow the County must endeavour to try to replace lost commercial tax revenues to assist all residents of the County. We express confidence in the development abilities of I.E.L.

MR. HYLAND: (cont'd) and feel we are fortunate to have them spearheading this project. I.E.L. has met with representatives of our Board and has taken suggestions under advisement with the preparation of their final plan. Madam Warden, Councillors of Halifax County, we the Sackville Advisory Board urge you to pass this motion to have the industrial park located in Sackville and help the community and its residents to continue with its growth. Thank you very much.

Warden Lawrence called for further speakers in favour of the rezoning:

MALCOLM MACKAY: My name is Malcolm MacKay, a Member of the Legislature for Sackville and it gives me a great deal of pleasure to be back here in County Council. I have a number of fond memories and I'd like to extend my best wishes to all of you in this, your Centennial Year. I'm speaking in favour of the Application and I'd just like to give a few brief comments on first the need and then the location of the park. Number 1 of course is the tax base. Any industry means more taxes for the people of Sackville and also for the County of Halifax. You all remember the Municipal Development Plan and Sackville was designated as a growth center in that area and I still feel that the Municipal Development Plan, now defunct, the Municipal Development Plan was a very good plan, I personally feel that, and as a growth center, as Sackville was designated, you need a good mix of residential, commercial and industrial base and the element that's missing in Sackville at the moment is the industrial part. Secondly employment. Many, many people - I don't exactly know what the population of Sackville is but there are differences of opinion and I assume that it's somewhere in the vicinity of 30,000 and most of those people travel to Halifax, Dartmouth and other places to go to work. These days, where energy is at a premium, gas costs a lot of money, if we could have our people working where they live I think it would be a great benefit to all of us and, besides that, the number of dollars that is spent constructing roads and improving roads and maintaining roads in this province could be greatly decreased if people didn't travel so far to work and that would be another asset to having the park and the need for the park. As far as the location is concerned it's in the vicinity of the Correction Center, certainly no place for residential dwellings and I can think of no better use for the land surrounding a correctional center than as an industrial site. The access to the site, to point out briefly, were at the crossroads, the main highway to Truro and points east, main highway to Windsor and the main highway to Halifax and Dartmouth and the container pier downtown. It seems to me like finally Government has chosen a site that really makes sense. I personally have heard no opposition whatsoever from the people of Sackville for that particular site so I was very pleased and that gave me an indication that perhaps we were doing something right for a change. As was pointed out by Mr. LeTourneau the congestion in the Burnside area makes our site appealing as well and with the arterial road that's planned we'll have a natural transportation and communication between the Burnside Park and our own. So based on that information I think probably those are the highlights. As I said, I'm in favour of the Application and I urge all of you to vote in support of it and again I extend to all of you, Warden, my best wishes and I'm very pleased to be here and thank you very much for the introduction.

Warden Lawrence called three times for persons who wished to speak in favour of the rezoning and there was no response.

Warden Lawrence then called three times for persons who wished to speak in opposition to the Rezoning Application and there was no response.

It was moved by Councillor Wiseman and seconded by Councillor MacDonald:

"THAT Council approve the rezoning of Lots 1 and 4, the lands of the Halifax -

Dartmouth Regional Authority from P (Park and Institutional Zone) to I-1 (Industrial General Zone)."

Motion carried.

APPLICATION UNDER THE UNDERSIZED LOT LEGISLATION to consider an Application for approval of the "Lands of George Bullen", Lot 39, Bedford. The lot in question is located on Bridge Street in Bedford and has the required frontage but does not meet the requirement for area. The lot is 5,224.2 square feet in area and is serviced with sewer and water.

Warden Lawrence requested a member of Staff to make further comments than what is in the report if they had some to make.

MR. CAMPBELL: Warden you outlined the basic concept of the subdivision approval. There's a plan attached to it as well as the Solicitor's comments. Mr. Cragg may want to comment on his decision on this matter. Normally the Solicitor is requested to interpret whether the particular lot meets the requirements of the special legislation. The situation surrounding this lot is that just above Ridge Street, above Lot 39, the Senior Citizens' Complex was constructed and in doing so I believe that the right-of-way shown on the plan was partially disturbed and the Department of Highways extended their road frontage to include that fronting on Lot 39, therefore making the back portion of Mr. Bullen's property capable of subdivision but not giving it quite the amount of area required. Lot 39 was formerly Lot 26A which existed a number of years ago, however Mr. Bullen added that Lot 26A to Lot 26, therefore taking away his previous approval of that lot and now, since the frontage has been constructed, he would like to re-subdivide.

Warden Lawrence asked Mr. Cragg if he wanted to expand on his legal opinion.

SOLICITOR CRAGG: Warden all I would underscore is that I think the Undersized Lot Legislation was drafted with the intention of showing concern more for the general public rather than an individual. If you read it quite carefully it makes mention only once in the first portion of the Section and once to a lesser extent at the very end of it as to an individual or his use of the property. I would as well point out that in the legislation, as it is drafted, it certainly suggests that the use is an imminent one and one which is necessary for some immediate purpose to which the owner intends to make of it. It's my understanding that in this particular instance there is no stated use which the owner or Applicant wishes to make of the property in the immediate future, however it's one that's always in the discretion of Council to approve or not approve.

Mr. Campbell answered many questions put to him by Councillors and pointed out the lot and surrounding areas on the map.

Warden Lawrence called three times for persons who wished to speak in favour of the approval of this Application and there was no response.

Warden Lawrence called three times for persons who wished to speak in opposition to the approval of this Application and there was no response.

It was moved by Councillor Curren and seconded by Councillor Adams:

"THAT Council approve the Application of George Bullen under the Undersized Lot Legislation."

Motion carried.

WARDEN LAWRENCE: Members of Council before we entertain a Motion to Adjourn I'd just like to ask you to remain for a brief while at the conclusion of this.

Mr. Meech advised Council that approval for sidewalk construction in Eastern Passage, Cole Harbour and the Sackville area had been received in the last few days and it was his intention to get it put on the Agenda of the Management Committee Thursday for a recommendation to the next Council Session to proceed with it.

Warden Lawrence advised Councillors that the reason she had asked them to remain was to recognize the service of Councillor Curren who was leaving and this was his last Session with the County. The Warden then presented Councillor Curren with a Certificate in appreciation of his service to the County.

Councillor Curren replied that it had been a pleasure to work with the other Councillors for the County and expressed his appreciation for this recognition.

Individual Councillors expressed their best wishes to Councillor Curren and good fortune in his future endeavours.

It was moved by Councillor Adams:

"THAT Council Adjourn."
Motion carried.

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THE MUNICIPALITY OF THE COUNTY OF HALIFAX

MINUTES OF JUNE COUNCIL SESSION and ANNUAL COUNCIL SESSION

Tuesday, June 3, 1980

Warden Lawrence called the Council Session to order at 2 p.m. and opened with the Lord's Prayer after which Mr. Kelly called the roll.

It was moved by Councillor Williams and seconded by Councillor Smith:

"THAT Mrs. Hiltz be appointed as recording secretary."
Motion carried.

Councillor Margeson stated that a group from the Beaver Bank Kinsac area were in attendance and were very much interested in a new school for that area. He requested that Item 8.5 on the Agenda be brought forward so that they may be present for the debate on this issue.

It was moved by Councillor MacKay and seconded by Councillor Margeson:

"THAT the construction of the Beaver Bank Junior High School, Beaver Bank Elementary School and the addition to the A.J. Smeltzer Junior High School be approved."
Motion Carried.

Deputy Warden Poirier said the Warden had met with the Minister and there has been some indication there would be an increase in cost sharing to forty dollars per square foot on construction but nothing definite has come through and it has not yet been approved by Cabinet.

Mr. Kelly read a letter dated June 2nd directed to Warden Lawrence by the Minister of Education.

Several Councillors questioned the urgency of the building of these schools and Deputy Warden Poirier suggested that, after discussion of this topic, perhaps Council could await the arrival of the Warden who was, at that moment, having a meeting with the Minister of Education.

It was moved by Councillor Deveaux and seconded by Councillor Gaetz:

"THAT the construction of the three schools be deferred pending confirmation that the cost sharing per square foot for new construction of schools has been increased."
Motion Defeated.

Councillor MacKay spoke at length of the favourable trends which have taken place recently concerning the money market and stated that this is why he feels his request is legitimate at this time.

It was moved by Councillor Smith and seconded by Councillor Gaetz:

"THAT the Motion be deferred until the return of the Warden or 4:30 in the afternoon."

Motion Defeated.

It was moved by Councillor MacKay and seconded by Councillor Margeson:

"THAT Council request approval of temporary borrowings for Beaver Bank Junior High School, Three Million One Hundred Thousand (\$3,100,000.00); Beaver Bank Elementary School, One Million Nine Hundred Thousand (\$1,900,000.00); and A.J. Smeltzer High School addition, Two Hundred Thousand (\$200,000.00) by the Department of Municipal Affairs."

Motion Carried.

Mr. Wilson was present and explained to Council why this motion should be put forth at this time.

It was moved by Councillor Deveaux and seconded by Councillor Baker:

"THAT the Minutes of May 6, 1980 - Regular Session be approved."

Motion Carried.

Letters and Correspondence:

Mr. Kelly outlined the letters and correspondence for Council.

It was moved by Councillor Gaetz and seconded by Councillor Baker:

"THAT the Correspondence be received."

Motion Carried.

Mr. Kelly read a letter received from Mr. Higdon, Director of School Planning and Conveyance, re John A. MacKay School Addition advising that the final plans and specifications had been reviewed and approved by all interested government departments and agencies and a tender call may be proceeded with for this project.

It was moved by Councillor Benjamin and seconded by Councillor Smith:

"THAT the letter from Mr. Higdon be referred to the Management Committee."

Motion Carried.

It was moved by Councillor Gaetz and seconded by Councillor Smith:

"THAT the Management Committee Report be received."

Motion Carried.

It was moved by Councillor Margeson and seconded by Councillor MacKenzie:

"THAT the Report of the Management Committee be open for discussion."

Motion Carried.

It was moved by Councillor Gaetz and seconded by Councillor MacKay: