

MINUTES & REPORTS

of the

SECOND YEAR MEETINGS

of the

FORTIETH COUNCIL

of the

MUNICIPALITY OF THE COUNTY OF HALIFAX

JUNE COUNCIL SESSION

Tuesday, June 2 and 16, 1981

&

PUBLIC HEARING June 22 & 29, 1981

PUBLIC HEARING

JUNE 22, 1981

PRESENT WERE: Warden Lawrence, Chairman      Councillor Smith  
                  Councillor Poirier                      Councillor MacKenzie  
                  Councillor Baker                         Councillor Lichter  
                  Deputy Warden Deveaux                 Councillor Benjamin  
                  Councillor Stewart                            Councillor Margeson  
                  Councillor Topple                           Councillor Eisenhauer  
                  Councillor Gaetz                             Councillor MacDonald

ALSO PRESENT: Mr. J. G. Kelly, Municipal Clerk  
                  Mr. K. R. Meech, Chief Administrative Officer  
                  Mr. Robert Cragg, Municipal Solicitor  
                  Ms. Dorothy Smith, Municipal Planner  
                  Mrs. Ralph York  
                  Mr. Hillyard Shaffer

SECRETARY:      Mrs. Christine Harvey

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Warden Lawrence brought the Public Hearing to order at 7:00 P.M.

The first of two rezoning applications to be heard was a request to rezone the Lands of Paul York, Civic Number 14, Yorks Lane, Eastern Passage, Halifax County, District 6, Application #5-81, from R-2 (Residential Two Family Dwelling Zone) to G (General Building Zone).

With the use of a map, Ms. Dorothy Smith, of the Municipal Planning Department, pointed out to Council the location of the land in question as well as the surrounding streets and zoning designations.

Ms. Smith advised that an application had been received from Mr. Paul York requesting the rezoning of Civic # 14, Yorks Lane from its present R-2 to G. Mr. York had stated in his letter of application that, although he wishes to maintain a Mobile Home on the lot now, his long term plan is to construct a single family dwelling on his property. Therefore, he has requested the G (General Building Zone) rather than T (Mobile Park Zone) in order that he may avoid the necessity of having the property rezoned back to a residential designation at such time as he is prepared to build a single family dwelling.

Presently, there is a mobile home parked on the lot which Mr. York placed there on the assumption that it was a permitted use in the area. However, he has been informed by the Chief Building Inspector that a mobile home is an illegal use in an R-2 Zone and therefore he is not residing in it and it has not received any services.

Ms. Smith went on to describe the lot in detail and the surrounding area and existing zoning.

Ms. Smith advised that the Municipality's Engineering and Works Dept. have no objection to this rezoning but that the Planning and Development Department recommend that Mr. York's property not be zoned to G (General Building Zone), as once this zoning is implemented, a wide variety of uses would be permitted to locate on the site. Therefore, in the event that the property is sold, a use incompatible with the surrounding neighbourhood could locate there. However the Planning Department does not object to Mr. York maintaining a trailer on his property as it will be there for a short time only and recommends that in lieu of approving the G Zone, that County Council add a T (Mobile Home Park Zone) to the existing R-2 Zone, thus in effect, having two zones on the same property. This dual zoning has been used by the Municipality in a prior similar circumstance.

Mr. York could then reside in his Mobile Home until such time as he has constructed a single family dwelling unit without having to apply for rezoning, which would not be the case if the T Zone were implemented. At the same time this would protect the neighbourhood from incompatible use of the property in the event that it is sold.

Ms. Smith noted that this is an exception as the Planning Department does not advocate the use of this tool on a wholesale basis throughout the zoned areas of the County and also that the Planning Department does not condone the practice of individuals establishing illegal uses and then applying for rezoning as both of the above mentioned circumstances can negatively effect the credibility of the Municipality's Zoning By-Law.

There were no questions for Ms. Smith from Council and therefore, the Warden declared the public part of the Public Hearing opened, at which time, Mrs. Ralph York, mother of Paul York, came forward to speak on behalf of her son's application for rezoning, stating that he wished to reside on the property, in his trailer, only until such time as his single family dwelling was completed.

Councillor Poirier pointed out that there was already a trailer on the lot which Ms. Smith clarified as being an illegal use in the present zoning.

This concluded the speakers in favour of the rezoning.

There were no speakers opposed to the rezoning application.

The public part of the Public Hearing was closed and the floor open for a motion from Council.

It was moved by Deputy Warden Deveaux, seconded by Councillor Poirier:

"THAT, in accordance with the Planning Department recommendation, Civic Number 14, Yorks Lane, retain its present R-2 Zone and that T Zone also be placed on this property."  
Motion Carried.

Mrs. Ralph York retired from the Council Chambers.

The second application for rezoning was now dealt with.

This application was a request to rezone Lot 1, Gravel Pit Subdivision, located at 939 Herring Cove Road, Herring Cove, Halifax Co., District 5, From C-2 (Commercial General Business Zone), to R-2 (Residential Two Family Dwelling Zone), application number 6-81.

Ms. Smith again pointed out the location of the property in question with the use of a map, also advising of the surrounding area and zoning designations.

Ms. Smith advised that a request had been received for the rezoning of this lot from Mr. Hillyard Shaffer, who had indicated in a letter on file at this office that the purpose of the request is to permit the construction of a dwelling on the lot, a use that is not permitted under the provisions of the C-2 (Commercial General Business Zone). She further advised that in October of 1979, the property in question and an adjacent lot (No. 937 Herring Cove Road) were the subject of a rezoning application brought forward by Mr. Shaffer, requesting that both lots be rezoned from R-2 to C-2 in order to permit the expansion of his business, Halifax Automatic Sprinkler Ltd., which was a non-conforming use.

The Planning Department had recommended against this rezoning application at the time for various reasons and the request was rejected by Council at a Public Hearing held on November 26, 1979. However, the decision was appealed by Mr. Shaffer at the Provincial Planning Appeal Board and Council was directed to rezone the two lots to C-2. To date, the planned expansion of the business has not been carried out and Mr. Shaffer now wishes to rezone the area back to its original status.

Ms. Smith went on to give a detailed description of the lot and the surrounding area and its existing zoning.

The Municipality's Engineering and Works Department state that "there is no reason from the Engineering Department's point of view why this rezoning cannot be favourably considered."

The Planning and Development Department recommend approval of the application for the following reasons:

1. This is a request to rezone the property back to its original R-2 status which is in conformity with the zoning of the surrounding lands and which the Municipality originally amended at the direction of the Provincial Planning Appeal Board.
2. The proposed use of the site, a dwelling unit, is compatible with the land use of the area excepting for the use of the adjacent property. However, this property contains Halifax Automatic Sprinkler Ltd. which is also under the ownership of Mr. Shaffer.

There were no questions for Ms. Smith from Council.

The public part of the meeting was declared open.

Mr. Hillyard Shaffer came forward to speak in favour of the proposed rezoning, stating that the reason for his request, was that he might build a home on the lot. He had previously not known that this zoning was necessary when he had applied for the rezoning in 1979, as it is not necessary in the City of Halifax.

Subsequent to extremely brief questioning from Councillors Baker and MacDonald, there were no speakers in opposition to the rezoning and the public portion of the meeting was declared to be over leaving the floor open to a motion from Council.

It was moved by Councillor Baker, seconded by Councillor Lichter:

"THAT Council approve the requested rezoning of Lot 1, Gravel Pit Subdivision, at 939 Herring Cove Road, from C-2 to R-2 status."  
Motion Carried.

#### ADJOURNMENT

It was moved by Councillor Gaetz:

"THAT the Public Hearing adjourn."  
Motion Carried.

Therefore, Council adjourned at 7:25 P.M.

PUBLIC HEARING

COBEQUID PLANNED UNIT DEVELOPMENT AGREEMENT

JUNE 29, 1981

PRESENT WERE: Warden Lawrence, Chairman  
Councillor Williams  
Deputy Warden Deveaux  
Councillor Topple  
Councillor Poirier  
Councillor Stewart  
Councillor MacKenzie  
Councillor Margeson  
Councillor Eisenhower  
Councillor Smith  
Councillor Baker  
Councillor Wiseman  
Councillor Gaetz  
Councillor Adams  
Councillor MacKay  
Councillor Lichter  
Councillor Benjamin  
Councillor MacDonald

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer  
Mr. Robert Cragg, Municipal Solicitor  
Mr. G. J. Kelly, Municipal Clerk-Treasurer  
Mr. Keith Birch, Chief of Planning & Development  
Mr. Martin Eisenhauer, Industrial Machinery  
Mr. Glen Robertson, Planner  
Mr. Coulter, Department of Environment  
Mr. J. Leedham, Department of Municipal Affairs  
Mr. W. D'Eon, Department of Health  
Mr. Ken Quiring, Allstate Investments Ltd.  
Mr. Mike Sax, Project Planning Ltd.  
Mr. John Shepard, Project Planning Ltd.  
Mr. Lorne Denny, Industrial Promotions Officer  
Mr. David Barrett, Beaverbank  
Mrs. Valma Keevil, Acting Chairman, Waverley Ratepayers  
Mr. Larry Gumbley  
Mr. Jack Bateman  
Mrs. Sylvia Eisnor, Waverley Ratepayers Assoc.  
Mr. Paul Miller, Solicitor  
Ms. Joan Burke  
Mr. Graham Thomas  
Mr. John Bottomly  
Ms. Nancy Henley  
Mr. David MacLean  
Mr. J. Wilson Fitt, Solicitor  
Mr. Bigio  
Mr. Paul Pettipas  
Mr. John Hartlen  
Mr. Tony Hunter  
Mr. Roy Newcombe  
Miss Carol Bonang  
Mr. Alan Hayman, Solicitor  
Mr. D'Eon  
Mr. Ainslie  
Mr. Ed Peters, President, Allstate Investments Ltd.  
Mr. Ross Pearson, Allstate Investments Ltd.  
Mr. Ronald Pugsley, Solicitor

SECRETARY: Mrs. Christine Harvey

Warden Lawrence brought the Public Hearing to order at 7:00 p.m.

Warden Lawrence outlined to the many present in the Gallery (approximately 180, excluding Councillors and Staff Members) the procedure which would be followed for the Public Hearing which would be identical to that for a Rezoning Hearing, advising that subsequent to a staff report those in favour of the proposed PUD Agreement would be heard first and those opposed to it would be heard later. Subsequent to this, the Public Portion of the meeting would be closed and the floor would be open for a motion and discussion from Council.

Mr. Keith Birch, Director of Planning and Development was the first to speak on the PUD Agreement advising Council of all the factual material contained in the Agreement.

He advised that the Cobequid Planned Unit Development Agreement (Number 79-3) is an Agreement between Industrial Machinery Limited and the Municipality of the County of Halifax and is the culmination of preparatory work and negotiations between Municipal Staff and Industrial Machinery Limited of Bedford to develop an Industrial Park complex at the intersection of the Old Cobequid Road and the Bicentennial Highway. Mr. Birch further outlined all the background information on the proposed Agreement stating that the first proposal for this site originated when the owner Mr. Noel Feetham made representation to the County for an Industrial Planned Unit Development in 1977. Mr. Feetham did not undertake the Planned Unit Development and an option on the land was taken up by Industrial Machinery Limited who proposed at that time a quarry operation to be followed by an Industrial Park. When plans for the quarry operation were made public much community opposition arose and at the request of the Planning Advisory Committee, negotiations have been underway between County Staff and Industrial Machinery Limited to develop a revised Agreement. This Agreement was reached in April 1980 and the Planning Advisory Committee recommended June 16, 1980, as a public hearing date for the Planned Unit Development Agreement. On June 13, 1980, the applicant requested that the Public Hearing be postponed pending changes in the Agreement. The present PUD Agreement and its appendices represent the revised Agreement.

Mr. Birch gave a detailed description of the proposed site location of the Industrial Park advising: The Cobequid Planned Unit Development encompasses a total of 463 acres. The main access for the development is to be off the Old Cobequid Road. The site is bordered by the Bicentennial Highway on the west, the Old Cobequid Road on the south, Third Lake on the east and its northern boundary follows a line from Third Lake across Perry Lake to the Bi-Centennial Highway.

Of the 463 acres, 175 acres will contain industrial uses, 10 acres shall be designated buffer areas, 21 acres shall be deeded over to the County as parkland, 2 acres shall be set aside for commercial uses and 255 will be developed for residential uses.

Mr. Birch further advised Council that the development will consist primarily of an Industrial Park with a small Commercial area near the park entrance. He advised that the Developer, through negotiations with the Department of Environment, has undertaken extensive studies to ensure that the development and operation of the Industrial Park

shall proceed without posing environmental problems to the surrounding community. In this regard, the Developer has agreed to conduct certain tests on the site before any development is allowed to occur.

The Agreement further states that the Developer must obtain a separate lot approval for each lot approved in the park and that the granting of such lot approvals shall be subject to approval from all necessary Municipal and Provincial Departments. Furthermore, the overall development of the industrial operation is subject to the appropriate Provincial and Municipal regulations. These would include the issuance of permits under the Municipality's Building, Blasting, Topsoil Removal and Excavation By-Laws and the Permits and Monitoring Controls of the Nova Scotia Department of the Environment. Reference to such requirements for permits are clearly stated in the body of the Agreement. It is important to note that if any unforeseen environmental problems occur, the Developer must immediately cease site development and correct the problem.

Mr. Birch also advised that approval in principal has been received for the overall PUD Agreement from the Departments of Environment, Health and Municipal Affairs and Transportation. As well, the Municipal Solicitor has "perused the documentation and finds it to be generally satisfactory in form."

Recommendation of the Municipal Planning Department.

The Waverley-Windsor Junction area has a history of water quality problems especially arsenic contamination. Although such problems have been well documented, the Municipality does not possess the means to restrict development anywhere in the general area. It is quite possible that the site in question could be immediately developed through the Subdivision regulations for Residential uses. The only method by which the Municipality can control the environmental impact of any development is through the PUD By-Law. Therefore, within the current development, the various environmental protection regulations can be enforced by the Municipality while the development could proceed without such controls.

Given the Environmental concerns and the obvious desirability for industrial development because of the adjacent transportation routes, it is staff's opinion that this PUD Agreement represents a workable document which will allow the site to develop an industrial operation while providing protection for the surrounding water courses and the adjacent communities.

On the basis of the conditions contained in the Agreement, the Planning Department recommends approval of the PUD Agreement subject to six changes.

The first recommended addition concerns the development of the area designated for residential development in the agreement. Given the areas environmentally sensitive nature, it is recommended that this site be developed for residential uses under the auspices of the Planned Unit Development By-Law. Development through the PUD By-Law will also ensure that sufficient buffer area is left between the residential and industrial uses.



The second recommended change concerns the addition of section 7(b) to the Agreement. The proposed section 7(b) concerns the phasing of the development as it relates to the construction of the interchange at the Old Cobequid Road and the Bicentennial Highway. A letter has been received from the secretary of the Provincial Cabinet stating approval in principal for construction of the interchange. It is felt that this interchange forms an integral facet of the industrial park's overall development. Without this interchange, access to the site will be severely limited by way of the Old Cobequid Road through either the Windsor Junction or Waverley Communities. It is Staff's opinion that the development should proceed only if adequate transportation system is in affect. Therefore, staff recommends that a clause 7(b) be added to the PUD Agreement stating that no industry shall acquire an occupancy permit before the tenders are signed. It should be noted the Department of Municipal Affairs will not issue a Regional Development Permit for construction of any industrial uses unless tenders for the interchange have been signed.

The third recommended addition to the agreement further clarifies that the site will not be developed for a quarry, rock crusher or gravel pit operation.

The fourth addition to the agreement concerns the environmental monitoring procedures to be used throughout the site's development. It is recommended that all the monitoring be carried out "to the standards of the Department of the Environment".

The fifth and sixth recommended additions to the agreement are designed to clarify the limits of any blasting which are to be used as well as clarify that the industrial development shall be restricted by the height of land.

Subject to the aforementioned changes the Planning and Development Department recommends approval of the PUD Agreement.

Mr. Birch advised that the Developer was in agreement with the last four suggested amendments but objects to the first two:

1. That the Agreement stipulate that the area designated for residential development be developed through the PUD By-Law.
2. That no industries be allowed to locate within the area designated for industrial development until tenders are signed for construction of the interchange at the intersection of the Cobequid Road and Provincial Highway #102.

The reason for the developer's objection to # 1 is that this is not applicable to any other residential development in the area.

Mr. Birch advised that representatives of Municipal Affairs, the Department of Health and the Department of Environment were present to answer any questions which may be raised during the course of the evening.

Councillors Stewart, Benjamin and Wiseman questioned Mr. Birch and Mr. Glen Robertson of the Planning Department in regard to the new interchange and in answering these questions it was determined that it is probable that the Industrial Park could manage without the interchange although from a Planning point of view the interchange is desirable. Mr. Birch advised that it would be unwise to concentrate all efforts on the question of the interchange instead of directing attention to the real issue; that of the environmental impact. It was also determined that the proposed amendments to the PUD Agreement had not been brought to the attention of the Riverlake Ratepayer's attention as they had only been recently formulated within the last few days.

As well, Mr. Robertson of the Planning Department pointed out that the Regional Development Plan overrides the Municipal Development Plan and that in this Regional plan the Province, whose responsibility it was for the construction of the proposed interchange, would not issue Regional Development Permits for industries to locate in the Industrial Park until tenders have been signed for the interchange.

Councillor Wiseman brought up an additional item in regard to the major and minor variances, wondering just how restrictive these clauses were. She was advised that these clauses were included in the PUD to ensure environmental safety by restricting any change of use of the land without first receiving Department of Health approval.

At this point in the meeting, there was a brief recess in which additional seating space was made available within the Council chambers

Subsequent to this Mr. D'Eon of the Department of Health answered a question posed by Councillor Wiseman regarding instead of a change of use, an escalation of use which could unfavourably affect the environment in regard to sewage, etc. Mr. D'Eon advised the Councillor that the first step would be to design an on-site sewage disposal for what the proposed use of the industry or commercial enterprise would be, further advising that there was a minimum sized tank which would be necessary for a business employing a few people; assuming that the number of employees escalated sharply, the use would then be restricted, if the employer had not had the foresight to make allowances for this growth. He advised that a way to monitor this would be to install water meters.

Councillor Wiseman further requested if once an industry is in place and it grows substantially, if the Department of Health or Environment can stop it from operating unfavourably to which Mr. D'Eon advised that the Department has all the necessary powers under the Health Act to enforce the company to improve their system or as a last resort they can force the industry to vacate the premises or can do the improvement work and bill the industry as part of its taxes and put a lien on the property.

Upon the request of Councillor Stewart, Mr. Coulter of the Department of the Environment tabled copies of a report he had prepared in response to the evaluation of the PUD Agreement by the Shubenacadie Lakes Advisory Board. As well he outlined the introduction and conclusion of this Report stating that the Nova Scotia Department of the Environment has reviewed both the PUD Agreement and the Shubenacadie Lakes Advisory Board evaluation of the Agreement. On the basis of the conclusions reached by the Board it would appear that they regard the document, appendix C of the PUD Agreement, the Impact Study for the Cobequid Industrial Park in Windsor Jct., N.S. as an Impact Statement for a developed Industrial Park proposal. If that is the case their assumption naturally and correctly leads to the conclusion that the document is inadequate and I would support it. However, the N.S. Department of the Environment regards the document as an Environmental Overview of the proposal. This overview addresses the existing environment, defines environmental concerns, and outlines mitigated measures so that further investigation can be undertaken.

Mr. Coulter further defined the role of the Nova Scotia Department of the Environment stating that they are a regulatory agency. Prior to any work being undertaken on the site, it would be necessary for the proponent to obtain the appropriate Ministerial approvals under the applicable Provincial statutes. When the applications for approval are filed, they must be accompanied by detailed design for environmental control facilities, devices and practices. That also applies to each individual industry that will locate in that park, should it receive approval. Mr. Colter further outlined the nine comments of the Department of the Environment, relating to Hydrology, Muddy pond, Arsenic in Overburden, Biological Studies, Sewage Disposal, Industrial Land Uses, Bond, Environmental Problems and Environmental Controls and monitoring which he advised he would go into in some detail later on during the hearing, if desired by Council. The report of the Department concluded with the following: In consideration of the fact that the Nova Scotia Department of the Environment is not in possession of an application for development of the Cobequid Industrial Park, it is hoped that the foregoing statement will be of assistance in the Municipality's deliberations. When, and if, the Nova Scotia Department of the Environment receives specific applications we will be pleased to (a) keep the Municipality and a representative of the River Lake Residents Association advised throughout our review process, and to (b) work with both groups to ensure that environmental impacts associated with the various phases of site development and industry location are minimized.

In response to a question from Deputy Warden Deveaux, Mr. Coulter advised that there had not as yet been any percolation tests done on the proposed site and further advised that the PUD itself was more than is usually done for subdivisions. He advised that the Department has Preliminary, Tentative and Final Approvals and that no percolation tests are necessary at this point. They have to have an idea of where the roads are going etc., before this testing is done.

Mr. Birch further advised the Deputy Warden that the proposed interchange would have no bearing on the proposed interchange for the Sackville Industrial Park as the distance between the two parks was sufficient to accommodate the two of them.

In subsequent conversation between Councillor Benjamin and Mr. Coulter it was determined that although the Department of Environment had not yet received a specific application for approval of the proposed Industrial Park, they had been presented with all the factual information to date and at this stage were acting as Advisors to the Municipal Planning and Development Departments rather than a Regulatory Agency. He further advised that his Department's terms of reference had formed the basis for the environmental aspects contained in the document. He further advised the Councillor that his Department had been involved in sampling water in the area for arsenic contamination and had so far not found any extraordinary amounts of arsenic; however, the Department also wishes to have the silt that is mobilized sampled for arsenic and analysed. He further advised Councillor Benjamin that it is possible that there is arsenic in the topsoil above the bedrock which is why they desire to have the sediment analysed.

Councillor Benjamin went on to explain that arsenic is usually found in deeper drilled wells as opposed to dug wells and asked whether operations in the proposed Industrial Park could affect the water in these wells to which Mr. Coulter replied it would be difficult for him to believe that existing wells could be contaminated due to work being carried out in the park. However, he advised that it may be possible for arsenic to be mobilized and discharged through a settling pond system, which is the reason for the test program.

Mr. Birch interjected at this time to advise that if the test program were unsatisfactory that there would be no industrial development on the site. He further advised that the PUD Agreement was setting up the framework for the testing program, which must meet the Department of Environment standards in order for development to proceed.

There were no more questions for staff at this point.

The first speaker in favour of the PUD Agreement was Mr. Martin Eisenhower, President of Industrial Machinery Ltd., who proceeded to outline his case in favour of the proposed Industrial Park.

He had submitted a background information book to all Councillors and advised that if any in the Council did not have a copy there were more available for distribution. This booklet firstly included photographs of several of his developments which were closely situated to residential areas and these photographs indicated that even at close distances to these homes there was little visible evidence of a development nearby. He advised that in regard to the proposed Cobequid Industrial Park, the distances of one half mile to one and one half mile, from residential areas, the park would not be visible to any homes with the exception of those living on Eagle Point Drive; he advised that in the case of these homes the view would be much more attractive than the quarry which is presently in sight and which was also there when the homes were built.

There were also photographs of some of the industrial buildings developed by ABCO at Atlantic Acres; these buildings as evidenced by the photos were very attractive buildings, which Mr. Eisenhower advised would again be referred to later.

The next section included copies of 25 supporting letters, in favour of the proposed development. These letters were from various Tax-payers, Residential Groups, and Industries all located in the Waverley, Fall River and Windsor Jct. area.

The following section included background information on Industrial Machinery Ltd. and a list of the thirty companies which have already been established at Atlantic Acres in Bedford, as well background on Allstate Investments Ltd. Further, there were included comments by Project Planning Ltd., which applied particularly to the comments made by the Shubenacadie Lakes Advisory Board Report.

Mr. Eisenhower went on to advise that three years had now passed since his company had become interested in the proposed Cobequid Industrial Park at an original estimate that the proposal would take six months and cost approximately \$50,000 in engineering and consultants fees. To date it has taken 40 months and cost over \$300,000 to complete to-night's presentation. He advised that the information to be presented has been assembled by the best engineering and professional talent available. He indicated that he and his associates had spent a good many years in the development and growth of high quality industrial and commercial establishments in Nova Scotia and believed himself and these associates to be a credit to the communities in which they operate and have established themselves as good corporate citizens and would not become associated with a development, unless it yields substantial benefits to the community in which it is located.

Mr. Eisenhower listed the following projects undertaken by his Company:

1. A Manufacturing and a Ship Repair Plant in Lunenburg.
2. A Manufacturing and a Distribution Plant on the Lahave River, in the centre of Bridgewater.
3. A Plastic Manufacturing Plant on the waterfront in Mahone Bay.
4. An Office Building and two Industrial Buildings on the outskirts of Halifax.
5. The Atlantic Acres Industrial Park which houses thirty Companies in either owned or leased premises.
6. Bedford Place Shopping Centre.
7. Numerous ABCO Branches from St. John's, Newfoundland to Boston, Massachusetts.

Mr. Eisenhower then displayed a model of the proposed site of the Cobequid Industrial Park and pointed out all the surrounding areas, facilities, such as highways, etc., as well as the Lakes bordering the site. He stressed the value of Rail Service in an Industrial Park, advising that 40% of prospective Industries declined the Atlantic Acres location due to the lack of Rail Service.

He listed the following advantages of the proposed location:

1. Rail Service - The Windsor Junction area is just that; a JUNCTION of two major railways, Canadian National and Canadian Pacific.
2. Accessibility to the area via the four lane Bicentennial Highway running the entire length of the park. This highway would give access to the park via the proposed interchange crossing the Cobequid Road.
3. The location is only ten minutes away from the Halifax International Airport and situated half-way between the airport and the centre of Halifax.
4. The park will be in a position to serve the cities of Halifax and Dartmouth without the necessity of crossing either of the two toll bridges.
5. The park would be spaced between one half mile and one and one half miles from any residential area; Windsor Junction, Fall River or Waverley and would be seen only by Eagle Point Drive which as stated earlier already has a bad view of the quarry located across from it; the proposed park would be a much more attractive sight.

Mr. Eisenhower then advised that the Department of Environment was a well-staffed body of Professional Engineers and Scientists whose sole purpose for existence was to protect the public against adverse disturbances in the land, water and air. He advised that the Department was recognized for their competence by other professional groups and other Provinces, and it was his opinion that the Public should also recognize this. He advised that it would be impossible for any local group to set up a protection mechanism that would approach the efficiency of this body. He stated that his Company had great respect for this body and its people and have had a good liaison with them. It was this body which encouraged his Company to spend an additional \$300,000 to ensure that the Sackville River remained clean and unpolluted during construction of the Bedford Place Development and the Department of the Environment was the first body he consulted on the measures that should be taken to protect the lake system for this development. He questioned whether the Shubenacadie Lakes Advisory Board had consulted with this Department before making its report.

Mr. Eisenhower further advised that only after the Department of the Environment had indicated that good engineering could maintain a clean environment, that Industrial Machinery Limited had decided to proceed and had engaged the numerous consultants who have assembled this proposal.

He went on to advise of the consultants who had taken part in the proposal:

1. Project Planning Limited - Overall Engineers.
2. Nova Scotia Research Foundation - Investigated Sound Vibrations, Noise, and its control in the nearby communities - Results of their testing indicated that the sound of heavy construction machines set up in the center of the proposed park, operating at high noise levels, could not be distinguished from ordinary Bicentennial Highway Traffic sounds.
3. Jacques Whitford and Associates - hired for soils and rock investigation - they examined depth of overburden, the nature of the soil, its suitability for septic tank service and other items, they have advised that this is one of the best soils in the Province for septic tank operations.
4. Nolan Davis and Associates - engaged for geological examinations, particularly with respect to arsenic, tungsten and their content in the soil. Their examinations indicate that arsenic may not be a problem. Further testing is called for and measures have been established to deal with any arsenic content should it occur.
5. Geolimnos Consulting - engaged to study the lake, quality of water, runoff, bottom sediment and to establish controls to avoid pollution of lakes due to water run-off or other causes.

Mr. Eisenhower further advised that representatives from the above mentioned firms were present to answer any questions pertaining to any particular details, should they be raised.

At this time, Mr. Eisenhower again referring to the proposed site of the Industrial Park removed the site section of the park on the model and inserted a model of the completed park and pointed out the validity of his earlier remarks regarding how little of the park would be seen by the neighbouring communities.

He further pointed out the location of the rail line and the sites of the rail sidings. Also, he advised of the location of the two acre parcel of land which would be zoned commercial, for use as a restaurant, etc, as well as pointing out ten acres of green buffer area which would protect the streams and other buffer strips of land separating the industrial from the proposed residential and 21 acres of parkland, protecting Three Mile Lake. He advised that there was ample tree growth to limit the view and further advised that additional tree-growth was called for as part of the PUD Agreement.

Mr. Eisenhower advised that 255 acres of land would be set aside for Residential development and the Industrial Lands would act as a buffer strip between the Residential and the Bicentennial Highway. Likewise, the Residential Area and the Park and Recreation Land would act as a buffer between the Lakes and the Industrial Park. He stated that storm water run-off from the Industrial Park would be handled by means of water retention ponds, which during construction phases would act as settling ponds so that sediment does not reach the lake and after construction would act as additional green areas for Recreational purposes and will contain run-off water only during major rain storms. These areas will be designed so that run-off to the lakes will not exceed the presently existing rate. The construction of the

park would be handled in 10 acre phases so that a minimum acreage of ground disturbance will be experienced. The land will be developed, buildings constructed, paving and landscaping prepared and then another phase opened up.

Mr. Eisenhower further advised that the original terms of reference from the Planning Advisory Committee were for the development of an Industrial Park only so that the detailed planning has been related to the Industrial Area; the planning for the Residential area will follow and both areas developed simultaneously as soon as possible. He advised that during the course of preparation of the PUD Agreement, his company has kept in touch with the public through group meetings, individual contacts numbering from 1 to 6 people in order to receive the maximum input concerning public desires. The plans have been amended and modified many times in order to satisfy public concerns.

Mr. Eisenhower advised that due to the revised plans which included a great deal of additional Residential land, ABCO found it necessary to find a partner experienced in high-quality Residential Development in order to complete the development properly. This is where Allstate Investments Ltd. of Edmonton came in. He advised that the people dealt with were: Mr. Ed Peters, President; Mr. Ken Quiring, Vice President and Secretary-Treasurer and recently Mr. Ross Pearson.

He advised that Allstate is a major land-developer in Western Canada and the U.S. and felt that Halifax would be the Calgary of the East. They were in the process of conducting studies on various parcels of land in Nova Scotia and Newfoundland which resulted in their purchase of more than 2,000 acres in Eastern Canada. ABCO is only interested in Industrial but Allstate's interest encompasses all land uses. He advised that discussions followed, subsequent to which Allstate took an option on the land on the understanding that ABCO would carry on with the management and development of the property on their behalf. He further advised that this made a much stronger proposal for the County of Halifax and neighbouring communities than the previous proposal for Industrial only. He advised that they had, during the winter, given notification that they intended to exercise their option and the Agreement of Sale was signed in early May, at which time Industrial Machinery Limited informed the Municipality. He also advised that the land still resides in the name of Industrial Machinery and will do so until the clauses called for in the Agreement are carried out. Since Allstate is an investment Company, they do not use their own people to develop their projects but hire local developers and consultants and sell their land in blocks to home builders for construction of Residential areas; their only activity are periodic supervisory trips.

At this time Mr. Eisenhower introduced, Mr. Ken Quiring, the Vice President and Secretary-Treasurer of Allstate Investments.



Mr. Quering advised that his Company was in the land development business in Western Canada and several American Cities and though, more heavily involved in Residential development, did also have some experience in Industrial and Commercial development. He advised that this project was an opportunity to expand the Industrial base and resulting Industrial Tax Base for Halifax County. He also spoke on behalf of Mr. Eisenhower's experienced and effective leadership on this project.

Mr. Eisenhower then went on to describe the many benefits accruing to the people of the neighbouring communities:

1. Increased Employment - using as a model, Atlantic Acres in Bedford, there would be an estimated figure of 2,700 new jobs created by this development. He advised that the Industrial Commissioner, Mr. Lorne Denny had estimated a higher figure, while a citizens group has come up with lesser figures.
2. The Department of Development advised that there would be a spin-off of indirectly related jobs of 3 to 1, meaning that another 8,000 people would be employed in construction projects both Industrial and Residential, including all other indirect employment such as increased business for gasoline stations, restaurants, motels, building supply companies, insurance companies, automobile dealers, truck drivers and many others.
3. The interchange would result in direct savings to each car-owner from \$100 to \$300 per year, depending on their present location in relation to the location of the proposed interchange and to the size of their automobile.
4. Employment opportunities provided for the neighbouring communities would permit these employees to go home to lunch.
5. Many employment opportunities for young people who might otherwise have to leave home for employment.
6. The taxation figure for the park, once fully developed is approximately \$3,000,000; as well, the Industrial Commissioner had a higher figure than this.
7. He advised that this Park would not be competitive to the Sackville Industrial Park; due to its location and facilities. The Sackville Industrial Park will not have rail siding. As well the growth in Aberdeen, Scotland is a witness to the advantage of rail siding.

Mr. Eisenhower, then displayed a copy of the contract which Industrial Machinery would sign with the Municipality and advise that the Department of Environment, the Department of Health and the Department of Transportation have all approved of the contract which contains in detail, all the features described. He also advised that this contract calls for performance bonds to be provided and work to cease if the continued monitoring program reveals pollution of any kind.

Mr. Eisenhauer also advised that his company was opposed to only one of the six items discussed during Mr. Keith Birch's presentation:

"That no industries be allowed to locate within the area designated for industrial development until tenders are signed for construction of the interchange at the intersection of the Cobequid Road and Provincial Highway # 102."

Mr. Eisenhauer urged Council to approve this PUD Agreement

This completed the presentation of Mr. Eisenhauer, who was now open for questions from Council.

Councillor Benjamin enquired whether the exit from the park would be via a level crossing or would the exit be elevated above the rail way tracks and was advised by Mr. Mike Sax of Project Planning Consultants, that the initial exit would be via a level crossing but that future plans could include an elevated crossing and further advised that this would be a \$400,000 item.

In response to a question from Deputy Warden Deveaux, Mr. Eisenhauer advised that he was in objection to number two of the six items outlined by Mr. Birch due to the investment in the park at this time being in the order of \$1,000,000 and with high interest rates the carrying costs due to any unnecessary delays would be a financial burden that no private company could cope with.

Councillor MacKay expressed his concern in relation to the traffic problem on the Cobequid Road, which was already a problem. He felt, therefore, that some guarantee should be obtained that the interchange will be put in and was therefore, in concurrence with item number two. He also felt that the interchange would be an asset to the park and would assist in the success of the park.

Mr. Eisenhauer was in agreement with this but advised that Mr. Birch's Department had felt the interchange was a desirable and necessary feature for the community in any event but he felt that a lot of work could be done in the meantime, without congestion on the Cobequid Road. He advised that from the point of starting the design until completion could be at least one and one half years. He advised that if his company was prevented from making any progress in that year and a half, at the present interest rates that would be a \$300,000 burden. However, he was in full agreement that the interchange is an important feature. He further advised that the Government had given approval in principal to building the interchange, which they felt was the limit to which they could go until Municipal Council had given its approval to the construction of the Park. Once the PUD is accepted the letter from the Government giving this approval in principal also provides for the Warden to advise the Cabinet that the PUD has been approved, at which time it would be put before Cabinet for final decision on the Interchange.

Councillor MacDonald also expressed some concern along the same lines as Councillor MacKay and was again advised by Mr. Eisenhauer that there was a great deal of work that could be done in the park without causing congestion on the Cobequid Road. He advised that there was also a possibility of getting temporary access to and from the Bicentennial Highway in the area where the four lanes are being built now.

Councillor Margeson questioned Mr. Eisenhauer, in regard to erosion on the proposed site of the park and was assured by Mr. Eisenhauer that measures would be taken, as they were at Atlantic Acres to prevent erosion of the site.

Mr. Eisenhauer advised Councillor Eisenhauer in response to questioning in regard to the interchange, that the Department of Highways were intending to pay for the interchange, as the benefits would be derived by the surrounding communities as well as the Industries which would be located there and also due to the jobs which would be created; for these reasons it was felt to be a worthwhile project on which to expend government funds.

Councillor MacKay requested clarification from Mr. Eisenhauer in regard to the number and location of the sediment ponds.

This clarification was provided by Mr. John Sheppard of Project Planning Ltd. who advised the type of drainage facilities to be constructed have been addressed in a preliminary manner. He advised that there would be retention ponds in each of the drainage areas and these will be located to settle out the sediment in the waste water before reaching the lakes and is a matter of proper design and size. He also advised that there would be different methods of retardation of storm water which will slow down the rate of run-off into these ponds minimizing the effect on the lakes. He advised that this has been discussed with Mr. Coulter and others from the Department of Environment. He stated that he was quite certain at this stage, that it would be an earthen structure similar to the Lacewood retention pond though not as large, constructed in the gravel on site, two to four feet deep, depending on the size of the drainage area and would be controlled by an outlet structure so that the level of water is regulated.

Councillor MacKay further requested if this would be done in conjunction with the Department of the Environment, if approval was received.

Mr. Sheppard advised that a drainage study would be done to determine the present conditions as well as what facilities would be needed to minimize the effects on the lakes.

Councillor Stewart advised that he found it difficult to believe that there would be no damage to the lakes but further advised that this damage to the lakes by mud siltation would eventually be corrected naturally, as it did in the lakes near Colby Village and Forest Hills. He was advised by Mr. Sheppard that the use of retention ponds to control run-off from sites is a fairly recent requirement and were not used in Colby Village.

Mr. Coulter of the Department of the Environment came forward at this point to endorse the fact that there were no retention ponds used for the construction at Colby Village and Forest Hills. He also advised that the requirement of siltation control structures is relatively new. He further advised that the Department would need detailed engineering design drawings and design calculations and that the Department is willing to review with the Association and representatives of the Municipality.

Councillor MacDonald advised that the Sackville Councillors would like to see some guarantees that what had happened to the Sackville Lakes due to construction would not happen in this instance.

As there were no additional questions for Mr. Eisenhower, the next speaker in favour of the proposed PUD Agreement came forward - Mr. Lorne Denny, Industrial Promotions Officer, Halifax County.

Mr. Denny advised that he had been recently acquired by the Municipality of the County of Halifax for the purpose of promoting the County for new Industry and additional jobs.

Mr. Denny advised that the object of the Industrial Commission, incorporated in Halifax in April of 1975 were to make recommendations to any Municipality or Municipal body respecting:

1. Zoning for Industrial and Business purposes.
2. The provision of sites suitable for specific Industries and the Municipal services required thereof.
3. The effect of Municipal and taxation systems upon Industry.
4. Any matter relating to the establishment and development of the area as a centre for Industrial Enterprise upon which a Municipality in the area has requested advice.
5. Such other matters as in the opinion of the Commission relate to the Development of Industry and Business in or about the area.

Mr. Denny went on to explain the various methods of negotiating Industrial Development across Canada and the cost of operating this Department.

He further advised that the figure of 2,700 jobs quoted for the Industrial Park could be considered reasonable for a mixed type of Industrial Park, whereby there is a combination of warehousing, light manufacturing and commercial as proposed.

In regard to the proposed tax base Mr. Denny advised that the potential of a 175 acre Industrial park is in the vicinity of \$3,811,500.

In regard to the location of the proposed park, he stated that often is heard the cry "we want jobs and Taxes". However, he pointed out that also heard is "put it somewhere else, but not in our backyard." He advised that in Eastern Passage, the residents have had their share of problems due to industry, but at a meeting only two weeks ago these people requested that more land be set aside for

industrial use in the MDP to provide jobs for their families. A similar request was also made at a Public Hearing for the Beechville, Lakeside, Timberlea area less than a month ago.

In regard to the problem of Industry-related pollution, Mr. Denny advised that newly-legislated pollution control is working.

Mr. Denny further advised that the Department of the Environment is protecting the public, and he was of the understanding that there have been as many as seven studies completed on the Shubenacadie Water Drainage area alone, these studies were requested and completed for the protection of the people. He suggested that this is where the responsibility lies, and that the Department of Environment do have controls, and will monitor and respond to each and every complaint. He added, that the taxpayers of Nova Scotia pay for their knowledge and ability and he felt that they should be utilized for this project.

Finally, Mr. Denny advised that as the Municipality's Industrial Promotions Officer, he endorsed this project.

This completed Mr. Denny's presentation and there being no questions for Mr. Denny from Council, the next speaker in favour of the PUD Agreement came forward.

Mr. David Barret, Lumberman, Beaverbank: Mr. Barrett advised that he was a concerned citizen who agreed that there were some concerns of the citizens that should be considered but he felt that the employment situation made it necessary for a compromise somewhere. He was in favour of the proposal as a lot of work had gone into it and the Developer was prepared to do his best to eliminate the environmental problems to the best of his ability, although there were bound to be problems, as there were even when building a home. He advised that the Developer has made many compromises, first in dropping the idea of the use of a crusher which would have developed the land at a quicker and less expensive rate, and also he has compromised by dropping more than half of the land for proposed industrial use and changing its proposed use to residential. Even with these compromises, he advised that the Developer would still be providing jobs and tax dollars. He advised that industry was necessary to help pay the taxes and to provide jobs so that communities can provide the desired services. He further indicated that any community looking to the future should provide for some of its land to be used for Industry.

Mr. Barrett further recommended that if this Agreement is approved by Council that Council should also set aside 5% of the taxes from the Park to go directly to the ratepayers organizations for them to spend as they see fit.

There were no questions for Mr. Barrett from any member of Council.

The next speaker in favour of the proposed PUD Agreement was Mrs. Valma Keevil, Acting Chairman, Waverley Ratepayers Association.

Mrs. Keevil advised that a semi-annual meeting was held on June 23, 1981 at the Waverley Legion to discuss various committee reports and at this meeting a motion was placed before the Waverley Ratepayers Association concerning the proposed Cobequid Industrial Park. The motion was as follows:

"Waverley Ratepayers support the proposed Cobequid Industrial Park, subject to the PUD Agreement as outlined by Industrial Machinery Company Ltd., and the Municipality of the County of Halifax, dated May 27, 1981."

Mrs. Keevil advised that this motion had been approved.

In response to a question from Councillor MacDonald, Mrs. Keevil advised that there were approximately 85 people at that meeting but that she did not think all these people were ratepayers.

There were no other questions for Mrs. Keevil.

The next speaker in favour of the PUD Agreement was Mr. Larry Gumbley, a resident of Waverley, a Fall river businessman and a member of the County of Halifax Industrial Commission.

Mr. Gumbley advised that he owned property in Lake Williams, Lake Thomas and Lake Fletcher and advised that the signs brought in by the young people in attendance "Save Our Lakes" made good sense and he advised that he had as much concern for the lakes as these people.

He went on at this time to give some background information leading up to this evening's Public Hearing in relation to the various meetings held between Mr. Eisenhauer and the various residents associations and the subsequent compromises made by Mr. Eisenhauer in his PUD Agreement as previously mentioned by other speakers. He also expressed his concern at the manner in which one of these meetings was held; as previously mentioned by Mr. Eisenhauer who indicated that this particular meeting had been adjourned without completion of the presentations.

He went on to advise that at the June 23, 1981 Semi-Annual meeting of the Waverley Ratepayer Association, a motion was defeated requesting further environmental impact studies which would only confuse and delay Council's decision. It was at this time the motion indicated by Mrs. Keevil was passed. He advised that it was his feeling that the PUD Agreement contained all the necessary environmental safeguards to allow the Park to live in harmony with the neighbouring communities. He reiterated Mr. Eisenhauer's statements as to how the concerns of the Residents were being met in regard to environmental monitoring, septic tanks, buffer zones, performance bond, arsenic contamination, etc.

He further advised that although the Sackville Industrial Park was being constructed with Government funding (tax dollars) the Cobequid Industrial Park would be constructed privately with no Government funding. He stated that both Parks are badly needed by our

burden off individual homeowners. He advised that the Cobequid Interchange would provide much better access in and out of the respective communities and the cost of the interchange has been grossly exaggerated. He advised that \$1,000,000 would be sufficient to construct this interchange, not 5 to 6 million as has been indicated. The benefits of the park in relation to the many jobs it will create, he advised have already been pointed out.

He further advised that the PUD Agreement which would be a signed legal agreement between Industrial Machinery and the County would have to be adhered to. Therefore, if environmental problems were encountered development would be altered or stopped.

He concluded by stating that including the privilege of growing up in a clean environment, he would also like to see his children grow up with alternative employment opportunities other than being forced to move away to find adequate employment.

There were no questions for Mr. Gumbley.

At this point in the meeting Councillor Gaetz expressed his opposition to the use of placards inside the Council Chambers. He advised this procedure was not permitted in the neighbouring Municipalities, the Cities of Halifax and Dartmouth or in the Legislature and voiced his opinion that these placards should be removed.

Warden Lawrence suggested that the placards be removed at the next break.

The next speaker in favour of the PUD Agreement was Mr. Royce Hefler of Sackville, a lumberman.

He advised that his reasons for speaking in favour of the PUD Agreement were: the potential job opportunities and tax base. He advised that new industry was needed to take the place of those industries closing due to bankruptcy, etc.

There were no questions for Mr. Hefler.

The next speaker in favour of the PUD Agreement was Mr. Jack Bateman, a citizen of Fall River.

Mr. Bateman advised that he presently resided on Lake Thomas crescent directly behind the proposed site of the industrial park. Mr. Bateman advised that a community was not just a place to live but a place to work and play as well. He advised that in the past, he had worked for a Construction Company who developed several Industrial Parks and Housing Developments. As he was living on Lake frontage property himself, he was happier with a responsible developer such as Mr. Eisenhower and his company, ABCO, rather than a Government Developer, who would have less environmental control or a haphazard Housing Developer who would be difficult to govern.

Mr. Bateman advised that he had built his home in that area for some of the same reasons as Mr. Eisenhower wished to build his Industrial Park in that area: 10 minutes to Halifax, 10 minutes to Dartmouth, 10 minutes to the airport, but unfortunately three quarters of an hour to his present place of employment in Truro where his company is in the distribution and warehousing business. He advised that his company had desired to locate a branch in Dartmouth in the Industrial Park there but due to the high costs involved could not do so. He indicated that he would like to locate his company in the new Cobequid Industrial Park and advised that this was another reason he was in support of the construction of this park.

There were no questions from Council, for Mr. Bateman and no additional speakers in favour of the PUD Agreement.

Therefore, Warden Lawrence suggested that there be a 10 minute recess before those speakers opposed to the PUD Agreement.

The first speaker who expressed opposition to the PUD Agreement was Mrs. Sylvia Eisnor of Waverley.

Mrs. Eisnor first reviewed the motion which had been defeated at the June 23, 1981 meeting of the Waverley Ratepayers.

"THAT we support the conclusion reached in the Report of the Shubenacadie Lakes Advisory Board."

She advised that the Conclusion that was reached by the Shubenacadie Lakes Advisory Board Committee was "That the Board considers the Environmental Impact Study incomplete as presented and advises that the proposal be turned back to the Planning Department until such time as a proper Environmental Impact Study is completed."

Mrs. Eisnor advised that she had never been personally opposed to the Park locating in this area.

Mrs. Eisnor then proceeded to give some background information on the beginnings of the Shubenacadie Lakes Advisory Board and the reasons why the Board was appointed and it was her feeling that since this Board was appointed as an Advisory Committee to Council, that its conclusions and recommendations should be followed.

She further advised that what she felt would be a necessary change in the PUD Agreement is that the Developer should be responsible for monitoring the various parameters noted in the Impact Study; Mrs. Eisnor further indicated that Mr. Coulter of the Department of the Environment had pointed out that there had not been an Environmental Impact Study but rather an Environmental Overview. Mrs. Eisnor also commented on a statement in the PUD Agreement pertaining to sewer systems. The PUD indicates that sewer systems will be utilized for the first industries to be located in the Park, however, there is no mention as to what facilities would be provided for the rest of the industries to be located in the Park and she had received indication from Mr. Birch of the Planning Department that septic tanks would be



used for these industries as well. She advised that if these would be the type of industries which can be serviced with septic tanks, then they would not be objectionable industries. She then pointed out that even later in the PUD Agreement it indicates that the Industrial Park "will therefore be designed and constructed on the premise that central sewer services may eventually be in the area and that the park may connect. "

Mrs. Eisnor advised that there were many such inconsistencies in the PUD Agreement and it was for this reason, that she felt the conclusions reached by the Shubenacadie Lakes Advisory Board should be supported by the Waverley Ratepayers and further advised that she was in support of the motion regardless of the motion being defeated at the meeting.

There were no questions from Council for Mrs. Eisnor.

The next speaker in opposition to the proposed PUD Agreement was Mr. Paul B. Miller, Solicitor for the Riverlake Residents Association.

Mr. Miller advised that he resided approximately 200 to 300 feet from Third Lake in Windsor Junction.

Mr. Miller proceeded to read to Council the extremely lengthy and detailed report of the Riverlake Residents Association (see report for detail) which first detailed the original PUD Agreement and its subsequent changes resulting in the Agreement before Council at the present time.

The report further outlines several inadequacies, in the opinion of the Association:

1. The definition of Industrial Land use was felt to be too broad giving no indication of the nature of the intended or acceptable industries which might locate in the Park.
2. The definition of development as included in the PUD Agreement could include on-site blasting and rock crushing for non-commercial purposes or removal of overburden from the site to be commercially crushed elsewhere.
3. Environmental Monitoring - Under the PUD Agreement the developer is to monitor the environmental repercussions of its development and is responsible to report its own infractions. It was felt by the Riverlake Residents Association that this was an unacceptable situation. As well, it was felt that another inadequacy of the environmental monitoring requirements is that no off-site monitoring is required even though the activities on-site could have a significant effect on the surrounding lands and water courses.
4. The PUD Agreement does not prohibit the removal of overburden or excavated material, thus allowing topsoil or rock to be removed and sold for commercial purposes and further allowing the developer to have a rock crusher and quarry operation via the "back door. "

5. Water and Sewer - Even though all literature dealing with industrial site selection and development states that central services are a prerequisite, this PUD Agreement allows for septic system throughout the park. This is a precedent in Atlantic Canada and contains extreme environmental hazards.
6. Buffer areas - It was felt by the Riverlake Residents Association that the proposed buffer areas as shown on the Future Land Use map are of insufficient acreage.
7. Quality of Architectural Design - There is no mention in the PUD Agreement that the buildings be aesthetically complimentary to the natural environment or adjacent residential areas.
8. It was felt that the County should insist on a clearly defined PUD Agreement, as in the event of a conflict the PUD Agreement takes priority over the PUD By-Law and the Subdivision Regulations of the County.
9. Environmental Protection Bond- It was felt that the bond in the amount of \$50,000 was inadequate when compared to the risk of major environmental damage.

The Report of the Riverlake Residents went into further detail on the Planned Unit Development By-Law which establishes the criteria for review and approval of a Planned Unit Development Agreement.

Mr. Miller then went on to outline the many environmental concerns of area residents which it was felt had not been adequately answered by the Developer.

These were as follows:

1. Possibility of Arsenic Contamination of the Ground Water and Lake
2. Possibility of Acid Run-Off Resulting in the Contamination of the Groundwater and Lakes.
3. Possibility of Re-Suspending and Carrying Downstream Heavy Metal Particles Containing Mercury and Arsenic.
4. Possibility of Sewage Contamination of the Groundwater and Lakes.
5. Possibility of Soil Erosion and Siltation Build-Up.
6. Possibility of Increased Nutrient Loading of the Lake Resulting in an Acceleration of the Eutrophication Process.

Subsequent to detailed information on the above, Mr. Miller read on covering such topics as:

1. Site Selection Criteria for Industrial Parks.
2. Present and Future Water Related Recreational Uses.
3. Costs to Residents in Extending the Water Main and Funding an Access to Highway 102.
4. Citizen Involvement in the Planning Process.

The above mentioned were concerns of the Residents Association which were also not answered to their satisfaction and which as included in the PUD Agreement were felt to be inadequate.

The final section of the Report outlined by Mr. Miller were the conclusions and recommendations of the Riverlake Residents Association.

"The Riverlake Residents Association wishes to stress that it is not anti-development nor anti-industry. The Association insists, however, that development be approved and proceed only after proper studies have been carried out, necessary controls have been defined and a reliable monitoring system has been designed. In this proposal before Council, the Association believes that none of the above have been done.

The Riverlake Association agrees with the conclusions of the Shubenacadie Lakes Advisory Board that an Environmental Impact Study has not been carried out. It also agrees with the Shubenacadie report that controls and monitoring provisions of the PUD Agreement leave much to be desired.

For the above-mentioned reasons, the Riverlake Residents Association recommends:

1. That the PUD proposal be referred back to the Planning Department for further study.
2. That the Developer be advised that additional environmental impact studies are required to address the questions of:
  - a) arsenic contamination
  - b) acid run-off
  - c) Soil erosion
  - d) nutrient loading of lakes
  - e) water run-off re-suspending contaminated bottom sediments
  - f) suitability of septic systems
3. That County Council support the Riverlake Association in its request that this proposal be referred to the Nova Scotia Environmental Control Council for public hearings into the Environmental Impact of the proposed development.
4. That the PUD Agreement be re-written to more clearly define such terms as "Industrial Land Use", "Development", "Removal of Materials" and "Quality of Architectural Design."
5. That Environmental Monitoring be carried out by an independent third-party, perhaps a team of qualified professionals from either the Technical College or Dalhousie University -- and all results be made available to the Public.
6. That the Residents Association be allowed a role in the supervision of environmental monitoring.
7. That all activity cease in an affected area as soon as an environmental problem is identified.

8. That in addition to the Environmental protection bond all industries locating in the Park be required to sign as co-guarantors to the PUD Agreement.
9. That the Environmental protection bond be maintained in force after construction while the Park continues to operate.
10. That it be clearly stated in the PUD Agreement that there is to be no removal of overburden from the site under any conditions, and that there are to be no crusher or quarry activities on the site.
11. That it be clearly stated in the PUD Agreement that there are to be no dirty or obnoxious industries allowed to locate in the park, and that the park will be restricted to light industries only.
12. That no industry be allowed in the park which produces liquid industrial waste or effluent.
13. That the production and storage of hazardous chemicals be prohibited in the park.
14. That an Industrial Commission be established to review construction and operations of the park and act as liaison between residents, government and the park's owner/managers. The Industrial Commission should consist of five members: one appointed by Riverlake Residents Association, one appointed by the Waverley Residents Association, one appointed by the County, one appointed by the Province, and one appointed by the owner/or managers.

The Riverlake Residents Association wishes to stress that the above recommendation with reference to the wording of the PUD Agreement and the operation of the industrial Park shall only apply if, after proper environmental impact studies have been carried out and approval has been given by the Nova Scotia Environmental Control Council, the lands are then found to be suitable for industrial park purposes.

If the above-mentioned recommendations are accepted then area residents will feel secure that the proposed industrial park will be properly developed and operated with minimum risk of environmental harm.

However, if the present PUD proposal is approved, it is the opinion of the Association that significant environmental harm will likely result."

Subsequent to the recommendations contained in the report, there was an additional section; Appendix A which contained further detailed information relating terrain information to accepted criteria. This appendix A mainly went into detail regarding the potential hazards of septic tanks on the proposed site. The following factors were used to develop the comparative index of septic tank suitability: