

development, it will no longer be attractive from a residential perspective, due to the destruction of the inique ascetic qualities, the increased noise level, traffic, and the pollution which accompanies industrial development. When we consider that the existing tax base of the area is residential and that industry would bring little or no employment benefits locally, it would seem logical to preserve the residential characteristics of the area. Nova Scotia, including Halifax County, will be the target of business speculators in what we are told is an impending gas and oil boom. Apparently our provincial government is not prepared to give any concrete direction in this speculation. Yet is it not of primary importance that we identify these areas? These areas have to be denoted because of their suitability or their non-suitability for concentrated development.

Residents feel that the Prospect Peninsula qualifies for exemption for such kinds of development on both counts. Although there has been a long-standing concern for controlled development at Prospect, the current high level of public interest in the zoning has been reached as a result of a recent proposal for industrial development in the area. In fact as has been shown earlier, the present move to zone the Lower Prospect Peninsula has been an issue for a number of years, and it has had the almost unanimous support of the residents. They believe that the intention to locate industrial development of the kind made public over the last four months, is not feasible, and they wish to have some control over further attempts to effect such development.

It is proposed that R-2 zoning would not discourage developers, but it would require responsible development, based on fact, not speculation and promise. Unemployment and welfare in District 4 are no higher than any other rural community and the benefits that are to be gained by development in the area will not necessarily help the unemployed in the area, as most of the employment will be technical and will have to be brought in from elsewhere, either Halifax or even points west of Halifax. Land costs in the Prospect area are \$10,000-\$12,000 for a building lot. Any lot that's on the water can demand up to \$40,000. Mr. McGavney has stated that his company has bought land in Prospect that has cost \$250,000. If you divide that by 170 acres he has paid \$1,470 per acre - a good deal.

In the area, navigation will suffer. The predominant wind is south-west, accompanied by fog, high seas, etc. We need only one grounding to constitute an environmental disaster. The Canadian Oil and Gas Leasing Agreement, COGLA, suggest that any area that is developed as an industrial park should have a railhead. There is none in Prospect. They suggest the land should be flat. These lands aren't. They are quite rocky. They are quite irregular. They also suggest that environmental and sociological studies should be taken in the development area. Up until now the community of Prospect has not received any studies, environmental or sociological, from McDan Enterprises.

Mr. McGinn summarized by emphasising that Prospect's history is of particular significance in Halifax County and that the zoning proposed will help preserve the inherent and culturally significant qualities of the community. Residents want to see the area contribute to the economic growth of the County in a manner that conforms with the land use capability, the scenic splendour, the natural recreation amenities and the traditional livelihood. What they bequesth to their decendents is an issue with them, it is a desertion of responsibility to further generations to leave them incongruous and ill-fated industrial wastelands. Residents are determined to protect their natural heritage which includes the integrity of the landscapes and seascapes. Council is asked to give careful consideration to this request, and they have every faith that in their wisdom they will make the proper decision.

Questions from Council

Councillor Baker asked why the petition was not circulated to Terence Bay. He said Terence Bay is closer to Prospect than White's Lake, Shad Bay or Lower Prospect. Mr. McGinn explained the petition was circulated to those people who bounded on the waters of Prospect Bay.

Councillor MacKay mentioned fishing in the community and the development of fishing industry. He asked if the area that is being zoned is there fishing is. Mr. McGinn felt R-2 zoning is not detrimental to the expansion of other type industries and anybody who proposes to establish a fishing industry in the area, if it is not in the present F-1 zone or in the present applied-for F-1 zone, a Public Hearing would be held and if the development is beneficial to the community, there is no reason why the community would not allow that development.

Councillor MacKay asked about the existing highway and complaints about it. He asked what has been done. Mr. McGinn said the residents have phoned their local MLA, have talked to him, and have delivered letters to him. Some have written to the Department of Transport. As a result the road was resurfaced within the past two years. Further in reply to Councillor MacKay he said he understands the Department of Transport is not prepared to develop the road any further than it is right now and are not prepared to open the deserted road to Kelly's Point.

Councillor Deveaux said he visited the area on a couple of occasions, and he commended the quaint and unique village. He commented on several of Mr. McGinn's points. As to the road not being able to accommodate trucks, he thought roads are not built just to accommodate passenger cars or private vehicles. As to problems with children on the roadway, he felt the same problem exists in various areas throughout the county. He asked if there is anything in writing from the Department of Health or Environment as to whether this proposal would in fact create health or environmental hazards. Mr. McGinn said he asked the Planning Department if they had received anything from the Department of Environment - Mrs. Cartledge confirmed there has been no written correspondence, but the department expressed some concerns on the phone.

Councillor MacDonald was surprised to hear the development would not create any jobs. Mr. McGinn replied there are only four people unemployed in Prospect - two young people recently out of school, and two housewives who are second wage earners in the family. He felt job opportunities in an industrial park are usually technical and would not be of use in the area.

Councillor Eisenhower asked why the existing R-2 was not extended to this area when it was first put forth, and was told that the people living in the upper area had decided one of the ways to slow down the municipal development plan, was to zone their area R-2. They felt at that time that the area south of that area could only be zoned residential. Councillor Eisenhower asked if there is any residential housing at Kelly's Point and Murphy's Cove, and was told there is nothing there.

Councillor DeRoche asked about the petition signed by residents of the area - he saw there the signature of C. R. Christian, and yet Mr. Christian's company has applied for an exemption from the rezoning. Mr. McGinn had no knowledge of this.

Councillor Lichter asked what lot sizes have been required in recent residential development. Mr. McGinn thought it was 30,000 square feet. To Councillor Lichter that indicated almost the minimum that the Atlantic Health Unit and the Board of Health now approve, which in turn indicates pretty good soil conditions. Elsewhere 80,000 square feet and 200,000 square feet lot sizes are required because of soil conditions. Mr. McGinn said there are some lots outside of the village that have not passed a percolation test, so therefore were not awarded building permits.

Councillor Lichter mentioned that in 1974 and also in 1976 the opportunity to extend the zoning further, did not take place. So now comes a buyer for a piece of land, and the buyer had every right to believe that the zone is general so it does permit development. It would have been much better if all the lands were zoned at that time, and it wasn't always a reactive situation that this Council finds itself in. Mr. McGinn replied that he did not know that his land was unzoned until such time as the proposal of McDan Enterprises was made.

Michael Wiles, Resident of Pinedale Park - the upper part of Prospect Peninsula, in the area that has been referred to earlier as the area that was zoned in 1974, since 1969. Mr. Wiles spoke in favour of the application for zoning in his capacity as a professional ecologist, a person with about 17 years experience of environmental work in the province, a teacher in a university in Halifax, teaching Ecology, with students doing field work over many years. He has been working in all of those years with students on bog lands, which are the main land type in the lower part of Prospect peninsula, where the land is either bog land or scrub forest, or is what the Canadian Soil Service for the county calls rock lands.

Mr. Wiles wished to speak in the framework of conservation and preservation and in the spirit of what the Federal Government is currently calling coastal zone management. We are dealing with not just the three categories of land, but also the coastal zone, which the Federal Government is now paying particular attention to in its efforts to use such lands with foresight. His appeal to Council is to consider the future use of the land, for future generations.

There is a report issued by the Federal Government called Coastal Zone Management in Canada, Purposes and Prospects, edited by D. M. Johnston, and published in 1976. Mr. Wiles read a few quotations from the report.

"Coastal zone management is a special treatment of the problems of environmental preservation and it is given a priority status because of the critical vulnerability of the coastal zone as the interface between the land mass, the ocean and the air space.

"Coastal areas are regarded as areas of critical concern because of their special vulnerability to the adverse consequences of congested human settlement.

"They are also of environmentally critical significance because they often contain areas such as salt marshes, sand dunes and estuaries."

We are dealing here with salt marshes in places in the lower Prospect peninsula, and also bog lands.

The marshlands in the Killy's Point area, in the lower part of Prospect peninsula, are of importance to the local wild life, which is quite varied, as a source of food and shelter. The adjacent lowland bogs and the conifer swamps, the areas of

flooded land in which trees are still growing, and the peat lands, are water storage - they store water for the whole system, and they may help maintain adequate water levels. They prevent sediment from being carried away by runoff of water from the surrounding uplands. So it is important to maintain their integrity.

"The remaining wetlands that we have along the coastal zones, especially in northeastern North America, may prove vital to the environmental and economic wellbeing of those areas where these lowland bogs and conifer forests may be found, amongst which in North America, are the Maritime Provinces."

This statement is taken from a report called The Ecology of the Northern Lowland Bogs and Conifer Forests, published by Academic Press in New York in 1982.

The plant species that are in bogs grow in a unique habitat, and they survive in this situation because they have distinctive adaptations to living there. It is a unique environment - in the whole world there is only the north-eastern coast of North America, from approximately southern Maine or New Hampshire through into Labrador. There is only that coastline in the entire world that has the characteristics that we seek, and the Maritime Provinces is right in the centre of that stretch of coastline.

The bog environment along the coastline is very harsh; it is very cold in winter and also suffers from a severe drying effect because of strong winds, and severe physical conditions because of the abrasive effect of blowing snow. The reason for mentioning these facts is to show that these plants are surviving in a substrate which is deficient in nutrients and things that other types of plants normally need, and they have special ways of dealing with this. The utilization of bog lands by a variety of animals has already been mentioned.

There is need for protection of the natural heritage of an area, not in the historic sense that has been discussed earlier, but in the sense of actual conservation of what are known as wild lands, with their plants and animals. And we should bear in mind that what these wild lands produce best are their plants and animals. They have evolved over millions of years, ever since the last ice age, to do just that. They are fragile, and if you disturb them, it is very difficult to re-establish them again.

There is an interest in the scientific community for the preservation of these lands because they are disappearing. They are disappearing especially in the United States, because of rapid development, often inappropriate development, and the pressure of population. The more that disappear, the less is left for scientific study. We don't have that sort of population pressure, that we have to destroy these lands, which are unique. We have time and we have opportunity to make rational decisions to preserve these lands.

Given that there exists the need to increase the tax base, it is suggested to Council that they make a decision against that. The wise and fundamental values is what we are dealing with. We have to have strong enough convictions to save the future; the cost to the present would be negligible compared with the long-term benefits. To make a relatively small economic advance now, which is not at all guaranteed or even feasible, in the view of residents would show lack of determination to hold those values which are higher than some cases of purely monetary imperative.

To many people wilderness areas are beautiful and fascinating places. In the United States, southwestern Ontario, around Montreal, areas of intensive urban community development, the wilderness is almost unknown. In Nova Scotia we do not have that situation. Nature is a reality to the great majority of the people in this province because they have always been physically close to it. Most of our communities are not isolated within a large urban sprawl. We are concerned with the direction of progress, and with the benefits it brings, but only if we compare these benefits with what is being lost.

It has been pointed out that the same technology that makes industrial and commercial development possible, i.e. modern industrial technology, and the wealth that comes from it, also makes the conservation of wilderness areas possible. Some of that wealth can be channelled to conservation. Witness to this approach are the many national, provincial and state parks in Canada and the United States. The point here is that protection has to be selective, we have to select the areas that are appropriate, that are historical or have aesthetic or recreational value. All these qualities exist in Lower Prospect Peninsula.

We have to face the fact there is a definite proposal in some people's minds to put in an industrial park in the Lower Prospect Peninsula. There have been articles in the local papers about it. The residents of the area know very little about it because when the proponents of the industrial park were asked questions they didn't have any answers. Some councillors may know there was a public meeting last November in Prospect which was very unsatisfactory in not providing any real information. To put an industrial park in such a place would be a blight on the whole community. It is a misplaced element that belongs elsewhere - the visual quality of the whole area will suffer. One of the main approaches residents are adopting is the desire to promote a balanced use of the coastal zone resources, which includes the visual quality of this coastal zone.

We heard that responsible government officials and elected political representatives recognise the worthyness of environmental conservation, and the majority of residents in the Lower Prospect Peninsula and adjacent areas, as the zoning applications of the past show, have stood up publically for such values. Today in North America public interest demands that natural areas be protected. With respect to Kelly's Peninsula, residents are urging that irresponsible, impulsive and inappropriate development be prohibited by Council. Maybe the normal development process will do this - maybe the various regulations that will be brought into a zoned area, plus the requirements of the Planning Act of Nova Scotia and maybe also the beginning of a good development plan for the county, would fulfill these conditions. Residents are saying that an industrial park on that peninsula is unacceptable because (1) it is completely out of conformity with the contiguous parts of the Prospect area, or at least virtually all of them, and (2) it would impair the natural beauty of Prospect village itself, including its surroundings, and would constitute in a sense, an insult to its history. That heritage should not be trampled upon for what might be nothing more than private speculation, and a carrot held out for tax revenue enhancement. The donkey often can't even get a nibble on the carrot. The price for such a development as residents have been led to believe would appear at Kelly's Point, is much too high.

Residents wish to tell Council that residential development is appropriate for Prospect Peninsula at this time. They live there and want their children and others to build homes there, if that is what they wish to do. The real issue should not be turned into one of an emotional nature, but rather should be dealt with by common sense and what is best for the ordinary people. This is planned, responsible

development for the benefit of most. Not for the benefit of all, for the benefit of most. And this will have to be to the detriment of a few. That is democracy.

Questions from Council

Councillor Snow asked if an environmental study has been done on the industrial site by either McDan Enterprises or by the residents. Mr. Wile did not know of such a study. He said a few years ago a group of scientists at Dalhousie University and other institutions, did a preliminary study of Prospect Peninsula which they presented to the international biological program, with the recommendation to make it an ecologically protected area within the definition of the international biological program, and it was included in a booklet which identified environmentally sensitive zones.

Councillor MacKay asked if the book referred to is accepted by the Federal Government. Mr. Wiles said the principles of it, and subsequent documents, have been accepted. Councillor MacKay found a contradiction in that Mr. Wiles said one of the prime functions of bog is to prevent sediment running off, and Mr. McGinn said sediments were deposited. Mr. Wile's reply was that the bogs are only a part of the overall structure of the whole area of the lands around Prospect Bay. The Kelly's Point area, the Lower Prospect Peninsula on the east side, is mostly bog or swamp or marsh and it does fulfill the function of sediment trap, but surrounding Prospect Bay is rock lands where 60% or more of the surface structure is granite and from most of that land there is sediment runoff into the bay. Unless there is a particularly strong tidal flow, it will stay in the bay and accumulate.

Councillor Gaetz asked where else the development might go. It has to go somewhere, and it has to go where there is deep water. Mr. Wiles gave his personal opinion, and he thought that of the committee, that they would like to see it located somewhere else in Halifax County. Perhaps Sheet Harbour, or elsewhere in the province such as Mulgrave or the Canso Strait.

Councillor Deveaux said the development would be welcomed in Eastern Passage. With regard to the fact that Halifax County is basically a residential area, he agreed it is more residential than industrial. An Industrial Commission was set up five or six years ago to promote industry, but the latest assessment figures show residential housing and development has moved ahead so fast in 1983 that the assessment figures for the coming year indicate the percentage of industrial development has decreased. In any municipality if you want a half decent tax base, your industrial/commercial percentage should be in the vicinity of 40% or 50% or even better. Also, there are three to four districts that are carrying the load for industry in Halifax County. Is that fair, and where do you draw the line?

Mr. Wiles thought this an extremely good point - one of the main issues. Do the people in a community want industrial development. The Councillor might want it for the area, if so is this based on the knowledge that the people want it there. Have they been asked, by petition or some other form? If they say no, then the matter has to be discussed in an open forum. If they say yes they have their reasons for saying yes. Some areas are more suited to industrial development than others.

Councillor Deveaux said he provided for industrial development in the Municipal Development Plan for Eastern Passage, Cow Bay and area, but he knows of other districts that just don't want anything to do with industry. Eventually it will come to the point where if the majority of people in Halifax County don't want industrial development, well and good, but Council can't be held responsible to keep the tax rate at a reasonable level.

Mr. Wiles agreed. Part of their brief was intended to make the point that there has to be a development plan, and it is going to take some years to develop it. Such a plan was drawn up in 1978, though with very little public input, and it was utterly rejected, not because it wasn't a good plan, but in terms of the community it was unrealistic and inappropriate.

Councillor MacDonald asked if McDan Enterprises property is conducive to large residential development. According to Mr. Wiles it could be feasible but you would be talking about very expensive housing. And you would have to do a lot with the land underneath the house and immediately around it, because otherwise people would be walking on boardwalks across the bog from one house to another. Councillor MacDonald said he wondered what other uses for the land would be and how the developer would get his money back if he wasn't able to go ahead. Mr. Wiles thought that would be the developer's problem.

Councillor Lichter followed up Councillor MacDonald's question and asked what it would do to the ecology of Kelly's Point if the County were to issue 32 permits to build duplexes. In other words, among all the wildlife, 64 families. Would that cause the kind of disruptions that are feared?

Mr. Wiles gave his opinion that if you put 64 families in that area, there would be very severe disruption to the ecological system. When you do destroy a bogland or marshland, which such a development probably would cause, it is virtually impossible to restore them. Councillor Lichter said it would be dishonest then for Council to zone the land R-2, because anybody could turn around and apply for 32 duplexes under the present Health regulations, which require a maximum size of 4.6 acres, but Mr. Wiles thought with an R-2 zoning there would be a much more rigorous investigation before approval was given.

Susanna Rowley, Resident of Saul's Island - Miss Rowley said she was speaking for her mother and for the rest of her family. To Councillor Lichter's question, she said R-2 zoning is the only control that is available under the present law, so residents have some input into what goes into the area. Two-family duplexes would have to meet standards set by the applicable statutes.

Miss Rowley said her grandmother, Suzanne Saul, was born on Saul's Island in 1888 and is now buried in the village graveyard with her ancestors. Her people lived on Saul's Island for generations before her. Her grandmother told her about her Uncle Jim, who lived on Saul's Island his entire life, to age 96, and how zealously he guarded the land. The nature of the land on Saul's Island is very similar to Kelly's Point; it is heathland and he was extremely jealous of anybody intruding on that land. There were paths through the heath and the cranberry bogs because any trampling would destroy it - it is extremely fragile. Miss Rowley said she can personally attest to the fragility of the land because she used to have a favourite spot on Saul's Island on the spongy heathland where she used to go and watch the waves come in, and the heath on that spot became severely damaged. Very little human contact is necessary to destroy this heathland even though it withstands terrible storms from the Atlantic Ocean.

Miss Rowley said she understands that McDan Enterprises and Mr. Ferguson and Prospect Enterprises have asked for their lands to be exempted from the R-2 zoning designation, and that one of the arguments which apparently was put forth is the financial investment in the area. Surely Council is aware of certain social values which cannot be measured in dollars and cents, and Council should consider the nature of the investment of the companies who wish their lands to be exempted. For the most part

these men do not live in the community, they have not invested their lives in this community, and their ancestors have not invested their lives in this community either, nor sought to preserve the land.

With respect to private property our society gives property owners more or less free rein to do what they like with their own property, but there is a point at which the cost to society outweighs the benefits of the individual property owner's liberty to do what he likes with his land. And increasingly the trend is to evaluate the costs and benefits of land use for society as a whole. The present case is clearly one where the cost to society, the entire society of Halifax County, not simply our small community, would clearly outweigh any benefits that would accrue either to the individual owners of the property or to this community.

Admittedly our economic system is largely based on free enterprise and part of that system involves risk taking. Land speculators are gamblers. They voluntarily assume risks in the pursuit of that all-important profit. If they voluntarily consent to a risk, in law they cannot delay or hurt the complainant if they suffer loss because of that risk. That's the nature of the land speculation game. These men have money, money can buy influence, and money can buy power. Canada is supposed to be a democratic society where the voice of the people has power. And the voice of the people of Prospect say they do not want any land exempted from this zoning application for the benefit of land speculators. This exemption cannot be justified on democratic grounds, nor can it be justified on principles of a rational planning policy whose aim is the best interests of the community, which is the standard articulated in the new Planning Act. If the land is zoned as requested, that is R-2, anyone may still apply for the rezoning of their land. A hearing would be held, argument on both sides would be heard. This is in accordance with basic principles of fairness and the democratic process, as well as good planning policy. But if Council exempts the lands requested to be exempted, in effect favouring a few individuals by suggesting their lands have fewer controls, and hence potentially increasing the value of their lands on the market, this would appear to be giving priority to the economic interests of a few, to the detriment of the community, and it would seem to be in direct opposition to the principles of fairness, lack of bias and good faith that must be present in these proceedings.

If McDan Enterprises have some definite plan for an industrial park on these lands, why have not concrete details been forthcoming? Why have no applications to the appropriate government bodies been made? This would appear on the fact of it to be land speculation pure and simple and Council should not act simply to protect certain individuals' economic interests when cultural, environmental and social values of the community as a whole are at stake.

The Council would not be acting in the best interests of the community, county or province, if it were to exempt land from a blanket R-2 designation. Even if the land in question was to be exempted and subject to Section 49 of the Municipal Zoning Bylaw, as has apparently been proposed as one of the alternatives to the blanket accepting of this proposal, this control would be much less stringent than that which would be required by a rezoning application. Under Section 49 a hearing would be required to establish an industrial zoning but the most stringent controls should be in effect with respect to Nova Scotia's most valuable resource, its coastline, particularly as in this case an especially significant portion of the coastline is involved from environmental, aesthetic, historical and cultural points of view. Nova Scotia's coastline can be utilized for economic gain for the province. It does not simply have to be a passive quality that cannot be actively used.

Nova Scotia's beauty is worth preserving for economic reasons. Several illustrations - The first and most obvious is the tourist industry. Reference was made in Mr. McGinn's brief to an ad that appeared in many national and international magazines. This is Prospect village, and it appeared in the May 1983 edition of Readers Digest with an international circulation of 33 million. Prospect was also the subject of a National Geographic article. So Prospect can make a significant contribution to tourist dollars, provided it is not spoiled by heavy industry. This is an answer to the "don't put it in my backyard" argument. Because if you put it in my backyard you destroy its potential for what its really valuable for, attracting tourist dollars and some other arguments.

Another economic consideration involves the fact that if heavy industry, oil related industry comes to Nova Scotia, it will employ the best people in this high tech. field. To best utilize the resource and avoid the disasters which have marred other countries, we will need experts of the highest order and preferably Nova Scotians, who can be trained here in our universities. This means we need the best university and technical school staffs to train these people to create the very best high tech experts. It is well known that Nova Scotia university salaries are well below those in other areas of the country. However many eminently qualified experts and professors accept lower salaries as a trade off for the special qualities that Nova Scotia has to offer in terms of the possibility to live in a city where access is easy to the splendour of the nearby coast countryside. Many such members of the academic and technical community choose to make their homes outside the city amidst this beauty which is within easy commuting distance. However if the asthetic nature of the coastline and proximity to the city is not preserved the best qualified people will, both in the short and long run, be deterred from choosing Halifax for their homes, since they can obtain better salaries elsewhere and there is no special attraction in living next to an industrial park. So the quality of education in our universities and technical schools will suffer at a time when we most need the best staffed universities to train high tech experts, to eliminate the need to import such people. In addition the high tech industries themselves will suffer from a lack of expertise. We must keep long range goals in planning and not throw away our best cards early in the game. Prospect is clearly one of our best cards in terms of attracting exactly the professionals we have been talking about. And the County will ultimately benefit as will the whole province from their expertise. We cannot afford mediocrity when the stakes are so high.

The third point, as the committee's brief has already mentioned, is the rapidly expanding urban core of the city and the need for housing in close proximity to the city. The tax dollars engendered by residential development in areas such as Prospect would be an alternative source of revenue for the county, as an alternative to the industrial tax base that the Council is contemplating with respect to Prospect. Council should take a long term view of the situation and realize that Halifax is a special city in North America if not the whole world. In what other major metropolous is it possible to live in or near such relatively pristine splendour with all the benefits of a major city. The Provincial Legislature saw fit in 1962 to pass a Bill protecting Peggy's Cove from any type of industrial development, in effect strictly regulating the type of development that can go on there. Prospect is no different than Peggy's Cove, except inso far perhaps that it is more beautiful because unspoiled by tourists, shops, restaurants, etc.

For all these reasons Council is urged to approve the zoning application as it stands, without any exemptions in favour of land speculators or industrial developers. Such exemptions would be contrary to the best interests of the community, the county and in fact the whole country.

Questions from Council

Councillor Eisenhauer thanked Miss Rowley for mentioning Bylaw 24, section 49E, which would have a requirement by the developers in this particular case, to hold a public hearing. But this bylaw is not in effect in District 4. He said the concern about bringing commercial tax dollars to the county is a priority but the issue is not simply that. The issue is how we are attracting these dollars. Any reasonable person making a business decision would buy property that was already industrial. It is reasonable that one would buy a property in this particular area because it is free to develop for an industrial park. Miss Rowley replied that Prospect has on three occasions expressed its antipathy to industrialization. In 1978 there was a brief which gave very good reasons. The people in Prospect are not all lawyers or planning experts and they probably didn't even know the land was unzoned. They found themselves in a bad situation and they didn't realise the consequences of having land left unzoned.

Councillor Eisenhauer said the issue is that the last three applications that came to Council were opposed, making it very uncertain for anybody coming to Halifax County to buy land. Miss Rowley mentioned once again the protection of R-2 zoning. If someone comes in with a superb concrete proposal and they can prove and demonstrate and show studies, environmental impact studies that this is not going to damage the social, cultural heritage, or pollute the environment, if they could prove that to the satisfaction of Council, that would be all right. But just on a very vague proposal, to exempt these lands, she sees as favouring the economic interests of a few people over the general good of the whole community. The Planning Act clearly states that the standard is the best interests of the community. Councillor Eisenhauer said the developer would in any case require Department of Transport, Health and Environment approvals.

Councillor Deveaux presumed, and Miss Rowley agreed, that she wasn't aware the land was unzoned prior to the McDan purchase. He felt the majority of people in Halifax County are in the same boat. He asked her if she knew when she purchased land, if it had been R-2, and someone came along later and tried to rezone it, how would she feel about it? Here we have McDan Enterprises who came in good faith and purchased a piece of land. He knew it was unzoned. Is that fair?

Miss Rowley felt that land speculators are risk takers. They were aware of the nature of the community that they bought land in and perhaps aware of the mentality of the people there as well. There comes a point where you have to balance the costs and the benefits. Free enterprise unrestrained can lead to disaster. There have to be controls on free enterprise.

Councillor Deveaux agreed it is a tourist attraction and we are all interested in tourism, which is one of the top industrial bases for Nova Scotia and one of the largest revenues of any industry in our province. And that doesn't apply only to Prospect, it applies to a number of other areas throughout Nova Scotia. With regard to an industry detracting from the tourist attraction, he said in Eastern Passage, there is a lot of heavy industry but also a small fishing village. And the fact there is industry in the community does not deter tourists from coming down to the wharf and visiting the fishermen in their daily work.

Councillor Lichter felt Council has a number of options in this matter - one is to approve as requested, the second is to respect the wishes of the people on the other side and exclude, the third is complete rejection. The fourth option is the inclusion of Bylaw 24, section 49, which is the industrial zone. He said his experience is

that R-2 is not the only zone that exists. It could have been R-1, it could even have been Parks and Institutions, which he thinks is the real intention. If R-2 passes and there are no appeals, he felt that any applicant could come in and could get a subdivision plan put in, providing that proper roads are constructed with a lot 4.6 acres maximum, even if its bedrock, no soil whatsoever, because that's the maximum requirement the Atlantic Health Unit can demand. So this is why R-2 could do harm in this particular instance. It's Parks and Institutional the people are after.

John Couban, Resident of Prospect Bay - It was said by the original people of this nation that land use is a sacred trust to be used wisely and passed on to the next generation. With this in mind Mr. Couban supports the application for zoning. By declaring their majority support for this application the people of this area have shown their wish for a voice in the future development of their surroundings. The petition is an unequivocal statement in support of control. In the past people have been content to live their lives without expecting too much change, to carry on believing that nothing would destroy their world. Now it is realized that unless voices are raised and questions asked and assurances given, their peninsula could change drastically.

Councillors in the County of Halifax have shown their concern for residents' wishes by agreeing to this public hearing so quickly. For that we thank them and ask that they now recognize the legitimate concern of the residents for controlled development, and agree to zone the area exactly as requested. A few minutes ago Councillor Deveaux mentioned something about alternative sites. Further to this -

At the information meeting held in Prospect in October, a representative of McDan Enterprises stated that one of their reasons for developing the area in question was the unavailability of suitable sites for an offshore industrial park. This statement is incorrect. When consideration is given to developments of this kind, one must weigh the interests, not only of Halifax County, but of the whole province. The greater good of the Province of Nova Scotia should be the legitimate concern of all its residents.

The first location suggested as suitable is the town of Mulgrave. It's advantages are - deep sheltered harbour, its only 120 miles from the Venture field, it has a minimum draft of 30 feet, it has 2,000 feet of wharf frontage, 180 acres of land immediately available, 13,000 acres of developed waterfront land in the vicinity. The people working there have had seven years experience with offshore vessels, they are located approximately three miles to the Trans-Canada Highway, have a direct rail access to all of North America, a railway spur to the wharf, 13,000 square feet of an emergency services centre. They have a purpose marine emergency response facility, and it should be remembered that Mulgrave is in the midst of a \$10,000,000 expansion scheme that was announced by MacEachern last year. Unemployment in that area is well over 30%. There are people there who haven't worked for three generations. Not too many people like that in Halifax County.

The second location is Sydport, which people probably know as Point Edward. This is being developed by the Government of Canada under auspices of the Cape Breton Development Corporation. Sydport Industrial Park has a total acreage of 600, 3,800 feet of wharfage, water depths of 38 feet. Sydport is easily also accessible by any means of transportation. There is 4,500 feet of rail siding with direct connections to Canada and the U. S. systems. Sydport is serviced by an International Airport, it has its own chlorinated water supply, with up to 800,000 gallons a day in excess of its current usage available. A domestic sewage disposal unit is owned by the plant, and in Cape Breton there are 18,000 people unemployed.

These two examples should indicate to Council that there are appropriate facilities already in place in the province for this type of industry.

When the Federal and Provincial governments have spent over \$50 million in taxpayers money to develop these sites, it would seem inappropriate for Council even to support the nebulous type of proposal that was made to people from Prospect in the church hall back in November. McDan Enterprises have circulated a letter to Council raising the question of unemployment in District 4 and in the County of Halifax. Fortunately the district is in a far better position than he has indicated, and in a much better position than the people of Mulgrave and Cape Breton in general.

One other fact. In the Straits of Canso area, in such a high unemployment area, many financial incentives are offered to developers such as McDan Enterprises. Perhaps they don't know about this. One example is that 50% of capital costs for new manufacturing facilities can be claimed as a tax credit against Federal Income Tax. When one investigates in depth these alternative sites and realizes just what they have to offer, wharfage, sewage disposal, environmental emergency services, railways, one wonders how the nebulous proposal of McDan Enterprises could ever be listened to by Council.

Questions from Council

There were no questions from Council.

Paul Skerry, Landowner in Prospect Bay, interests in Prospect and impressed with Prospect and the kind of place it is. Mr. Skerry said he is fully in support of the application of the Ratepayers Association. He is an architect, has practiced for some 10-12 years in the Halifax area, and has some local construction experience which is pertinent to this meeting. He has been involved in construction in the Prospect Bay area in three or four projects and has some understanding of the type of conditions there. He said he is not anti-development in any way, makes his living in the construction industry, and at the present time has personally under construction about \$15 million of construction.

Mr. Skerry is knowledgeable about land development, has worked with land developers and is surprised about the submission for the industrial park in Prospect. His experience in Prospect leads him to believe that the topography and type of soil is very particular. You have to be careful when building, not to disturb too much of the land area because the larger the structure, the more disturbance to the site. His experience is that it is very difficult to site a structure, and more and more difficult as you go from the top of the Bay, which is white slate, to Prospect village; you get closer and closer to bedrock.

The proposal which is understood to be under consideration for Kelly's Point, is on land which is mostly bog and granite and doesn't seem to conform to what would be possible to put there. The existing development in the area is mostly residential, the geology and topography are very irregular, the characteristics of the land where its bog is very difficult for water absorption, where its heathland its not possible to put a sewage disposal system in; water service is possible in some cases with a dug well, but for very small volumes of water. In the area near Kelly's Point you are subject to salt water infiltration.

The existing highway access to the site is inadequate for anything but personal vehicles. A question earlier from one of the Councillors suggested that the Department of Highways constructed roads with traffic in mind, but this is a historic evolution

of a road. It started more or less as a footpath and has been taken over by the Department of Highways. If they built the road today they would build it completely differently.

As far as the deep water access to the site is concerned, there is some question as to its suitability for large boats. A lot of emphasis is placed on water depth but in fact water depth isn't of great significance where you are on a granite base. You have a very rapid change in water depth from very shallow areas to very deep areas in a very short distance. Of more importance is the location of shoals and navigation hazards.

Mr. Skerry said he has given his assistance to the Ratepayers Association because he thinks R-2 is the right zoning, not Parks and Institutional. There are a lot of desirable things about Nova Scotia to be offered to the public at large in the way of saltwater lots, the kind of living environment that you can achieve by being close to the sea, and most of us who are here tonight have a residential interest and have experienced the joys of living close to the salt water. Residents don't intend to curtail development, they want to guarantee that their property interests are secure for the future and that somebody else could come in and have the same opportunity. They are concerned about the type of development that goes on there, and the feasibility of the development. As to whether or not the land in question is developable, that's a matter of some consequence. You would probably find it isn't really developable for this or for any other type of construction. There are parts of it that are probably quite suitable for small structures that can be done a little more sensitively than the industrial type structures which require more room and more turning circles, more storage areas and more demand for water, more demand for power, more demand for road access, more of all the things we don't have in Prospect and never will have.

The question of developing the land in terms of R-2 is something that will have to be taken up with the landowners and the respective provincial and municipal authorities that have jurisdiction. Mr. Skerry said he has spoken to the Provincial Department of Health in respect to sewage disposal in that area, because he has contacts there; he asked what are the possibilities of on-site sewage development in the area. His contact said he was somewhat surprised that someone would consider on site sewage disposal, knowing the nature of the land, and he would be surprised if it was feasible. He suggested the developers would be much better proposing a saltwater discharge system. But that doesn't really make any sense either. If you don't have on site sewage disposal and you have a discharge system, you have to gather all that sewage up, pipe it to a central point, like a sewage treatment plant, treat it, and then you have to dispose of it. This is very expensive when you talk about granite substructure which is within a foot or two of the surface. From an engineering point of view it is practically ridiculous because the cost of the lot in the end would be so high as to prohibit that type of land sale to a prospective client, unless there was some outstanding reason why that site would be much better than any other.

It is a matter of simple economics - you cannot sell an industrial lot to an industrial client which is of less quality, has less access, has no water, no sewage, if his competition in Mulgrave or somewhere is offering a better product for a better price. There is no way a person could put in the saltwater discharge sewage system, could pipe in a high volume water supply system from elsewhere, could construct a feasible road access to the site, could do all those things and still compete with provincial lots which are brought on stream on subsidised land.

It is suggested to the developers that they have a nice piece of land; the question is whether it is developable - as residential, possibly here and there. To make any economic sense, what we must be taking about is a junkyard of something. Because

you can't have any kind of facilities really in the way of construction. Mr. Skerry said he sympathises with Mr. McGavney and likes his land, but would recommend that he come back and talk about residential development, which might be feasible.

Questions of Council

Councillor Eisenhauer asked Mr. Skerry to point out his land on the map, and suggested others ask to do the same.

In reply to Councillor MacKay, Mr. Skerry said he has a cottage on his property, with access from the public highway. Councillor MacKay asked what Mr. Skerry would consider for industrial buildings. He asked why industrial parks are built on rock piles. Mr. Skerry said they are built on rock when that's the only land available. One of the prime criteria is can you get to the site and can you prepare it for building.

Councillor MacKay asked if residential requires more water and sewage and Mr. Skerry said residential is a self-contained ecological unit. It draws the ground water out and it returns the ground water in terms of effluent. Percolation of the soil is what it depends on. A sewage disposal system is not very sophisticated, it is basically a holding tank with bacterial action and a system of drainage valves to allow the effluent to percolate into the soil. The nutrients are taken in the straining process and returned to where they came from.

He said the present proposal, an assembly site for drilling rigs, would have a requirement for a labour force, a requirement for materials supply, a requirement for structures, and a requirement for waste disposal, either on site or trucked off site. These types of use could not be more incompatible with the area in Prospect. From a transportation point of view and from a waste disposal point of view, human sewage is a very small problem. Industrial waste is something else. If it is heavy metals, if it is chemical residues, you have a problem. It could be carcinogenic to human beings, it could be a contaminant to the fishery.

Motion to Break

It was moved by Councillor MacKay, seconded by Councillor MacDonald that there be a five-minute break. Motion carried.

The hearing reconvened with Deputy Warden Adams in the Chair.

Sam Rogers, Landowner, Taxpayer and Full-Time Fisherman, Prospect- Mr. Rogers said the following information is based on his own local knowledge, area fishermen, and the local Fisheries Officer.

He showed a chart to represent present water uses in the fisheries. The lobster catch has increased dramatically in the past few years and now represents over \$300,000 annually for local fishermen. The 400 red dots on the chart represent only 8% of the 5,000 lobster traps licensed in the area. As one can see these traps from the end of November to the end of May, occupy a substantial area of the existing water. The black lines represent 13% of the mackerel, salmon and herring nets together with mackerel traps licensed for the area, representing approximately \$200,000 income to the area. The purple lines are just a few inshore trawl sets, again representing a small fraction of the 170 tubs of trawl licensed in the area. Cod gill nets round out the gear licenses for the area with 147 nets representing \$150,000 income for local fishermen. All told roughly \$650,000 income.

The recent growth and promising potential of aquaculture in the immediate area, and the hundreds and hundreds of pleasure boats that use Prospect and Prospect Bay waterways, support very valuable and very fragile resources. With the seemingly chaotic demonstrations of the oil rig just before Christmas out in front of Prospect, together with the gear that fishermen lost in St. Margaret's Bay where the rig was finally towed, added to the fact that the opening to St. Margaret's Bay is at least five times that of Prospect, that is the outer harbour, it becomes obvious the need to pay attention to the delicate balance we have already recognised, without adding any greater dangers to local fishermen, fish environments and the area yachtsmen.

It was stated at the public meeting in Prospect by Mr. McGavney that a lot of the material coming in to such industrial yards would come by boat. Prospect and approaches can afford no more hazards or potential hazards than already exist. Nature and man present all that can be handled now.

Questions of Council

Councillor Poirier asked about a letter from Prospect Enterprises asking for exclusion from the zoning. She asked what would happen to this person, who is a native and has a business if the application is approved. Mr. Rogers, however, did not know anything about this.

Adam Kerr, Resident of White's Lake, on the shores of Prospect Bay. Mr. Kerr said he speaks for himself and not for the organization for which he works, but he speaks on his professional standing of over a quarter century as a Master Mariner, a hydrographic surveyor, and a land surveyor. He wanted to talk about something which has been brought up at this meeting and this is Prospect as a port, and in particular its potential as a port for the limited amount of information received from the developers on the type of traffic they are proposing for the port. What he says is based on the premise that it is going to be a port, or is going to be an industrial development associated with marine developments associated with the offshore oil industry. At the meeting in Prospect something was heard from Mr. McGavney of the type of traffic which he thought would use the port. If heavy materials are brought in that means big ships. Mr. McGavney talked about a ship which he said was a heavy lift vessel called Mighty Servant II, and a recent press article talked about the devastation Mighty Servant II caused to the lobstermen in New Brunswick.

The suitability of Prospect for shipping depends upon the size of the vessel. It is much favoured as a yachting haven, particularly the anchorages of Rogues Roost at its eastern entrance, and north of Pig Island. Smaller local recreational craft congregate on the western side of Upper Prospect Bay and at Prospect village. Cape type fishing craft are employed on the lobster fishery which in season is heavy in the outer parts of the bay. The outer anchorage as you come into Prospect Harbour is suitable for relatively large commercial vessels although there is a shallow sill with depths to approximately 8 fathoms, 48 feet, between Redmond Island and Hearne Island. This anchorage would be exposed and unsuitable in southwest gales. In examining this anchorage in terms of oil industry vessels, it should be noted that supply vessels would have no trouble entering this part of the bay, but large vessels such as Mighty Servant II (heavy lift vessel) drawing over 30 feet, or the large semi-submersible rigs, would have rather marginal clearing depths.

The survey of the inlet carried out in the 40's appears limited in the area of the constricting sill, an area that should be surveyed in detail before any deep draft shipping is concentrated. It is understood that it is contemplated developing the area of Kelly's Point and bringing oil industry shipping into the open water area between Kelly's Point and Purcell's Island. This is clearly a sheltered area with apparently good holding ground for anchors. As has already been said, depths up to 7 fathoms, 42 feet, exist close to shore on Kelly's Point, making it appear attractive as a marine base. The main drawback to this area is the very narrow channel that has to be navigated to enter it. This channel appears to be less than a cable, 600 feet, wide, with a clearing depth of 7 fathoms. With care this channel may be navigated by the offshore supply vessels, which are typically 235 feet overall length, 52 feet beam, and draw 20 feet. However the semi-submersible drilling rigs have a diameter of around 350 feet and a port draft of 23 feet and the large jackup rigs have dimensions of 400 x 360 feet and a 30 foot towing draft. It will be appreciated that it is the large beam of these vessels that would pose the problem in navigating past the Kelly ledges. Even though these rigs are handled using four tugs, the channel is not only narrow, but from existing data appears tortuous. The Pilotage Authority has noted that the rigs are unmanageable in winds greater than 20 knots. That's a breeze at sea. And they prefer to move them in winds less than 15 knots, a gentle breeze. And there is fog. If the drilling ships and rigs are able to pass safely it will be necessary to secure them in the anchorage. This won't pose any great problem to supply vessels but in the case of drill ships it may cause some limitations.

The larger drill ships use as many as six anchors that may be placed 2,000 feet away from the rigs. The anchorage area is only in total about 4000 x 2000 feet. So that anchoring a large drill rig safely in this small anchorage could be problematic. This is not to say that it's not impossible, the oil industry is recognized for its innovations and drive. But it should be recognized that Prospect Bay would have severe limitations as a marine base to serve the oil industry. Some features may be improved, wharves may be built to overcome the anchoring problems and the channel may be dredged. But this will all cause considerable disruption. If the development is looked at myopically from the view of Halifax County, it may be seen as a contribution to the financial base, but if it is looked at from all Nova Scotia, it will be quickly appreciated that there are many finer harbours available to serve the needs of offshore oil and gas. You have already heard some of them. They include Halifax, Strait of Canso, sites within the county such as Head of St. Margaret's Bay and Sheet Harbour.

Sheet Harbour is 11 fathoms right up into the channel past Sober Island. There's 8 fathoms if you lead right in. That's a deep, good harbour. Country Harbour is exposed to the southeast, but is a deep harbour with 8 fathoms and there is good water inside, 12 fathoms. Mulgrave has 15 fathoms over the sill and excellent navigation facilities all the way up in there. Ship Harbour, not a particularly good one, five to six fathoms in the channel and good shelter. Down the other way, Mahone Bay is a beautifully sheltered place, but the admirals would chase the oil rigs out of there pretty quickly. St. Margaret's Bay, they were going to build a development there a few years ago, a beautiful port 15 fathoms. French Village, right into the head, beautiful water, all private property. Terence Bay has 13 fathoms and there's a reasonable approach. Halifax harbour has 13 fathoms and the best navigation in Nova Scotia and the Maritimes, and it has two wonderful developments designed for the offshore industry.

Questions of Council

No questions.

Joe Spears, 6038 William Street, Halifax - Mr. Spears said he is a law student at Dalhousie with a background in Biology and Economics. For the past three summers he has worked for Parks Canada in Cape Breton and they have developed a number of activities that mesh within the environment. He came to the hearing because the application to zone R-2 brings out a very important problem that is going to face Nova Scotia in the 21st century.

Mr. Spears showed slides with his comments.

Wes Heber, who did a Masters of Environmental Studies thesis at Dalhousie University looked at the social and environmental impacts of offshore petroleum development in Nova Scotia. He said, "if communities in Nova Scotia are to experience maximum benefits from offshore hydrocarbon developments with minimal adverse consequences, there must be greater efforts in community and inner municipal development planning geared towards the offshore."

Also, "Should this not occur, there is a danger development will overtake planning and the petroleum industry will determine the future onshore development of certain coastal regions in Nova Scotia."

We have a scarce resource and this application for R-2 zoning brings up a very important problem in Nova Scotia. The County jurisdiction extends down to the high water mark, but the salt water off the coast is administered by the Federal Government, the Department of Fisheries and Oceans and a variety of other departments. There is conflict here. How are we going to use this resource. There are some longterm economic costs if you allow incompatible development and R-2 zoning is the only tool the people of Prospect have to protect their area in the wise use of a scarce resource, that being the water frontage around the coast of Nova Scotia and Halifax County.

If you look at a map of Halifax County it is a fairly varied coastline on the eastern shore from Sheet Harbour down to Eastern Passage. Once you enter Halifax Harbour around to Sambro, Chebucto Head around to St. Margaret's Bay, you find quite a bit of granite. Its a diverse coastline.

Tourism is one of our main industries - well over three million visitors come of Nova Scotia, and they don't come to look at industrial parks, they come for the natural beauty. They like it here, most of them wish they could live and work here. They leave behind their dollars.

To turn to the specific case before us, we have motion of intent to zone the area around Prospect R-2. Its very close to Halifax, and there are quite a number of shoals and reefs offshore. During world war 2 there were quite a number of shipwrecks on the Sambro Ledge and off Prospect the SS Atlantic in the 1870's went aground with one of the largest losses of life to that time. It is a treacherous coastline.

The area is noted for its tourism potential. In 1963 the government passed a statute protecting the area close to Prospect. There is quite an island archipelago offshore and that makes it attractive. At one time sail was the only method for travelling along the coastline. People looked toward the sea.

Some other developments are compatible with the area. One of the ways we can develop industry here is to have a number of services for the visitors while they are in the area. The alternatives are endless.

One of the activities Mr. Spears suggested would be to run a number of whale cruises out of the communities around Halifax County. Also there is potential for scuba diving, with quite a number of wrecks, maybe gold. These activities are seasonal, but the boats are there, the people are there, you don't need a lot of capital. Just advertise and promote in the right areas.

Mr. Spears quoted Dr. Douglas Johnston, Professor of Law at Dalhousie University to the Institute of Public Administration in May 1976, talking of coastal management. "Change is the only constant. No human being or community is entitled to immunity but each should be free to participate in the processes that determine the rate and direction of change. It is suggested then, that marine policy making proceed on the premise that coastal communities have a special interest in participating in development as well as the regulation of marine technology and industries."

Mr. Spears also drew attention to a report done in 1981, commissioned by the Provincial Department of Development. The Venture project has now gone to the Canadian Oil and Lands Administration for approval, and they foresee developing two production structures off the Venture field. In this report they say, "only the highest sequential scenarios have sufficient demand to support a platform fabrication yard. Such a yard must be controlled and managed by experienced contractors." Mr. Spears said the thesis runs through a number of supply base development needs to a total of 25 different criteria that have to be met. He thought that the proposal to zone R-2 is the best thing that the residents of Prospect could do in the interests of marine policy, coastal zone management and Nova Scotia.

Questions of Council

Warden MacKenzie said he listened with interest to what was said about the tourist industry. We do cater to the tourist industry, but we have to have more than the tourist dollars in the area if we are to change the 15/85 ratio for industrial assessment. He said, there was mention of a couple of locations in other parts of the municipality and he wanted to mention they are fighting and fighting hard to have Venture gas come into the Sheet Harbour area. He would welcome this type of development to his district and if there was any way he could convince this developer to more into that area he would do it.

MOTION TO ADJOURN

It was moved by Councillor DeRoche, seconded by Councillor MacKay that the Public Hearing be adjourned, to recommence at 7.00 p.m. on Monday February 6, 1984. Motion carried.

The meeting adjourned at 11.10 p.m.

PUBLIC HEARING
REZONING APPLICATION
PROSPECT PENINSULA RESIDENTS ASSOCIATION

February 6, 1984

Present: Warden MacKenzie, Chairman
Deputy Warden Adams
Councillor Walker
Councillor Poirier
Councillor Gaudet
Councillor Baker
Councillor Deveaux
Councillor DeRoche
Councillor Gaetz
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor Margeson
Councillor MacKay
Councillor McInroy
Councillor Eisenhauer
Councillor MacDonald
Councillor Wiseman
Councillor Mont

Also Present: Mr. K. R. Meech - Chief Administrative Officer
Mr. G. J. Kelly - Municipal Clerk
Mr. Robert Cragg - Municipal Solicitor

Recording Secretary: Bonita Price

CALL TO ORDER

The Chairman called the meeting to order at 7.05 p.m. He said this is a continuation of Application for Rezoning No. RA-24-44-83-04.

SPEAKERS IN FAVOUR OF THE APPLICATION Cont'd

Ray MacDonald, Resident of Prospect Bay - Mr. MacDonald has been a resident for fifteen years and is already zoned R-2, adjacent to the area applying for zoning. He submitted the petition indicating almost 90% of Bay residents support R-2, F-1 and C-1 zonings, feeling that such zoning would conform to the R-2 zoning now in place in the area, and would be a logical extension of the considerations which persuaded Council to award R-2 zoning in 1976. Such zoning would offer protection to that special area which is Prospect and also ensure that the investments of the residents of the zoned area are protected. It is felt that many residents of the zoned area would be affected adversely by having any heavy industry located in the Prospect village area, because such industry could be arrived at only by road and the roadway is at present only adequate to serve residential vehicle traffic.

The roadway in places almost lacks a proper shoulder, but this is not a great problem when, as now, the roadway is used chiefly for residential car traffic. However if heavy industry was to locate in the Prospect area, much of the access road from

Goodwood through Hatchet Lake, White's Lake and Prospect Bay, would have to be widened to accommodate continuous heavy truck traffic. Such road construction would necessitate the expropriation of residential property frontage. Residents would have to face relocating to a more desirable location at a loss. These possibilities would not lead to any residential tax dollar improvements. It is therefore in the best interests of all in this area to support the petition for zoning. Residents are aware that Council would like to increase the industrial tax base and that the ratio is 85% residential and 15% industrial, however they are also aware that building construction, particularly of homes, is up 83%, and that constitutes employment for many people of the county and contributes to the tax base on the residential level.

Many of the residents of Prospect feel they should have a greater say in planning and determining what development will come into their area, based on the fact that they have been the greatest financial contributors as taxpayers over the years. If the County lacked the financial support of its residents in all likelihood it would have to cease to exist. The people in this area have made their views well known and their views should be accepted.

The proposals by the developer have been rather nebulous and amorphous, lacking in the environmental impact studies which are desirable. It is only in the past week that the City of Halifax saw fit to discontinue work on the proposed industrial park because permits were not issued and they felt environmental impacts study was necessary.

Council is faced with a problem and solutions to the problem must be found that are acceptable to the residents of Prospect. To accept the application as is would satisfy the people of the area, it would require any development to conform to the zoning laws, and be more responsible to all concerned. It would clear up the vagueness that now exists. It would also require environment and social impact studies which would be presented to the Planning Board and have to meet with their approval. In the meantime the Public Participation Committee could be set up in co-operation with Council.

Of approximately 600 people polled, only about five were against the application to zone. An overwhelming majority. Not one area resident has submitted a letter to Councillor Gaudet showing his or her disapproval of the zoning application. Councillor Gaudet strongly supports the application - know he was not aware of what was happening and that contravenes the rules of political etiquette. Mr. Lawrence the MLA has indicated his support for the feeling of the majority. The acceptance of the application does not prohibit the developer from applying for permits. What it means is he has to proceed through channels that are acceptable to the Planning Staff, County Council and the people of the area.

Planning staff recommend the residents' application be accepted as is, and the residents believe in their very considerable expertise.

Questions of Council

Councillor Baker asked why the petition wasn't circulated in Terence Bay, which is the adjoining village. There are so many people unemployed in District 4, with Welfare running from \$30,000 to \$35,000 per month. Mr. MacDonald said they did not exclude Terence Bay. There are a lot of areas in the county that they didn't get to and Terence Bay is one. But he felt sure if Terence Bay was polled, they would get over 50% of the people.

Councillor Poirier said she didn't understand when he talked about road frontage and if a new road went in it would take from the residents. Most roads are 66 feet highways, 33 feet from the centre of the road. She thought the point was a little misconstrued.

Councillor MacKay mentioned the comment that the local Councillor wasn't aware of the development. He pointed out information that he received that one member of Council and one member of Staff said the Councillor for the area was informed.

Ellen Ryan, Housewife and Resident of Prospect - Mrs. Ryan said she was born Ellen White and her family have been residents of Prospect for more than two centuries. She said the zoning being requested by the residents has a strong historical precedent. The first description of Prospect appears in Sir Nicholas Denys description in 1671. He was Governor of Acadia. His book contains this easily recognizable portrait. "On the right one does not find good woods, nothing here but bald rocks, rather high. Among these rocks there is a little harbour where vessels anchor and where men are often found making their fishery and drying their fish upon the rocks which are isolated. A little outside these islands the fishing is very good, and abounds in cod. Mackerel and herring are very abundant on the coast. This place is called Paspeque."

The settlers that came to Prospect in 1754 settled where the village stands today, on Kelly's Point, and on many of the islands. Life was for some time at the subsistence level. Although fish were plentiful and the settlers worked hard, it was a number of years before any upward mobility became possible. A Customs agent, J. A. Burrows, who visited Prospect in 1773, wrote of this to Lord William Campbell, who was Governor of Nova Scotia at the time. Burrows gave a full report of the fishery; he was amazed to see 36 stages at Prospect, and he estimated the yearly catch to be worth £5,000. He said, "the severe impositions they labour under by those who supply them, together with their own want of capital to remove any difficulty, makes even a good season, little or no advantage to them. My lord, I counted 250 souls, decent, sober, well looking people, and though Irish Roman Catholics, yet a blessing to the state in which they live, and sensible that they enjoy their opinions without being molested. It is a pledge of their behaving properly."

Ten years later, the more serious penal laws regarding Catholics were repealed and in 1794 the Prospecters were able to build the first Catholic church on the western shore.

The census of 1827 showed many of the family names found in Prospect village today. It also indicates the inhabitants had grown more prosperous and were being supplied by merchants in their own community. These small businesses received a great boost in 1863 when the American fishing fleet began to call at Prospect.

The severe economic recession that forced hundreds of thousands of people to leave the Maritimes toward the end of the century, decimated the population of Prospect. In twenty years, from 1881 to 1901, the population dropped from 1,133 to 455. Those who stayed were a very determined group of people, determined to keep what they had inherited. It is because of their efforts and their sacrifices that many residents live on land that was granted to their forefathers by the British monarchy.

An overwhelming majority of these people, together with the newcomers who have settled in Prospect, precisely because of the kind of community it is, have requested that the entire peninsula become zoned. There is a small group of absentee landowners

who are opposed to this attempt. But it is hard to believe that in a democratic society the wishes of the majority would be put aside to accommodate a few people. On what possible grounds could that be done - because of the size of their property? This doesn't get any more than one vote in an election. Because of the amount of their investment? The assessment of the people who signed that petition is in excess of \$4 million. Moreover residents have an investment in Prospect which can't be translated into dollars and cents. There is a great deal more to lose than money. What is decided here is what the children will have to live with or live without. Their ancestors were born, lived, worked, died and are buried from that land. They left a lovely and essentially unspoiled piece of the world and a way of life.

Mrs. Ryan said it is the wish of residents that Prospect Peninsula be zoned what it has historically been, residential with allowance for fishing and small commercial business.

Questions of Council

There were no questions

Clarence Flemming, Resident for Nine Years of Prospect Peninsula - Mr. Flemming said he would like to advise of the reasons leading up to the 1976 rezoning application for the Brennan Road area.

In 1974 he purchased a building lot from a local fisherman with the intention of building his own home. After completing this and settling into the community, he accidentally stumbled onto the fact that right across the road from his new home was zoned general building. This meant to him that anything, to use an extreme case, a junkyard, could be placed on these lands. He was quite alarmed and approached the owner of the land, who advised he would be in favour of rezoning his property to R-2. The foresight expressed by this owner is something the entire area will be thankful for now and in the future, according to Mr. Flemming.

Mr. Flemming proceeded to circulate a petition to the local residents, who in 1976 were 99.9% in favour of rezoning, because they also wanted to protect the investments they had made when they built their homes. Then, as now, a Public Hearing was conducted, with no opposition whatsoever, and the lands were rezoned. Seven years ago the intention of the residents in this area, which is in very close proximity to the lands now in question, were considered and accepted by Council. They now ask the same consideration and understanding.

Questions of Council

Councillor Lichter said he appreciated the half answer to a full question. He asked why did people stop there in 1976 and not go further. Mr. Flemming said now he is sorry he didn't think to carry it any further.

Kenneth Tobin, Resident of Prospect Bay - Mr. Tobin lives in Prospect Bay and is a developer in Prospect Bay. He said the application is an extension of present R-2 zoning and approval would benefit the whole community. Development on Prospect peninsula to residential, existing commercial and fishing related uses, would maintain the continuity of development, protect residents against irresponsible land uses, ensure residents have a say in future incompatible development proposals, and since there is no Regional Development Plan in effect for the area, zoning would establish land use policies for future development. If the application is not approved, the existing zoned area will suffer. In his development, which is partially zoned, he has covenants that run with the land. These covenants are to protect present and

future land owners against incompatible land uses, and to ensure the quality of development is maintained. Incompatible development, particularly heavy industrial, would destroy this concept, stifle future residential development, and depress property values. Also the only access to the unzoned area is through the R-2 zone. If heavy industrial development was allowed in the presently unzoned area, the increased traffic and noise would diminish the quality of life for citizens in the zoned area.

Mr. Tobin has interests in land at Kelly's Point and said his land is included in with McDan's land on the map. This gives the impression that McDan holds more of Kelly's Point than it actually does. He said he never consented to his land being included with McDan's and wants therecord to show he wants his interests zoned R-2.

At the last hearing, compensation was mentioned for the developer. It has been suggested the developer be compensated if his proposal is rejected. Mr. Tobin reminds Council that on April 24, 1975, provincial regulations were put in place to slow down developments in Halifax County and many developers suffered undue hardship, himself included. Some lost their developments because they weren't allowed to sell enough lots to carry their financial burden. At that time there were no moves to compensate these developers, and it is suggested that there should be no such consideration today. On the other side of the coin, if compensation is considered for a developer who loses money, should the developer who makes a profit be expected to share his profits with the county?

Another point was brought up at the first part of the hearing. It was suggested Prospect Enterprises' livelihood would be in jeopardy if their land was zoned R-2. Mr. Tobin said he has a copy of a deed in which Prospect Enterprises conveys a lot. Attached to this deed are covenants which run with the conveyed lot and also bind Prospect Enterprises to ensure future development of the same covenants. These covenants outline residential development. He read from the covenants - "No building erected or to be erected on the lot shall be used for any other purpose than a single, private dwelling house for a single family, together with the necessary garage that may be desired in connection with such dwelling." Another - "The said lot or any building erected or to be erected thereon shall not be used for the purposes of any trade, employment, service, manufacture or business of any description, or as a school, hospital or other charitable institution, hotel, apartment house, rooming house or place of public resort. Nor for any sport other than such games usually played in connection with the occupants of a private residence, nor for any other purpose than a private residence, nor shall anything be done or permitted on said lot or buildings to be erected thereon which shall be a nuisance to the occupants of any neighbouring lands or buildings." Mr. Tobin suggested that R-2 or R-1 zoning would be in concert with the type of development indicated in the covenants and that there is no reason to exempt Prospect Enterprises from zoning.

McDan Enterprises has stated it intends to develop an offshore development base on its lands, andhe quoted from a transcript of a public meeting held in Prospect in November 1983, that their lands would be an ideal site for the assembling of production platforms, modules. Further on in the transcript the use of barges to take modules from the site is discussed. There is a remarkable similarity between this and a temporary base as described in Venture Development Project, Environmental Impact Statement, Volume IV, Socio-Economic Assessment. This statement was done by Mobil Oil and outlines their proposal for development of the Venture field, which at present is the only gas producing field off Nova Scotia. Mr. Tobin read

the Mobil description of a temporary base - "The temporary base or platform installation in hookup is also assumed to be located in the Halifax-Dartmouth impact area." The report is broken down into separate areas and at this point they are discussing the Halifax-Dartmouth impact area, which includes the Prospect peninsula. "This base may operate in conjunction with the base for development drilling. Platform installation in hookup has heavy transportation requirements in 1985 and 1987. These activities require the mobilization of highly specialized barges plus the support of supply vessels, helicopters and offshore accommodation facilities. The demand on these barges and vessels is of short duration - four to six months in each of the two years."

The conclusion of Mr. Tobin is that Mobil's description of a temporary base for offshore development is very similar to the type of development proposed by McDan Enterprises for Prospect, and Mobil's projections also indicate that once the Venture development phase is over in 1988, there will be no requirement for this facility. Employment is discussed in the impact statement as follows - "Bridge structures, operation of the supply bases, provision of transportation and ancillary services and offshore drilling and installation activities is expected to generate significant employment impact in that area between 1983 and 1987. Annual employment based on the Halifax-Dartmouth impact area is expected to rise from 215 jobs in 1983 to a peak of 2,039 jobs in 1986. During production phase total area employment is expected to be about 225 persons." Their schedule is outlined in their book, and if you look at the projections for the employment figures in the construction offshore and onshore, the major part of development construction, the labour intensive part of construction, ends in 1987. Labour demands will peak in 1986, and 1987, and decline sharply in 1988.

Mr. Tobin is concerned that if the development proceeds as described, in 1988 the area will be left with an abandoned fabrication facility and a junkyard to store residue from offshore development and the owner will be looking for government funds to revitalize the facility. There is a question whether this type of development a platform assembly facility and/or storage area, would ever generate significant tax dollars. The temporary nature of offshore development industries will become a burden to taxpayers if new facilities are built to accommodate them. There are no projections to indicate a use for this type of facility when the development phase of the project ends in 1988.

Questions of Council

Councillor MacKay explained about Regional and Municipal Development plans. The Regional plan is in effect until Municipal Development Plans are created which supercede them. Councillor MacKay referred to Mr. Tobin's remarks that developers had lost money because development was stifled because of the development permit and Mr. Tobin said this is true and he can only develop so many lots a year.

Councillor MacDonald wondered how a piece of Mr. Tobin's land was included with McDan Enterprises. Mrs. Cartledge explained they took information off a very small scale map and it was difficult to find boundaries.

Councillor Lichter asked if that particular area is really suitable for development of single family residences or duplexes with all the present regulations, without disturbing the ecology. Mr. Tobin felt certain portions could be easily developed for residential; the major portion would require some work. Even under existing laws where you talk about 4.6 acres you would in fact have to build up to put in a septic tank. He thought 32 units would be high, with the lay of land and putting in roadways, etc. The low 20's would be more likely.

Councillor Lichter remarked that the twenty duplexes and the people would damage the area, if everything heard from ecologists is correct. Mr. Tobin agreed that the area is quite fragile and utilization of the whole area would damage it.

Mr. Tobin gave the names of persons who owned the land purchased by McDan Enterprises - Gordon Baker and Hilda Baker owned one section, Bruce Parsons owned another, Donald Murray, Mary Susan Murray and C. Peterson owned another. They sold the land in 1980 and early 1981 to Dura Investments who in turn sold the land to McDan Enterprises. In answer to a question he said he did not know if these people had signed the petition.

Harvey Matthews, Resident of Pinehill Park - which is adjacent to the area applied for to be zoned. Mr. Matthews said the first thing that comes to mind is that in attending the meeting in Prospect village in October, the developers were telling what they proposed to do, but there wasn't any concrete answers to the questions that were raised, they did not appear to be serious in that they hadn't done any homework.

All that has been heard to date is there's 170 acres owned by McDan Enterprises they want to develop into some sort of industrial park with a marine interest to erect offshore platforms. That is not enough to allow developers to go at 170 acres of good waterfront land, not with all the repercussions that could happen from mistakes being made. It appears that McDan has not done proper studies as to the suitability of the land. In order to develop it they would either have to do a lot of blasting or bring in a lot of land. Also it is understood that another developer has raised his head and owns some 60 acres in the same area. He wants his lands, along with the McDan lands, exempted from the application. This other developer purchased his lands in the late 1950's so there can't be too much seriousness in his development.

There are other ramifications. How many people have sat down and figured what it would cost just to put in place the infrastructure to have heavy traffic drive the 15 to 18 miles from Halifax to Prospect to service this development. Take a conservative cost of \$500,000 per mile. In order to take heavy vehicular traffic, there would need to be some widening. This would involve expropriation. This is costly, especially with the price of land today. There would be a lot of blasting because that area is nothing but granite. There would be turns to be taken out of the road. If you multiply \$500,000 by fifteen miles, that's \$7.5 million. The Department of Transportation would have to borrow the money, with interest rates around 20%. That's \$900,000. Over twenty years that's \$18 million. So far, just considering the highways, we're talking \$25.5 million. Will we get \$25.5 million out of this investment?

Mr. Matthews said the land to be developed is assessed at around \$75,000 and has a mortgage on it for \$2.5 million. There is some indication there's not a lot of money behind the development. At the Prospect meeting the developers said they have not asked government for any help, yet he believes they have approached the Department of Transportation to revitalize the road to Kelly's Point. Until answers are found to some of the questions, it would be wise for Council to vote for the zoning

Mr. Matthews read from the Socio-Economic review of the Venture development project. He said the analysis of current and projected labour force concludes that the project will not cause a change in labour participation rate because of the relatively

low and/or temporary demand for labour in the project. "The development phase 1983-1987, employment growth rises to an average of 2.3% during development, up from the benchmark of 2.0%." Also - "The unemployment rate declines about ½ of 1% during the development phase and shows almost no difference from the benchmark forecast during production."

An industrial park will only have a life of about 22 years. "Nova Scotia lacks the manufacturing capacity to meet but a small part of the substantial equipment and materials requirements. For example steel plate and pipe are major materials required in fabrication and are not manufactured in Nova Scotia. There are major items of equipment such as large pumps, compressors and power units. These are difficult markets to break into, require a sizeable investment and are not easily justified."

Mr. Matthews felt this is a development that's being worked on a shoestring, with no information. He strongly recommended to Council that they approve the application.

Questions of Council-

Councillor Wiseman asked if the Department of Highways still owns the property the abandoned road is located on. Mr. Matthews said he thought they would do so.

Councillor MacKay asked who the second developer mentioned is, and Mr. Matthews said it is Mr. R. W. Ferguson.

SPEAKERS IN OPPOSITION TO THE APPLICATION

Clarence Christian, President of Prospect Enterprises Ltd. - Mr. Christian's lands lie in the area affected by the zoning.

Prospect Enterprises Limited is probably the oldest subdivision in the area of Prospect. It started out in 1970 as C. R. Christian Subdivision, later changed to Prospect Enterprises Limited, giving it a scope whereby it could expand from the building of houses into some modified commercial area. Three of four Board members are not here tonight, but all four are from the Prospect area and have lived there all their lives, know the people of the area very well and respect the dynamic way in which they are endeavouring to take this matter under their wing.

Prospect Enterprises does not wish their land zoned R-2, but would agree to a portion of it R-2 if that would suit the people of Prospect, leaving one part, about 1/4 of it on the northerly section, to be zoned C-1. Mr. Christian anticipates an eating establishment of some type, service department for vehicles, and perhaps a little hardware store or something like that. He thinks endeavours of this nature are beneficial, enhance the area and do a great deal of good for the residents. It is interesting to note that at present there is no such thing as a store in Prospect - you can't buy a loaf of bread any day of the week, which is unfortunate for people who don't have cars. So Prospect Enterprises is willing to zone a portion of its property, approximately 4/5's, to R-2 with the other part remaining C-1 for future parks, recreational and commercial development. At the conception of this company it was decided that approximately 10% of the property would be given to parks and recreational, and a little bit for commercial enterprises.

The directors of Prospect Enterprises appreciate the concerns of the people of Prospect, two of the directors now have houses in Prospect. Mr. Christian said he is part and parcel of Prospect, he loves it, loves its scenic beauty, and would