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June 24, 1974 No. 6

## EAC NEEDS FUNDS TO SURVIVE

Last year was a productive, exciting year at the Ecology Action Centre. Several city planning questions, recycling, Nova Scotia's new Environmental Protection Act, and the Stoddard Island nuclear power proposal were among the issues we took an active interest in. The release of well-researched information, probing questioning, and effective help to community groups stimulated valuable public debate - and some action.

The EAC is now in the midst of a battle for survival. We need \$100,000 to continue to play an active, useful role in the development of sound environmental attitudes and practices in Nova Scotia during 1974.

### Where does the money go?

Plans for the remainder of 1974 include publishing a Citizens' Handbook on Nova Scotia's Environmental Law; starting a legal complaints advisory office staffed by a full-time lawyer; researching national recycling incentives; recommending (and aiding) municipal leaf composting in the cities of Halifax and Dartmouth; and researching the potential of rail transit in metro Halifax. Our work with citizens, community groups, and governments on municipal paper recycling, waste reduction, transit, neighbourhood planning, and provision of recreation space is continuing as well.

In 1973, we had seven full-time employees. This year we will eventually have nine staff members if we are fully funded, and salaries will make up 72% of the total. Other costs have included publications and office and travel expenses. The legal complaints advisory office will add an estimated \$12,000 in court costs to this year's budget.

### Where does the money come from?

Since we began in 1971, two federal government employment creation programmes have been our main source of funding. Year-round staff have been paid by the Local Initiatives Program, while students working on Opportunity for Youth projects have accomplished some of our goals. In 1973, 10% of our budget was financed by donations, publication sales, and other private sources, including a \$2,500 White Owl Conservation grant.

L.I.P., under the Department of Manpower and Immigration, considers itself to be a short-term funding source, and so our last L.I.P. grant ended on March 31 of this year.

For 1974, we are therefore aiming to boost private contributions to 60% of our budget. We are seeking support from local companies, national companies, and national foundations. We also urgently need financial support from individuals.

We are approaching several federal and provincial government agencies for grants to cover at least 40% of the budget. To date, two grants, including one from Opportunities for Youth, have been approved, totalling \$16,300 toward our planned programme.

The Centre hopes to receive 4 or 5 grants from corporate donations totalling \$50,000. If we fall short of this goal, we will have to attempt to find the remainder from government agencies, and by cutting back in our work.

### Small donations needed

It may seem that small donations would not be significant in a projected budget of \$100,000.

But larger donors, including national corporations and foundations, larger local firms, and government agencies, are far more willing to contribute if there is evidence of support - particularly financial support - from a large number of individuals and firms. So small personal and company donations are extremely valuable in that they help to persuade larger concerns to contribute larger amounts.

Small donations are also important to us because hundreds of them can add up to a significant proportion of our total budget. Our aim is to raise \$5,000 from individuals. To date, we have received \$2,316 in personal donations.

Our goal in smaller donations from local firms is \$5,000, of which we have raised \$2,500 from 15 members of the local business community.

### Why donate to EAC?

Environmental quality has, in recent years, become recognized as an extremely important as-



pect of our daily lives. To measure standard of living in economic terms alone is no longer realistic.

In the longer term of 50, 100, or 200 years, environmental quality has become recognized as essential if we are to maintain the very basis of life on a global scale and the basis of many jobs in the primary resource industries in Nova Scotia.

Everyone is in favour of environmental quality. It is of special importance here because the province and capital city have relatively clean, attractive environments. And yet if you look around in Nova Scotia, you find that individuals, governments, and industries have in many cases blatantly ignored environmental questions when it has come to specific actions and decisions. Economics must be a major factor in any decision, but not the only factor if environmental quality is truly desired.

The province has in the past attracted several highly polluting firms without having the capability to prescribe proper means to handle their wastes. Mammoth projects like the Canso superport/refinery complex have been entertained without understanding or exploring the potentially serious environmental side effects. Fundy Tidal power appears to be the latest example; major economic and engineering studies are commissioned by the federal government, but no environmental impact studies.

The cities of Halifax and Dartmouth place greater priority on building massive highway networks than on creating an efficient, less polluting, and less destructive public transportation system. Halifax makes decisions about new large developments without exploring the social and environmental consequences of the developments.

Private firms frequently construct houses and factories on the shores of lakes in metropolitan Halifax so carelessly that the lakes are

heavily silted, causing damage to their natural productivity and their usefulness for recreational purposes for two to ten years.

As organizations independent of the ordinary constraints and vested interests of government and industry, the Ecology Action Centre and similar groups, are exceptionally good vehicles for this type of education. The EAC's independence has enabled it to propose alternatives, to raise questions, and to use expertise from a variety of private and government sources.

## YOUR SUPPORT IS URGENTLY NEEDED

Annual membership fees are now \$2.00 for subscribing, \$10 for active, \$25 for contributing, \$50 for supporting, and \$100 or more for sustaining. Purchasing any type of membership indicates your support for the EAC and entitles you to receive our publications automatically free of charge. Fees above \$2.00 are considered donations and are tax-deductible.

We have always depended to a considerable extent on volunteer activity. If you are interested in helping with any of our projects, contact Brian Gifford at 422-1374.

This year is turning out to be our most difficult as we build a new financial base. Your help is urgently needed.

### Environmental Law Project

This summer a Citizens' Handbook on Nova Scotia Environmental Law is being prepared by five law students in cooperation with the EAC.

The Handbook will be a layman's guide to understand the law and to use it to protect the environment. It should be ready for distribution by September 1, 1974.

## NOT BEATEN YET!

### -Quinpool Road battle goes on

The issuance of a development permit allowing Ralph Medjuck to build his controversial complex was a great disappointment to the many residents of the area who have made very clear their opposition to the project. Even City Council showed their reluctance to support the development when they voted 8-2 to form a committee to meet with the province about possible expropriation of the site.

When the province refused to accept this buck-passing, Council displayed a lack of courage and resolution by issuing the necessary permit to build the unpopular complex. Not only were those Quinpool Road residents and businessmen who were opposed to the project dismayed at the decision (or rather indecision) of Council; but people from all over Halifax expressed shock that elected representatives could ignore their constituents' clearly voiced and convincingly argued position on the matter, and thereby reveal the control that certain segments of the community have over our spineless municipal leaders.

### Election in October

Many residents of Halifax are taking comfort in the knowledge that an election is coming up in October.

But until then, there is still another avenue open to opponents of the development.

Two residents of the area, Paul Brodie and S.L. Richard, initiated legal action demanding

that Council's move to authorize the erection of the project last May 17, 1973, be ruled invalid. At the end of this past April, the application was dismissed by Supreme Court judge G.L.S. Hart. The dismissal was not on the merits of the case. Judge Hart cited delay in approaching the courts and delays in serving notices as grounds for the dismissal.

The law states that application must be heard within a certain time limit. And the residents did comply with these time restrictions. Despite this, the judge maintained that the residents had delayed unnecessarily. He said that the application was concerning a matter of "great public importance affecting many, many people in various ways". Because of this, the time restrictions that are clearly stated by law, and accordingly complied with by the applicants, were not sufficient.

### Residents acted in good faith

This turn of events has left the residents of the area somewhat bewildered. They had submitted their application to initiate legal action in good faith, and they had followed the proper procedure as stated by law, and yet they have been refused the right to be heard in a court of law and forced to pay \$900 in court costs.

However, on June 18th, Brodie and Richard will be appealing their case to the Nova Scotia Court of Appeals. If they win the appeal, their case will be heard in court. They will be demanding that the original motion allowing the project to go through, be rescinded on the grounds



that the city did not follow the correct procedure as prescribed by law.

At present, this looks like the most hopeful course of action for opponents of Medjuck's project. If the two residents win their appeal and their legal claim City Council must, if they wish to re-issue the development permit, call another public hearing and have another vote on the matter. It is possible that we could have a new City Council by this time - hopefully one with a more attuned ear to its constituency.

### Can the city be sued?

The possibility of Centennial Properties suing the city for damages in the eventuality that the permit is not re-issued has been mentioned. However, our legal advisor has stated that "it is very doubtful that such a suit could be waged successfully". Ralph Medjuck has been given notice of the court action and appeal; if he proceeds with the development, he does so at his own risk. The court may declare the development permit void and order that the correct procedure be followed before a second permit be issued. The city cannot be held responsible since the original permit would not be revoked by the city, but rather declared void by the courts.

It is possible that the hint of retaliating legal action against the city is an empty threat, being used as a scare tactic by both City Council and Centennial Properties.

Residents of the Quinpool Road area have indicated that they intend to involve themselves in the upcoming municipal elections. What is needed is a Council which has ideas and plans for the development of the city more in accord with those of many residents and businessmen.

Concerned Haligonians can help to continue the battle to stop the Quinpool Road project by sending financial donations to Quinpool Road Appeal Committee, c/o Marg Doane, Treasurer of Ward II Council, 1682 Vernon Street, Halifax. This money will help to cover the legal costs.

## PARKS IN DANGER

### -MAPC's proposed parks must be protected

The failure of the provincial and municipal governments to safeguard MAPC's proposed parkland areas from development activities will soon make the plan obsolete, if it is now implemented in the very near future. Two of the seven proposed parkland areas are already in actual or immediate danger of being irreparably damaged from development - Sandy Lake, by a milk processing plant, and Cole Harbour, by several housing developments within its watershed area.

### Muddy water and noise

Sandy Lake has been heavily silted by the land-clearing operations of Twin Cities Dairy; and if the effluent from their waste treatment system is discharged into the lake, chemical and thermal pollution is almost certain to result. Even if the effluent is diverted to a more suitable reservoir, few people will want to use the area for recreational purposes because of the noise from the plant and the muddy water caused by siltation.

In the Cole Harbour area, tentative approval has been given to a 175-lot subdivision in Lawrencetown for the Dartmouth Credit Union and preliminary approval for road layouts for the adjacent Lawrencetown village owned by Colt Developments. A third housing development in this area by Keltic Realty has now received tentative

approval from the County Planning Board. If all these projects are approved, it is estimated that eventually the area will house more than 15,000 people.

The adverse effects of such a massive development on the wildlife and recreational assets of Cole Harbour could be enormous. A heavy discharge of silt into Robinson's Brook and Little Salmon River during the construction stage would severely damage the delicate ecology of the tidal marsh. Since the developments will house many thousands of people, a central sewage system will, at some point, need to be installed. If the sewage goes into Cole Harbour, the recreational value of the area will be lost. According to a report in 1970 by the Task Group on Water Supply and Waste Disposal, Cole Harbour "is not a suitable receiving water body for long term discharge of effluent from a secondary or tertiary sewage treatment plant". The sluggish flushing action of Cole Harbour requires several tidal cycles for even the present sewage outfall to be cleared from the Harbour.

### Blatant lack of planning

Both Sandy Lake and Cole Harbour are blatant examples of the lack of planning which so often accompanies development in the County. In areas that are not zoned, or where a regional development plan is not in effect, the municipality has virtually given the go-ahead to developers, regardless of what effects the development will have on the environment. Usually the adverse effects of such developments are not even determined prior to the granting of approval.

It is just this sort of bad planning which has permitted Sandy Lake to become developed and which now threatens the natural and recreational areas of Cole Harbour. The apparent inability of the municipality to stave off developers necessitates immediate intervention by the provincial government. The province must protect these areas from development activities now, either by purchasing the property, as recommended by MAPC, or by declaring the proposed parkland areas a Special Development Control Area under the Planning Act.

Since the housing developments proposed for the Cole Harbour Watershed area are outside the boundaries of the proposed parkland, but close enough to be hazardous to the wildlife and recreational aspects of the Harbour, this area should also be designated a Special Development Control Area until a detailed Municipal Development Plan of the area is established, or the adverse effects of the development determined.

Public support for provincial intervention has been mounting in recent months. Petitions have been presented to the Department of the Environment and the Department of Municipal Affairs; numerous letters have been sent to the government by concerned citizens.

### Dartmouth City Council backs MAPC

In April, the Dartmouth Lakes Advisory Board make a motion that Dartmouth City Council encourage the Regional Authority to take steps to assure public acquisition of the seven areas designated by MAPC for use as parkland. On May 8 1974, Council readily adopted the motion. The press and radio have also been widely used by citizens in an effort to encourage government to safeguard the proposed parkland areas from development activities. The people of Nova Scotia obviously want these areas to be kept in their natural condition. It is time the government recognized this and acted accordingly.



# MAMMOTH SHOPPING COMPLEX FOR SPRYFIELD

Sobey's proposed Northwest Malls, a 410 acre shopping-centre-residential complex slated for Spryfield may turn out to be another 'Quinpool Road'. The complex is larger than any Halifax has experienced, and it has many Spryfield residents deeply concerned.

## Recreational areas will be lost

The proposed location is at the junction of the Herring Cove Road and the Williams Lake Road, stretching from Colbart Lake to Flat Lake. Construction of the shopping centre will necessitate paving over one of Spryfield's too few playgrounds (the Hartland Playground), and land that is now used for hiking, hunting, and fishing is planned for high density residential development, some 8,500 units.

The implications of a development of this magnitude are enormous. The Herring Cove Road is congested now - imagine what an additional 10,000 cars each morning and evening will mean. And what about all the basic social services Spryfield is lacking even now? The existing public transit system is entirely inadequate; many communities have yet to be hooked up to the city's sewer and water system; and according to the city's own statistics, Spryfield lacks close to 800 acres of required public space (recreational lands). Permitting another massive development to be built in Spryfield can only compound the problems which already exist.

## Planning Department overlooked

This kind of situation - where development is considered with no regard at all for planning - happens far too often. At the Planning Appeals Board hearing of the Quinpool Road Project last August, Carl Sustar, one of Planning Department's leading planners, testified that while "planning as a process is interrelated with development", to his knowledge his department had not been consulted on the proposed Quinpool Road project and he himself was not familiar with any of the details of the project.

The City Planner went on to say that "as the city is presently operating, the Development Department is making the planning decisions, and although the Planning Department should have been consulted, it was not".

The city's Social Planning Department is also overlooked when developments are being discussed. At the same hearing, the city's head Social Planner, Harold Crowell, testified that the population density proposed for the Quinpool Road project was far too high; he commented at some length on the social problems which one might expect to occur if the high density were retained.

But the opinions of the city's social planners and urban planners were not included in the staff reports received by City Council several months earlier, at which time, the aldermen gave the project approval "in principle". In Halifax, it is the developers and the Development Department who control the game. The developers present their proposals to the Development Department, who compose a staff report and give it to Council who then vote on the project. (Where a zoning change is required, a public hearing is held, of course, but it is seldom that the residents in the area concerned can obtain very much information about the proposed development.) Rarely do either the Planning or Social Planning Departments have any substantial input on a particular development's implications.

## Spryfield lacks basic services

It is essential that all staff reports on the Northwest Malls project contain input from the Planning and Social Planning Departments. They know the problems that Spryfield residents are facing now. They know that Spryfield lacks a public transit system, adequate sewage and water facilities, sufficient recreation, and medical services. And they know that if an additional 8,500 units are constructed at this time, the people living in Spryfield now will have to wait many more years before their basic needs are met.

# WASTE WATCHERS CONCERNED -N.S. fails to ban non-refillables

This has been a bad year in Nova Scotia for garbage. Twin Cities Dairy in Halifax announced in the fall of 1973 a plan to completely phase out returnable milk bottles in favour of non-refillable milk cartons and plastic pouches. Dominion Stores announced in May that they intend to eliminate refillable soft drink containers from their shelves except for their own "in-house" brand.

The worst blow, however, is a statement by the Nova Scotia Department of the Environment in mid-May that the N.S. government will not ban non-refillable containers or restrict them in any way. The only measure foreseen by the Minister of Environment, Glen Bagnell, is to insist that refillable soft drink containers be stocked in every store. This will effectively reverse Dominion's decision, if and when the province brings in the legislation; however it will not seriously curtail the trend toward non-refillables.

Four other provinces - British Columbia, Alberta, Saskatchewan, and Prince Edward Island - have taken much stronger steps to decrease the use of non-refillables. P.E.I. and Saskatchewan have banned some containers, and the other two provinces have put a deposit with a guaranteed refund on all soft drink containers. The deposit system, although a more indirect and less complete method of attacking the problem than an outright ban, has, in Alberta, virtually eliminated non-refillable bottles and decreased the use of cans.

The chief reason for Nova Scotia's reluctance to move against non-refillables is that 65% - 70% of the production of Atlantic Cans Ltd. in Dartmouth is non-refillable soft drink and beer cans. This amounts to 25 of the firm's 34 employees.

New Brunswick has taken a similar stand because Ahlstrom Canada Ltd. in Scoudouc, near Moncton, produces non-refillable bottles.

Unless alternative production could be arranged, the shut-down of these two plants would be a very visible result of a ban. But it is estimated that a minimum of 100 new jobs would be created in the 15 soft drink bottling plants in Nova Scotia if a ban were instituted.

If non-refillables increase their share of the market, which will probably happen in the absence of effective legislation to stop them, jobs presently available in the bottling plants will decrease over the years, and some bottling plants will close as the bottling system becomes more automated and centralized.

In terms of solid waste management, energy waste, litter, employment, and costs to the consumer, refillable containers are overwhelmingly preferable. If you wish to help reverse the trend to non-refillables in Nova Scotia, contact Brian Gifford at the Ecology Action Centre.

To express displeasure about Dominion Stores' move, the complaint forms available in each store should be used.