

CHEBUCTO COMMUNITY COUNCIL

MINUTES

NOVEMBER 5, 2001

THOSE PRESENT: Councillor Stephen D. Adams, Chair
Councillor Dawn Sloane
Deputy Mayor Jerry Blumenthal
Councillor Diana Whalen
Councillor Russell Walker
Councillor Linda Mosher
Councillor Sue Uteck

ALSO PRESENT: Barry Allen, Municipal Solicitor
Grace Ho, Planner
Gary Porter, Planner
Bernard Moe, Planner
Steven Higgins, Development Officer
Sandra Shute, Assistant Municipal Clerk

Regrets: Councillor Sheila Fougere

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Councillor Sloane - Agreement to allow two speakers under 11.3

MOVED by Councillor Walker, seconded by Deputy Mayor Blumenthal to approve the Order of Business as amended. MOTION PUT AND PASSED.

5. **BUSINESS ARISING OUT OF THE MINUTES**

5.1 **Status Sheet Items**

5.1.1 Improvements to Kearney Lake Road at 102

Councillor Whalen advised that a meeting of the Joint Transportation Committee will be held this week at which time this matter will be brought up on the Agenda. Concerns have been raised by residents about the danger in making a left hand turn at the bottom of the ramp.

5.1.2 1079 Queen Street - Safety Features

No report received as yet.

5.1.3 Feasibility of Zoning CN and DND Lands Residential or Recreational

An Information Report dated October 15, 2001 was before Community Council.

Councillor Uteck noted that nowhere in the report has the Beaufort Avenue area been mentioned which is part of recreation trails. She hoped this area would be considered in any future reports to come from staff.

Councillor Walker requested that a report come back once staff has completed its review but that it should come back in a timely fashion, without the excuse that Community Council has added a further request which would hold up the report.

5.1.4 Community Planning for Mainland South

The process will be getting underway in the near future.

6. **MOTIONS OF RECONSIDERATION** - None

7. **MOTIONS OF RESCISSION** - None

8. **CONSIDERATION OF DEFERRED BUSINESS** - None

9. **PUBLIC HEARINGS**

9.1 **Case 00357 - Application for an Amendment to the Existing Development Agreement for a Renovation and an Addition to the Existing House and Day Care at 9 Tremont Drive, Halifax**

A Staff Report dated September 10, 2001 was before Community Council. Grace Ho, Planner provided an overview of the application with the aid of overheads. During the course of her presentation, she advised originally there had been an application to not only renovate and build an addition onto the house but also increase the number of children in the day care from 30 to 40. As a result of neighbourhood concerns, however, the applicant revised the application and is no longer seeking to increase the number of children. The application, therefore, is for an addition and renovation of the existing house at 9 Tremont Drive. The existing Development Agreement for the property was approved in 1980 and subsequently amended to permit the number of children to the current number. An amendment to the Development Agreement is necessary this time because the footprint, as a result of the renovation and addition, will be substantially different from the original building plan which was attached to the original Development Agreement.

Councillor Uteck asked how many would be employed. Ms. Susan Bonang, the applicant, in response, advised there would be four full time employees and a couple part time.

The Chair called three times for speakers for or against the application. There were none.

MOVED by Councillor Sloane, seconded by Councillor Whalen to close the Public Hearing. MOTION PUT AND PASSED.

MOVED by Councillor Whalen, seconded by Councillor Mosher to approve the proposed amending agreement as provided in Attachment III of the Staff Report dated September 10, 2001; and

Require that the amending agreement be signed within 120 days, or any extension thereof granted by Community Council on request of the applicant, from the date of final approval of said agreement by Community Council and any other bodies as necessary, whichever is later, including any appeal periods. Otherwise, this approval shall be void and any obligations arising hereunder shall be at an end.

MOTION PUT AND PASSED.

9.2 **Appeal of the Development Officer's Decision to Approve an Application for a Variance - 3217-19 Connolly Street**

A Staff Report dated October 29, 2001 was before Community Council. Steven Higgins, Development Officer provided background information as to the Development Officer's decision to approve the variance and an overview of the Staff Report with the aid of overheads.

The Chair then called for speakers for or against this matter.

Mr. Stephen Furlong, 3211 Connolly Street, the appellant, raised the following points:

- The setback is 30" now, not counting the deck, which is being extended.
- Staff was not looking at it in the proper perspective as every house on that block has the same problem.
- He had no problem with the 1997 proposal to put a roof on but at that time they extended in the back section which is not covered in which is the section they are showing for the variance. All that existed there prior to 1997 was a shed. They extended the other side onto the street and came out with a patio door and deck which brought the house to 18" from his property line.
- With regard to the fence, he did not think it was accurate as on the other side of his property line, his fence was off by 3'.
- The 18" is misleading and does not take into account the overhang for the rest of the house. If it is squared off, there would be at least a foot overhang plus the gutter. That would mean being as close as 6".
- Most of the houses in the area have defective tile systems for drainage. His house takes water. He did not want to see anything closer to his house.

Councillor Sloane asked if it would be an internal addition. In response, Mr. Furlong advised they want to close the deck in and square it off.

The Chair then called three times for further speakers. There were none.

MOVED by Councillor Uteck, seconded by Councillor Walker to close the Public Hearing. MOTION PUT AND PASSED.

Councillor Whalen noted that there is only a drawing provided in the report of the one lot and it does not show how other lots on the street would be impacted. She stated she would like to see that in future reports.

Councillor Walker asked if the house was one or two stories and with regard to the shaded area on the map, asked if it was deliberately left out previously to meet guidelines.

In response, Mr. Higgins advised the house was two stories but the addition was for one. At the time the first addition was constructed at the rear of the home, around 1988, it was left out to meet the By-law requirements of the day. There are no records of a permit for the deck.

Councillor Mosher asked for further information on drainage, property lines and the need for a survey. In response, Mr. Higgins advised he could not comment on drainage issues. The notification area for variance appeals is 100'; therefore, staff was looking for criteria to assess whether or not the application is consistent with the area. There are 18 properties within the 100' radius. Four are of similar orientation with property lines. Survey is the only way to locate the property line, which is not required. There are location surveys on file for the 1988 variance in this case. He was satisfied the numbers are accurate.

Councillor Mosher asked, should Community Council agree with the Development Officer and the property line was not accurate but something was constructed, would it have to be removed. In response, Mr. Higgins advised the relaxation in the variance would stand but what would change would be from where it starts. There would be a problem at the time of issuance of the building permit.

Councillor Sloane asked for assurance about the boundary line. In response, Mr. Higgins advised that people are not required to provide a survey for every building permit application. If Community Council is not comfortable, the property owner could be instructed to have a survey done. He noted again the survey done for 1988 and circulated a copy of same.

Deputy Mayor Blumenthal asked if there have been any other letters for or against the variance other than Mr. Furlong's. The Clerk advised there had not been any received.

Councillor Walker asked if the property was a rental property. In response, Mr. Higgins advised he understood the owner did not live on site.

The Chair asked if the owner of the property was in attendance. The owner was not.

Mr. Higgins indicated that he understood the property was for sale as well. The application was originally the result of a condition of sale.

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Sloane to defer a decision for one month in order for staff to provide further information regarding boundaries since 1988, street line showing other properties. MOTION DEFEATED.

MOVED by Councillor Walker, seconded by Deputy Mayor Blumenthal to overturn the decision of the Development Officer and refuse the variance.

Councillor Uteck asked if it was necessary to provide reasons for the refusal.

Mr. Barry Allen, Municipal Solicitor advised that Community Council is not obligated to answer. Community Council could keep silent or give reasons.

Councillor Walker noted that the applicant could always reapply at a future date. But, as to reasons, it was in the shaded area where a deck was built without permit, an addition was put on the house with a jog and now they want to take the jog out, the neighbours have expressed concern and provided good reasons not to allow the variance.

Councillor Sloane added she was concerned that it was too close to the line and there was question as to where the line actually is.

Councillor Mosher noted Mr. Furlong's concern regarding drainage. Should Community Council approve the variance, then the Municipality may be faced with a civil matter.

MOTION PUT AND PASSED.

9.3 Appeal of the Development Officer's Decision to Refuse an Application for a Variance - 6319 Cornwall Street, Halifax

A Staff Report dated October 29, 2001 was before Community Council. Steven Higgins, Development Officer provided an overview of the report and the reasons the variance application had been refused.

An e-mail from Michael and Suellen Bradfield, 6324 Cornwall Street in support of the Development Officer's decision to refuse the variance was received.

Deputy Mayor Blumenthal asked for information on staff's "slight error" which Mr. Allen Offman referred to in his letter. Mr. Higgins provided the information requested.

Councillor Uteck asked for confirmation that the request was for an internal conversion. Mr. Higgins confirmed same.

The Chair then called for speakers for or against the application.

Mr. Allen Offman, the appellant and owner of 6319 Cornwall Street raised the following points:

- When he talked to staff on numerous occasions, the only question was the sideyard clearance; he had 5' but 6' was required. Based on that, he proceeded with three units.
- The Minor Variance application was made on August 28, 2001 and a permit issued for two units. It was not until September 19, when he contacted staff, that he found out there was a problem with square footage.

- He felt there was misinformation received from staff and if he had known the full picture, he might have approached the project differently.

The Chair called three times for additional speakers for or against the application. There were none.

MOVED by Councillor Sloane, seconded by Deputy Mayor Blumenthal to close the Public Hearing. MOTION PUT AND PASSED.

MOVED by Councillor Uteck, seconded by Councillor Sloane to overturn the Development Officer's decision and allow the variance.

Councillor Uteck stated she made the motion because Mr. Offman's plan was contingent on the third unit and there seemed to be confusion on staff's part. This is an internal conversion and will not impact greatly on the neighbourhood as far as the footprint of the building is concerned.

Deputy Mayor Blumenthal asked how many people in the area were sent notification. In response, Mr. Higgins advised that 18 letters were sent.

MOTION PUT AND PASSED.

10. **CORRESPONDENCE, PETITIONS AND DELEGATIONS** - None

11. **REPORTS**

11.1 **Case 00356 - Amendments to the Stage I and II Development Agreements for Langbrae Gardens Subdivision, Phase 2D**

A Staff Report dated October 25, 2001 was before Community Council.

MOVED by Councillor Whalen, seconded by Councillor Walker to give Notice of Motion to consider an application by Angela and Scott Bryant to amend the Stage I Development Agreement for Langbrae Gardens, Phase 2D and schedule the Public Hearing for December 3, 2001. MOTION PUT AND PASSED.

11.2 **Case 00380 - Application to Discharge a Stage II Development Agreement for an Office Building and Enter into a New Stage II Development Agreement to Permit a Multiple Dwelling Unit Residential Building on Block BC-1, Clayton Park West**

A Staff Report dated October 25, 2001 was before Community Council. Bernard Moe, Planner provided an overview of the application. Staff was recommending discharge of the existing Development Agreement and approval of a new Development Agreement.

Mr. Dan Goodspeed, Kassner Goodspeed Architects raised the following points on behalf of the application:

- His clients indicated there was approval for 80 two-bedroom equivalents - 180 people; however, there is an awareness that Clayton Park is not well served in terms of smaller units. His clients were interested in a configuration that would generate a larger number of smaller units.
- His company came up with a scenario that provided for 99 units - 179 people.
- Just recently, the Planner indicated that the Stage I Development Agreement has a suggestion that the variance could not be more than 20%, which would equate to 96 units. It was too late to do anything about it and, as well, economics dictates repetition of floor patterns. As a result, the application comes forward with this issue.

As a result of questions from Councillors, Mr. Goodspeed added the following information:

- If they had to drop to 96 units, they would have to put some smaller units into larger units. It would have no impact on the overall size of the project. It would mean dealing with the same population.
- The building will be concrete, not wooden.
- There is a seventh level for the penthouse, which is less than 10% of the other six.

As a result of questions from Councillors, Mr. Moe provided the following additional information:

- There is provision to have erosion and sedimentation control and storm water management in place before getting development permits. It will be monitored by the Development Officer on advice of Engineering department.
- He indicated the limit of site disturbance and how many trees would be retained on the site.

With regard to a question from Councillor Whalen as to why there was a change proposed from commercial/office at this major intersection, Mr. Curt McCulloch, Fairwyn Developments advised that they were unable, after about two years, to find a market for commercial.

Councillor Whalen, referring to the issue of 96 versus 99 units stated that even though the proposal was for bachelor versus one or two bedrooms, assuming one person for bachelor, she still questioned whether or not there would be fewer people in bachelor apartments. As well, density and the propensity of apartment buildings were an issue in the area. She, therefore, would like to go with 96 units.

MOVED by Councillor Whalen, seconded by Councillor Mosher to:

- 1. Discharge the existing amending Stage II Development Agreement for an office building on Block BC-1, Clayton Park West dated April 28, 2000 between the Shaw Group Limited and Halifax Regional Municipality, filed at the Registry of Deeds in Document Number 12775, Book 6555, pages 1021-1029, and approve a new Stage II agreement to permit the construction of a multi-unit residential building on Block BC-1, Clayton Park West as set out in Attachment 1 of the Staff Report dated October 25, 2001 with the limitation of 96 units;**
- 2. Require the agreement be signed within 120 days or any extension thereof granted by Community Council on request of the applicant from the date of final approval by Community Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.**

MOTION PUT AND PASSED.

11.3 Case 00318 - Request for an Amendment to the Halifax Municipal Planning Strategy and Land Use By-law and Development Agreement - Robie/Cunard/West Street

A joint Public Hearing with Regional Council was held on October 9, 2001 at which time Regional Council approved the amendments to the Halifax Municipal Planning Strategy and Peninsula Halifax Land Use By-law.

A Memorandum dated October 29, 2001 was before Community Council along with a draft Development Agreement.

Mr. Gary Porter, Planner advised that it was now up to Community Council to make a decision regarding the Development Agreement. He advised that staff supported all the amendments to allow for the building except that the building should be only four floors on the West Street corner, which would mean the reduction of three units. The reason staff was recommending four stories on the West Street corner is because most of the homes on West Street are two stories. There is one three-storey house. Staff felt that four stories would be a better fit.

Councillor Uteck asked if shadow studies were done. In response, Mr. Porter advised that shadow studies were done by the architect but he had also done some work in this regard.

Councillor Uteck stated further that she was particularly interested in the impact relative to the MacDonald building and whether or not the new building would impact further.

At this time, Mr. Porter showed the shadowing effects of the proposed building on the West Street neighbourhood for December 21, March 21/September 21 and June 21. The shadow studies showed that there would be some effect on 5864, 5868, 5870 and 5872 West Street at certain times of the year. The property at 5872 West Street, being the closest to the subject property, would be affected the most while the property at 5864 West Street would be affected the least.

Comparison was made to shadows from potential as-of-right buildings on the subject property. In terms of difference, it was noted that, on days when shadows fell on any of the above properties, at certain times during such day, greater shadows would be experienced from the proposed apartment building while at other times greater shadows would be experienced from potential as-of-right buildings. Mr. Porter responded to a number of questions.

Taking all variables into consideration, Mr. Porter suggested that the overall shadowing effects of the proposed building on the West Street neighbourhood would be marginally greater than what might be expected from potential as-of-right buildings on the subject property.

Deputy Mayor Blumenthal asked what was staff's main purpose for wanting four stories, not five. In response, Mr. Porter advised it was the scale of the street, not shadowing.

Recognizing that Community Council had agreed to hear from two speakers earlier in the meeting, the presentations took place at this time.

A letter dated November 5, 2001 from Joanne McKenzie and Brian Samson was also before Community Council expressing concern that a five storey building will block their sunlight.

Ms. Margaret Murphy, 5868 West Street raised the following points:

- Over the last few years, she has been consistent with her concern about the building when in attendance at public meetings.
- She was concerned with the West Street streetscape. With the exception of the buildings on either end, most of the residences are two storey and approximately 22' in height.
- Scale and mass of a building were important. The developer's proposal for 53' is too high for the neighbourhood.
- A change from five stories to four stories is a difference of three units, not much considering the overall effect.
- The shadow will have an effect on her property mid afternoon in the spring and late afternoon in the summer.
- Her viewplane looking at the junction of Cunard/Robie and beyond to Robie Street will be lost.

- She was concerned with integration of the new development into the established community. A building five stories high will stick out.

Mr. Michael LeBlanc, Boyne Clarke raised the following points on behalf of the developer:

- The developer has attempted to meet the needs of the residents of the area in order to best serve the community and the developer's own needs.
- Part of the original plan was a wooden structure that would accommodate as many units, if not more. Because the residents expressed concerns about parking, a subsequent proposal meant a concrete building with two floors of parking. There are now 52 parking spaces proposed underground and seven external parking spaces for visitors.
- HRM indicated an interest in purchasing a portion of the property on Robie Street to accommodate future street widening which further shrunk the area of the lot and affects the number of units and the way the building would be constructed.
- Representatives from the community development association indicated their approval for the project.
- He recognized Ms. Murphy's concerns but the developer has not been able to satisfy Ms. Murphy to the extent that other residents have been satisfied, including Mr. Johnson, who would be more affected by shadowing than Ms. Murphy.
- The number of units in question might be only three, but they represent \$12-1500 per unit monthly which is a significant amount of money. The property was very expensive to acquire.

Mr. Doug Miller, Miller Group Architects raised the following points on behalf of the developer:

- To accommodate the residents and sell a portion of land to HRM put pressure on the site and it had to be pushed back which created a shadow.
- The developer has made plans for the visitor parking spaces as requested.
- With regard to shadowing, there is much more impact from the MacDonald building and the mature trees.
- The project fits in better than the Staff Report suggests. The fit works comfortably as an important corner signature building, in transition with the scale.
- He agreed that the Johnson house was higher than the rest of the neighbourhood and was an important site.

In response to Councillors' questions, Mr. Miller also provided the following information:

- If four stories were approved rather than five, the building would not have to be redesigned. There is a stairwell at either end and a corridor to reach the stairwell to the floor below.

- As to the total number of units, there would be two units less on the ground floor - one for the lobby entrance and one where the garage door opens to the basement. This means 49 units.
- There would be a blank wall if the building went to four stories.

Councillor Sloane recognized the developer's efforts to work with the residents and the changes the developer made to accommodate them. She pointed out that Ms. Murphy's property is being affected by shadowing.

MOVED by Councillor Sloane, seconded by Councillor Walker to approve the Development Agreement, attached as Appendix "B" to the August 29, 2001 Staff Report with the condition that the building be no more than four stories on West Street and contain a maximum of 46 units;

Further, require that the Development Agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Council and any other bodies as necessary, whichever is later; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

Councillor Uteck advised she understood the concerns of the neighbourhood but felt the developer has gone a long way to satisfy their concerns. She was satisfied with the information provided by Mr. Porter. She could not support the motion.

Councillor Mosher also indicated she could not support the motion. She thought it was an excellent development and would be a win-win situation.

MOTION DEFEATED.

MOVED by Councillor Sloane, seconded by Deputy Mayor Blumenthal to approve the Development Agreement, attached as Appendix "B" to the August 29, 2001 Staff Report;

Further, require that the Development Agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Council and any other bodies as necessary, whichever is later; otherwise, this approval will be void and obligations arising hereunder shall be at an end. MOTION PUT AND PASSED.

12. **MOTIONS** - None

13. **ADDED ITEMS**

13.1 **North West Arm Ferry**

Councillor Mosher provided information on a trial run which recently took place for ferry service across North West Arm.

MOVED by Councillor Mosher, seconded by Councillor Uteck that appropriate staff be requested to provide a report on the feasibility of providing a ferry service from Purcells Cove to Peninsula Halifax, modeled after the existing service for Halifax Harbour. MOTION PUT AND PASSED.

13.2 **Issue of Community Councils**

Councillor Mosher advised that she brought a Notice of Motion to Regional Council to delete Districts 11, 12, 13 and 14 from Chebucto Community Council and create Peninsula Community Council for these Districts. She indicated that Councillors might wish to comment on this issue at this meeting and, as well, she received a letter from William Phillips, one of her constituents, recommending that Chebucto Community Council revert to its original format. A copy of this letter was circulated to Community Council members.

Councillor Uteck stated that when she made the motion for the districts on the Peninsula to become part of a Community Council, she also asked for a Staff Report about the cost implications of staff time versus public participation and that she had proposed a trial period of one year.

Discussion took place on the pros and cons of Community Councils. Subsequently, it was agreed that a report should be available for Regional Council when Councillor Mosher's Notice of Motion is considered.

13.3 **Hardman Group Request for a Pedway**

Councillor Mosher indicated that the Hardman Group has approached Councillors regarding the possibility of a pedway to connect 2750 Dutch Village Road and the Maritime Life building. Councillor Mosher indicated she did not support this proposal.

13.4 **Extending Public Participation - District 16**

Councillor Whalen requested a staff report, looking at options, for public input on planning issues and applications for District 16. She requested that the report include: the various mechanisms for seeking public input through area specific planning committees, planning

advisory committees and how such committee(s) would be structured. She requested that staff also include in the report information on consideration of the feasibility of a staff task force to be formed to provide high level and specific advice on planning matters in District 16 in the absence of a Planning Advisory Committee.

MOVED by Councillor Whalen, seconded by Councillor Mosher that a Staff Report be requested as outlined above. MOTION PUT AND PASSED.

13.5 Use of 2750 Dutch Village Road

Councillor Walker expressed concern that Community Council will not be able to meet at this location soon because the building is being sold.

The Clerk and Mr. Porter provided information as to the status of meeting locations at this time.

MOVED by Councillor Walker, seconded by Councillor Mosher to direct appropriate staff to arrange for a tour of the Keshen Library for appropriate support staff and identify alternate locations for meetings in the event that the Keshen Library is not an appropriate location for Community Council to meet. MOTION PUT AND PASSED.

14. **NOTICES OF MOTION** - None

15. **PUBLIC PARTICIPATION**

Ms. Tanya Lee, Jubilee Road raised the following issues:

- Road classification in the former City of Halifax.
- Implications of the draft Regional Interim Transportation Study.
- Category of road called "Major Collector".
- The draft study should be withdrawn/amended to conform with Traffic Association of Canada guidelines.
- To reclassify a street, there should be a demonstrated change in land use. with a full public hearing and justification of why it is necessary.
- The public does not understand that city streets have been reclassified.
- With regard to Jubilee Road, there is a clause in the Municipal Development Plan that says the city shall discourage the use of Jubilee as a major thoroughfare. To contravene that law, there are penalties.
- Traffic Authority has funneled 20,000 cars a day down Jubilee in blatant contravention of the law.

- Jubilee should not be an arterial road and, if it were, there should be a public hearing.
- The clause in the Municipal Development Plan says "shall".

Mr. Hiram Tiller, 4 Thackeray Close raised the following points:

- He forwarded a letter on November 2, 2001 to Alan Taylor, Traffic and Transportation regarding traffic calming on Bayview Road and copied all Councillors.
- Although improvements are taking place on Lacewood Drive, it is unfortunate that monies could not be allocated for sidewalk in the Business Park. People will still have to walk on the side of the road or in the road in order to get to the Business Park, not an Industrial Park.
- The power line walking trail goes from Main Street down to Kearney Lake Road and crosses Lacewood, Radcliffe, Langbrae and Farnham Gate. He asked for a crosswalk across Radcliffe at the power line and erection of a few signs. He indicated that staff have previously done studies in this area but the counts did not warrant it.
- Speed on Lacewood Drive was increased two years ago from 50 to 60 km/h just after the crosswalk. The new Library is now open with increased traffic in the area. 60 km/h is too fast. He asked that the 60 km/h sign be taken down.
- He asked when lights at Parkland would be installed.
- He asked if the province has turned over the lights at the 102 to HRM and, if so, have the traffic lights been synchronized with the HRM lights at Home Depot.

It was agreed to request a report in this regard.

Mr. Bob Zinck, Doull Avenue raised the following points:

- In May, 1999 he expressed concern at Community Council regarding a proposed connector road between North West Arm Drive and Fairmount subdivision. Subsequently, a report was received from staff indicating that plans to extend Doull Avenue are on hold. Just recently, it appeared that development in the area will take place and the connector road could go forward. He asked what was the situation at this time.

In response, Councillor Mosher provided information on tests sites, the fact there is a proposal for R-1 lots in the area but no move for a collector road at this time. She indicated she would be putting out a Newsletter shortly and would address concerns of the residents at that time.

- He referred to the Waste Management newsletter circulated to households recently. He stated there was not enough opportunity for people to drop off hazardous waste.

It was agreed to ask for a report regarding the hours of operation for dropping off hazardous waste.

Mr. Gerald Saunders, 7 Milsom Avenue reiterated concerns regarding a proposed connector road for Fairmount subdivision, potential short cutting and advised there is an active Homeowners Association.

Councillor Mosher, in response, advised that it is unfortunate that rumors have started and are not based on fact. Any development would be as of right. She planned a meeting in the community but could not confirm a date at this time.

Mr. Mike Willett, Clayton Developments raised the following points:

- Clayton Developments was not part of any development proposal in Fairmount Subdivision.
- With regard to lights at Parkland Drive and Regency intersection with Lacewood, he understood that as part of the Home Depot development, lights would be installed simultaneously. Clayton Developments has tried to get a status report from Traffic. He asked that HRM live up to its part of the agreement and install the lights. In addition, Clayton Developments has committed to half the cost of the balance of light installation up to \$50,000 and he found it amazing that no one has taken them up on it.
- With regard to public participation proposed by Councillor Whalen, he advised there is quite a bit of public participation required by law in the Municipal Planning Strategies and in normal procedures carried out by staff. From the developer's point of view, this would mean another layer of public meetings, with no defined ending. A Planning Advisory Committee was not an elected body. He provided information on what had transpired in the Morris Lake area some time ago as far as Clayton Developments was concerned.

16. **NEXT MEETING DATE** - December 3, 2001

17. **ADJOURNMENT**

On a motion from Councillor Mosher, the meeting adjourned at 10:05 p.m.

Sandra M. Shute
Assistant Municipal Clerk