



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

ITEM 10.1.5

**Harbour East Community Council
March 3, 2011**

TO: Chair and Members of Harbour East Community Council

SUBMITTED BY:

A handwritten signature in black ink, appearing to read "Paul Dunphy".

Paul Dunphy, Director of Community Development

DATE: January 5, 2010

SUBJECT: Case 15787 – Russell Lake West Amending Agreement

SUPPLEMENTARY REPORT

ORIGIN

An application by Clayton Developments Ltd., to amend the Dartmouth Municipal Planning Strategy (MPS) and the Russell Lake West development agreement in order to permit changes to the layout and mix of land uses in Blocks F, G, H and J as well as a minor increase in density.

On December 7, 2010 Halifax Regional Council approved the proposed amendments to the Dartmouth MPS. The approved amendments have come into effect pursuant to the HRM Charter and Harbour East Community Council (HECC) may now consider the proposed amendments to the Russell Lake West development agreement, as set out in Attachment A.

RECOMMENDATION

It is recommended that Harbour East Community Council:

1. Approve the proposed amending agreement for Russell Lake West, as set out in Attachment A of this staff report.
2. Require the agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND/DISCUSSION

On December 7, 2010 Regional Council and HECC held a Joint Public Hearing to consider amendments to the Dartmouth MPS and Russell Lake West development agreement within several undeveloped parcels adjacent Basswood Run (Maps 1 – 5).

Following the Joint Public Hearing, Regional Council approved the following amendments to the Dartmouth MPS:

- 1) The maximum density permitted on Block G/Parcel 8 was increased from 15 units/acre to 16 units/acre;
- 2) Multi-unit buildings were permitted on a portion of Block H fronting on Basswood Run at a height not to exceed 6 floors above underground/inside parking; and
- 3) Community Council may permit the redistribution of a limited number of units between Blocks G and H by development agreement, provided that the aggregate number of units permitted on both blocks does not exceed the maximum permitted by policy.

The MPS amendments were reviewed by Service Nova Scotia and Municipal Relations and notice of their adoption has been advertised pursuant with the requirements of the HRM Charter. HECC may now consider the following amendments to the Russell Lake West development agreement, as illustrated on Map 4, which had been considered at the Joint Public Hearing but could not be decided upon until the MPS amendments came into effect:

- 1) **Blocks F and J:** The layout and unit type change from 128 multiple dwelling units and 22 townhouse units to 30 single unit dwellings, which is enabled by Policy ML-18 (i);
- 2) **Block G:** Block G is brought into the existing development agreement and may be developed with multi-unit buildings not exceeding a density of 16 units per acre, in accordance with the amended MPS policy discussed above;
- 3) **Block H:** The two multi-unit buildings previously permitted on Block F are relocated to Block H and limited to a maximum height of 6 floors above underground parking and 132 dwelling units, in accordance with the amended MPS policy discussed above; and
- 4) **Unit Distribution:** The proposed development agreement would permit the redistribution of a maximum of 10% of dwelling units between Blocks G and H provided that the total number of units is not increased.

Staff are of the opinion that the proposed amending development agreement is consistent with the intent of the Dartmouth MPS (Attachment B), including the amendments adopted by Regional Council on December 7, 2010, and recommend that HECC approve the proposed amending development agreement set out in Attachment A of this report.

BUDGET IMPLICATIONS

There are no budget implications. The Developer will be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this Agreement. The administration of the Agreement can be carried out within the approved budget with existing resources.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was 'consultation', achieved through a Public Meeting held on May 10, 2010. A Joint Public Hearing was also held by Regional Council and HECC on December 7, 2010 to consider the proposed MPS and development agreement amendments.

Notices of both the Public Meeting and Joint Hearing were posted on the HRM website, in the newspaper and mailed to property owners within the notification area illustrated on Map 2. Minutes from the Public Meeting are included as Attachment C.

The proposed MPS amendments and development agreement will potentially impact the following stakeholders: local residents and property owners.

ALTERNATIVES

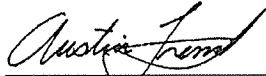
1. Council may choose to approve the proposed amending agreement for Russell Lake West. This is the staff recommendation for reasons set out in this report.
2. Council may choose to approve the proposed amendments to the proposed amending agreement subject to changes. This could necessitate additional discussion with the Developer and may result in the requirement for an additional Public Hearing.
3. Council may choose to refuse the proposed amending agreement for Russell Lake West, and in doing so must provide, and in doing so Council must identify reasons based on conflicts with MPS policy. This course of action is not recommended as staff is of the opinion that the proposed amending agreement is consistent with the intent of the Dartmouth MPS for development of this section of Russell Lake West.

ATTACHMENTS

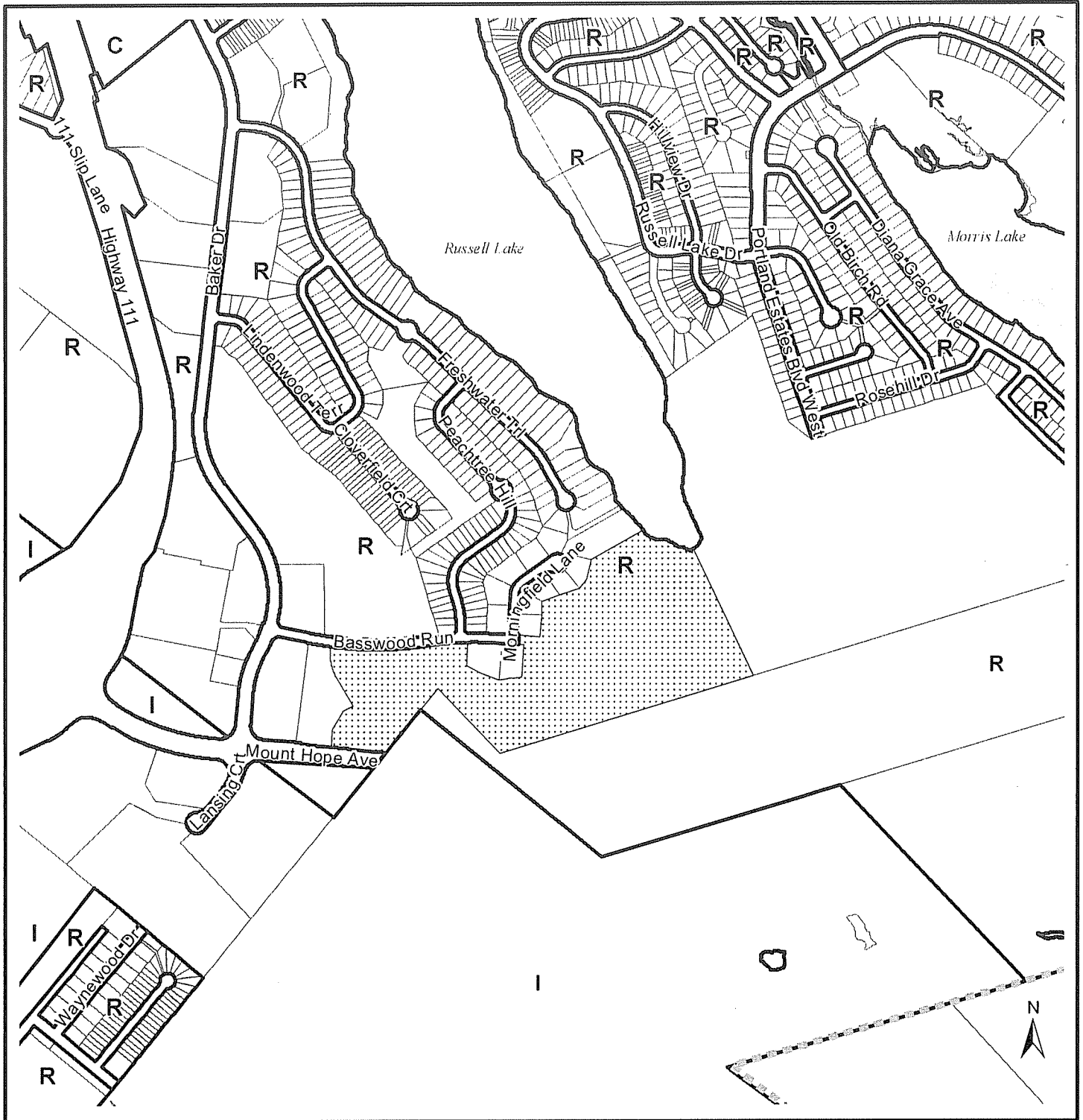
Map 1	Generalized Future Land Use
Map 2	Zoning and Notification
Map 3	Existing Land Use Plan
Map 4	Proposed Land Use Plan
Map 5	Morris – Russell Lake Secondary Plan
Attachment A	Proposed Amending Development Agreement
Attachment B	Excerpts from the Dartmouth MPS
Attachment C	Public Meeting Minutes

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.



Report Prepared by: Joseph Driscoll, Senior Planner, 490-3991



Report Approved by: Austin French, Manager of Planning Services, 490-6717



Map 1 - Generalized Future Land Use

-  Subject Property
-  Plan Area Boundary

- Designation**
- R Residential
 - I Industrial
 - C Commercial

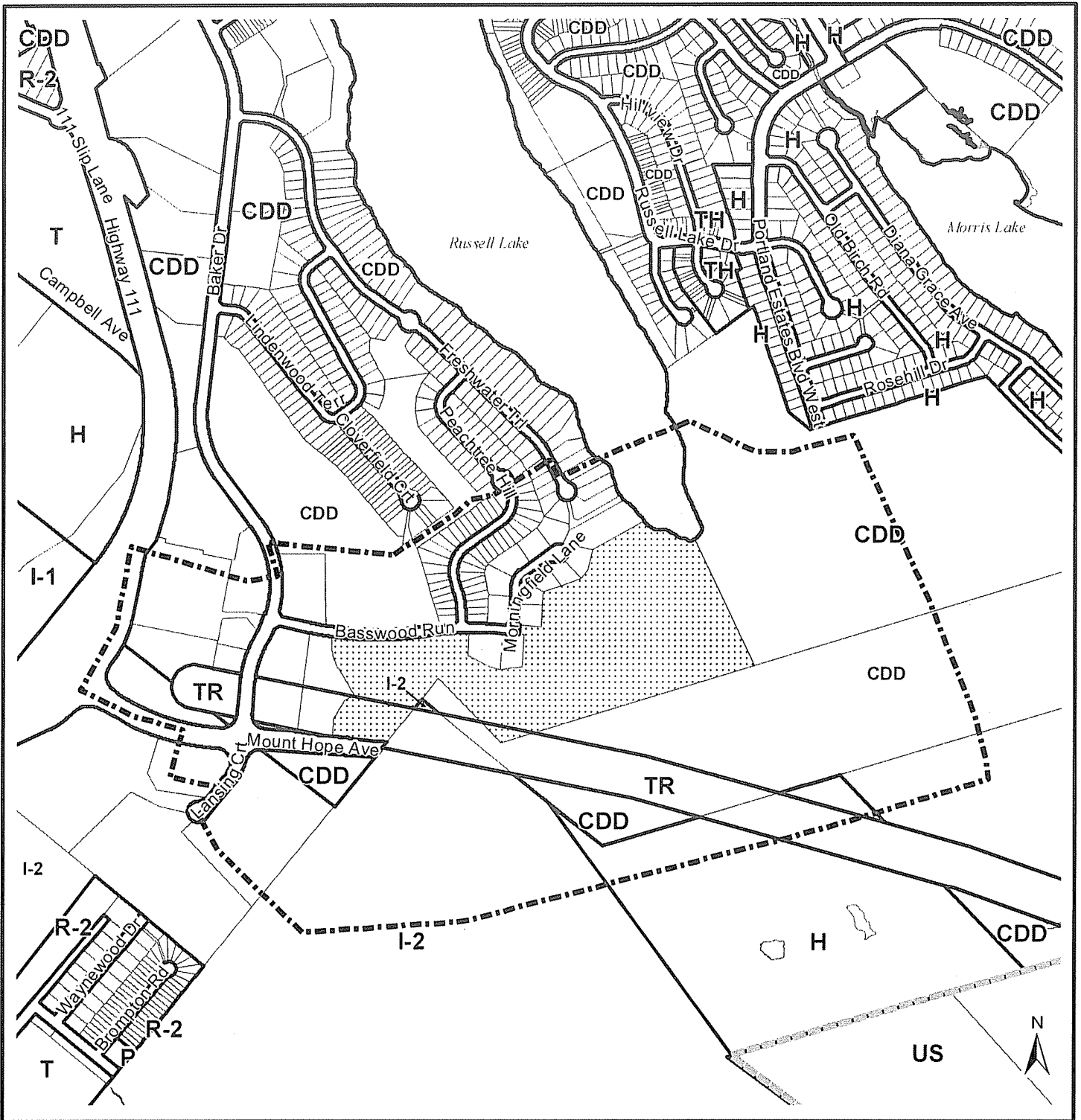
HALIFAX
 REGIONAL MUNICIPALITY
 COMMUNITY DEVELOPMENT
 PLANNING SERVICES






This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the Dartmouth Plan Area.

HRM does not guarantee the accuracy of any representation on this plan

Dartmouth Plan Area



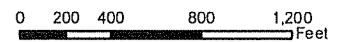
Map 2 - Location and Zoning

-  Subject Property
-  Notification Area
-  Plan Area Boundary

Dartmouth Plan Area

Zone

- R-2 Two Family Residential
- TH Town Housing
- T Mobile Home Park
- I-1 Light Industrial
- I-2 General Industrial
- H Holding
- CDD Comprehensive Development District
- TR Transportation Reserve



This map is an unofficial reproduction of a portion of the Zoning Map for the Dartmouth Plan Area

HRM does not guarantee the accuracy of any representation on this plan.

Excerpt from Russell Lake West
Land Use Plan of the Existing
Development Agreement
(Schedule VI)

Blocks H, J, F and G

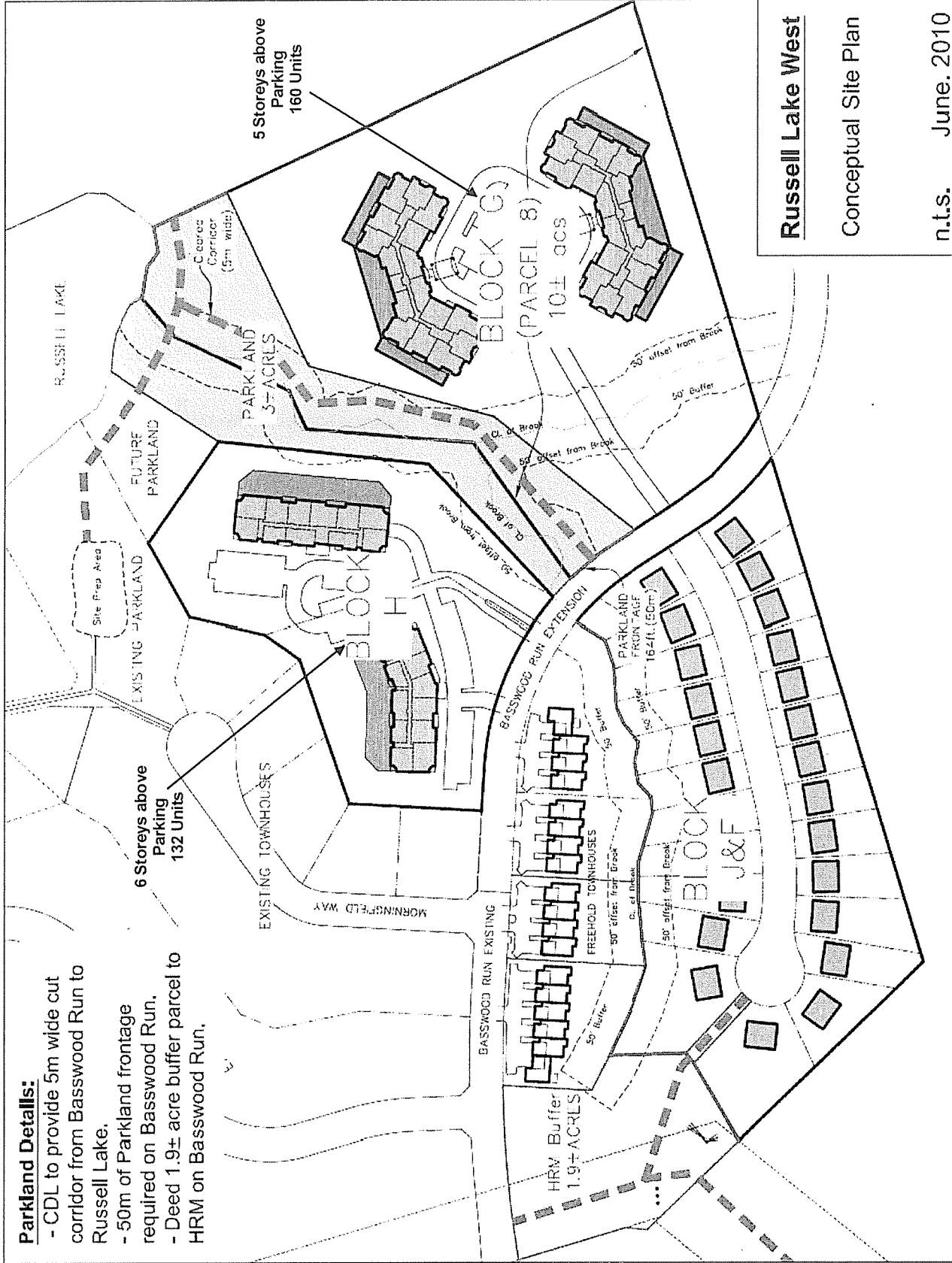


Map 3: Existing Land Use Plan

HRM does not guarantee the accuracy of any base information.

Parkland Details:

- CDL to provide 5m wide cut corridor from Basswood Run to Russell Lake.
- 50m of Parkland frontage required on Basswood Run.
- Deed 1.9± acre buffer parcel to HRM on Basswood Run.



Russell Lake West

Conceptual Site Plan

n.t.s. June. 2010

Map 4: Proposed Land Use Plan


















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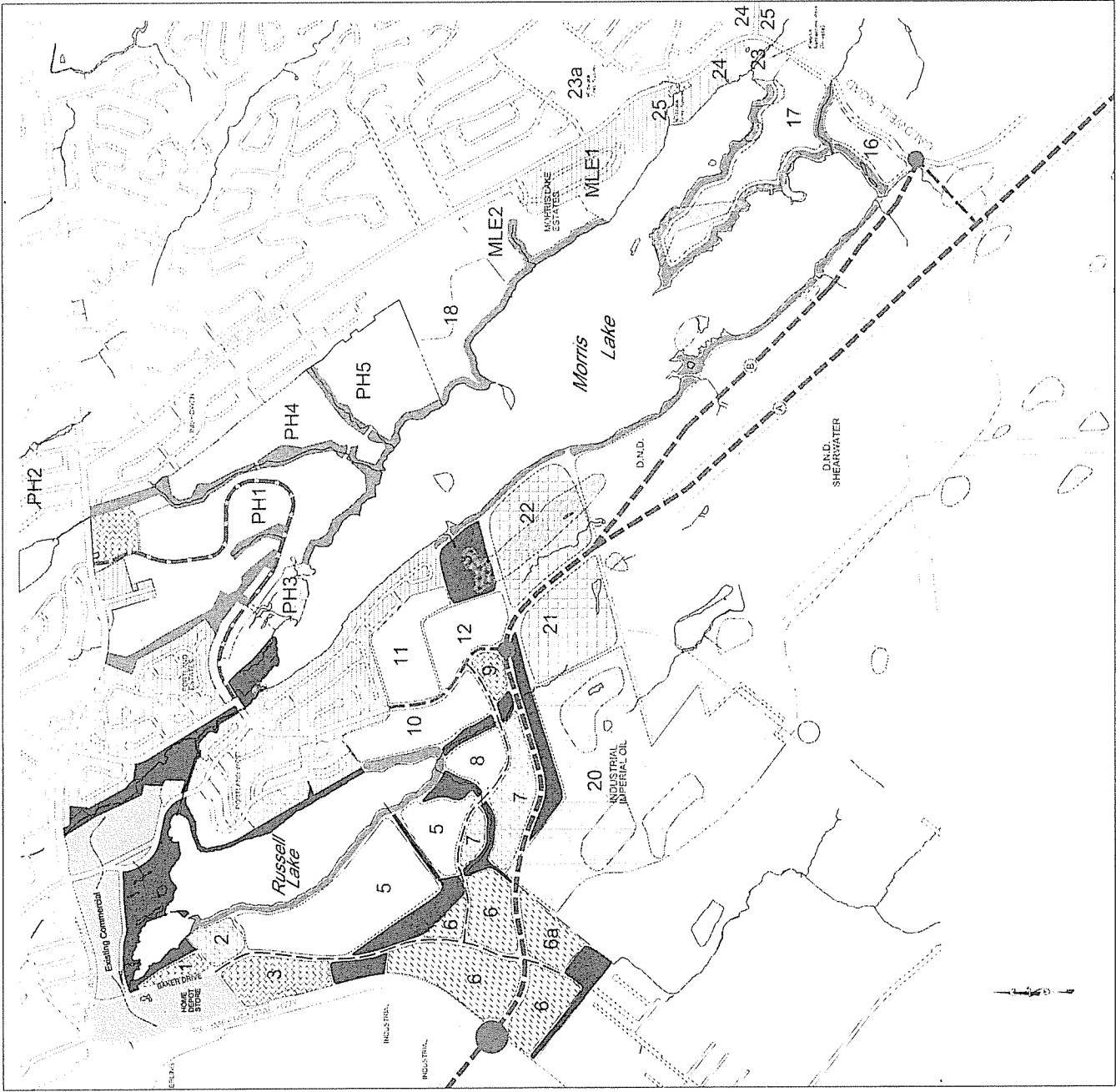
RUSSELL LAKE / MORRIS LAKE

MAP 5 : FUTURE LAND USE AND TRANSPORTATION PLAN

Scale: NTS

February, 2005

-  SINGLE FAMILY
-  SEMI / TOWNHOUSE
-  MULTIPLE / TOWNHOUSE
-  CDD RESIDENTIAL MIX
-  CDD (Holding)
-  HRM PARKLAND/PRIVATE OPEN SPACE
-  ACTIVE HRM PARKLAND
-  COMMUNITY COMMERCIAL
-  GENERAL COMMERCIAL / HIGH DENSITY RESIDENTIAL
-  EXISTING COMMERCIAL
-  INSTITUTIONAL
-  LAKEFRONT PROTECTION ZONE
-  INDUSTRIAL LANDS
-  WETLANDS
-  ENVIRONMENTALLY SENSITIVE
-  CALDWELL ROAD CONNECTOR
-  NEW INTERCHANGE



Map 5: Morris Russell Lake Secondary Plan
Case 15787

Attachment A: Proposed Amending Development Agreement

THIS AMENDING AGREEMENT made this day of , 2011,

BETWEEN:

CLAYTON DEVELOPMENTS LIMITED,
a body corporate, in the Province of Nova Scotia
(hereinafter called the "Developer")

OF THE FIRST PART

- and -

HALIFAX REGIONAL MUNICIPALITY,
a municipal body corporate, in the Province of Nova Scotia
(hereinafter called the "Municipality")

OF THE SECOND PART

WHEREAS the Developer is the registered owner of certain lands located within Russell Lake West, Dartmouth and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

AND WHEREAS the Harbour East Community Council of the Municipality approved an application by the Developer to enter into a Development Agreement to allow for a mixed use development on the Lands (Municipal Case Number 00731), which said Development Agreement was registered at the Land Registry Office in Halifax as Document Number 83812249 (hereinafter called the "Existing Agreement");

AND WHEREAS the Harbour East Community Council of the Municipality previously amended the Existing Agreement by entering into an Amending Agreement with the Developer on the 8th day of May 2007 (Municipal Case Number 00966) to replace the deadline date for completing all work associated with the extension of Baker Drive, which said Agreement was registered at Land Registry Office in Halifax as Document Number 87992815, (hereinafter called the "First Amending Agreement");

AND WHEREAS the Harbour East Community Council previously amended the Existing Agreement by entering into a Second Amending Agreement with the Developer on the 3rd day of March, 2010 (Municipal Case Number 01336) to permit a revised layout for Block I

of the Lands, which said agreement was registered at the Land Registry Office in Halifax as Document Number 95631280, (hereinafter called the “Second Amending Agreement”);

AND WHEREAS the Developer wishes to further amend the Existing Agreement to revise the layout and distribution of land uses within Blocks F, G, H, and J; pursuant to the provisions of the HRM Charter (hereinafter called the Third Amending Agreement);

AND WHEREAS the Harbour East Community Council for the Municipality approved this request at a meeting held on [INSERT-Date], referenced as Municipal Case Number 15787;

THEREFORE in consideration of the benefits accrued to each party from the covenants herein contained, the Parties agree as follows:

1. Except where specifically varied by this Third Amending Agreement, all other terms, conditions and provisions of the Existing Agreement, First Amending Agreement, and Second Amending Agreement shall remain in effect.

2. The Developer shall subdivide and develop the Lands in a manner, which, in the opinion of the Development Officer, conforms with the following Schedules attached to this Third Amending Agreement and filed in the Halifax Regional Municipality as Case Number 15787:

Schedule A: Legal Description of the Lands

Schedule B: Land Use Plan

Schedule C: Land Use Chart

3. The Existing Agreement is amended so that Blocks G, H, J and F are developed as generally illustrated on Schedule B of this Third Amending Agreement. For clarification, Schedule B of this Third Amending Agreement shall replace Schedule VII of the Existing Agreement as it pertains to Blocks G, H, J and F.

The Lands subject to this Third Amending Agreement shall be developed as follows:

a) Block G: Multiple-unit residential buildings not to exceed a total of 160 dwelling units and a height of 5 habitable floors above underground parking. A portion of Block G shall also be deeded to the Municipality as public park, as generally illustrated on Schedule B. Multi-unit residential buildings on Block G shall conform with clause 3.1 r) iii) of the Existing Agreement.

b) Block H: Multiple unit residential buildings not to exceed 132 dwelling units and a height of 6 habitable floors above underground parking. A portion of Block H

- shall also be deeded to the Municipality as public park, as generally illustrated on Schedule B. Multi-unit residential buildings on Block H shall conform with clause 3.1 r).iii) of the Existing Agreement.
- c) Blocks J and F: A maximum of 30 single unit dwellings according to the requirements of clause 3.1 r) (i) of the Existing Agreement.
 - d) Notwithstanding clauses 3 a) and 3 b), a maximum of 10% of the total number of dwelling units permitted on Blocks G and H may be redistributed between Blocks G and H provided that the total number of units does not exceed 292 and the height of each building is not increased.
4. Notwithstanding Schedules II, III, IV, V and VI of the Existing Agreement, a new public street shall be permitted within Blocks J and F as generally illustrated on Schedule B of this Third Amending Agreement. The street and all associated infrastructure shall conform with all applicable requirements of the Municipal Services Systems Specifications, unless otherwise approved by the Development Engineer, and with all applicable requirements of the Halifax Water Design and Construction Specifications, unless otherwise approved by Halifax Water.
5. Notwithstanding Schedules IX, X and XI of the Existing Agreement, both parties agree that the HRM Open Space acquisition for the Lands subject to this Third Amending Agreement shall be provided as follows, and as generally illustrated on Schedule B of this Third Amending Agreement:
- a) The linear park parcel located between Block G and Block H shall be a minimum of 3 acres in size and include a minimum of 50 metres of frontage along Basswood Run and 60 metres of frontage along Russell Lake;
 - b) The Developer agrees to provide a cleared, 5 metre wide trail corridor between Basswood Run and Russell Lake. The trail corridor shall be located outside of the 1 in 10 year floodplain of the abutting brook and shall maintain a 5 metre buffer from the future multi-unit residential property within Block G;
 - c) The land must follow the Useable Land definition, the Parkland Classification/Service Delivery Criteria and the Parkland Quality of Land Criteria of the HRM Subdivision By-law. The land shall be free of legal, environmental, or physical encumbrances. "Encumbrances" mean, for the purposes of Park Dedication, legal, environmental, or physical constraints on the lands that may limit its use and management or present an unreasonable development or remediation costs to the Municipality;

- d) The Developer shall deed the 1.9 acre parcel fronting on Basswood Drive west of Block J to HRM as open space Buffer. This land transfer shall not be given park dedication credit; and
 - e) Conformance with clauses 5 a) to 5 c) of this Third Amending Agreement shall be deemed to satisfy the park dedication requirements set out in the Regional Subdivision By-law.
6. The Developer shall construct a pedestrian walkway between Basswood Run and the public street in Blocks J and F, as generally illustrated on Schedule B. The walkway shall meet all applicable requirements of the Municipal Services Systems Specifications unless otherwise approved by the Development Engineer.
7. Block G shall be included under the Existing Agreement and shall be included as part of Sub-Area 1.
8. Schedule VIII (Land Use Chart) of the Existing Agreement shall be amended and replaced with Schedule C attached to this Third Amending Agreement.
9. In addition to all other applicable provisions set out in the Existing Agreement, First Amending Agreement and Second Amending Agreement, the Municipality shall not grant subdivision approval for any phase of development on the Lands unless the following conditions have been met:
- a) Both parties have entered into a Subdivision Agreement pursuant to the Regional Subdivision By-law;
 - b) The Developer has entered into a Services Agreement with Halifax Water; and
 - c) The Developer has complied with all requirements regarding the payment of infrastructure charges in Russell Lake West as set out in the Subdivision By-law.
10. The Developer shall be responsible for obtaining all applicable approvals associated with federally enacted height restrictions in place on Lands adjacent to Canadian Forces Base Shearwater.

WITNESS that this Third Amending Agreement, made in triplicate, was properly executed by the respective Parties on this _____ day of _____, 2011.

SIGNED, SEALED AND DELIVERED) (Insert Registered Owner Name)
in the presence of)
per _____) per: _____

)
)
per _____) per: _____

SEALED, DELIVERED AND)
ATTESTED to by the proper)
signing officers of Halifax Regional)
Municipality duly authorized)
in that behalf in the presence) HALIFAX REGIONAL MUNICIPALITY
)
per _____) per: _____

) MAYOR
)
per _____) per: _____

) MUNICIPAL CLERK

Attachment B: Excerpts from the Dartmouth MPS

Infrastructure Charges

Following provincial adoption of legislation which allows for the impositions of infrastructure charges to recoup the costs of oversized infrastructure, the Municipality adopted a capital cost contribution policy. The policy applies to all new major areas in the Municipality proposed for new development and shall apply to lands within this secondary plan area.

ML-16 The Municipality shall implement infrastructure charges to this secondary plan area under the Subdivision By-law in accordance with the policies for infrastructure charges established under the capital cost contribution subsection of the implementation section of this Municipal Planning Strategy.

Future Land Uses

ML-18 The Future Land Use and Transportation Plan, presented as Map 9N, shall provide overall guidance for land use allocation within this secondary plan area and the following guidelines shall be adhered to in any development agreement application:

- f) Parcel 5: A mix of single-unit, semi-detached, townhouses, and multiple-unit dwellings will be permitted. Multiple-unit buildings shall be restricted to lands that abut Baker Drive, and the portion of Parcel 5 located east of Morningfield Way and abutting Basswood Run. Any such multiple unit building abutting Baker Drive shall not exceed four floors of habitable space above underground parking. Due to areas of steep topography, careful design of the local streets network and land uses is required to minimize terrain disturbance and protect Russell Lake. In order to minimize building footprint and site disturbance, 2 multi-unit buildings may be developed to a maximum height of 6 habitable floors above underground parking on the portion of Parcel 5 located east of Morningfield Way and abutting Basswood Run;

Local commercial uses, as defined by the Land Use By-law, may also be permitted on properties abutting the Baker Drive Extension and the proposed local collector road. Such uses shall be limited to a total of 20,000 sq. ft. of floor area at any one location. Only one such location shall be permitted along Baker Drive and the local collector road. Sites shall be selected which offer strong opportunities for pedestrian access from surrounding residential neighbourhoods;

- (i) Parcel 7: A mixture of residential developments shall be supported provided that higher density development is located adjacent to the Caldwell Road Connector but no driveway access is permitted to this road;
- (j) Parcel 8: This parcel is reserved for a school site until the greater of 500 residential units have been constructed along the west side of Russell Lake or once five years have past from the date of approval of this Secondary Planning Strategy by Regional Council. As an alternative to a school site, the parcel may be developed for either medium or high-density residential developments to a density not exceeding 16 units per acre and five habitable floors above underground parking. For the purposes of calculating density, the size of Parcel 8 shall be deemed to include all portions of Parcel 8 to be developed residentially as well as any land that will be transferred to HRM pursuant to Council approving a development agreement.
- (r) Notwithstanding the provisions of policies ML-18 (f) and ML-18 (j), Council may approve a redistribution of density between multi-unit buildings within the portions of Parcel 5 and Parcel 8 that are located on Basswood Run, provided that the combined number of dwelling units does not exceed the amount permitted pursuant to Policies ML-18 (f) and (j) and the density limitations established pursuant to Policy ML-19 (a).

Density

ML-19 The allowable density on parcel 1 shall conform with the requirements of clause (a) of policy ML-18 and the allowable density on parcel 8 shall conform with the requirements of clause (i) of policy ML-18. The density limitation established under clause (d) of policy H-3B shall be applied to the following aggregated parcels:

- parcels 2, 3, 4, 4a, 5, 7 and 8;

Attachment C: Public Meeting Minutes

HALIFAX REGIONAL MUNICIPALITY
PUBLIC INFORMATION MEETING
CASE NO. 15787 - Russell Lake West

7:00 p.m.
Monday, May 10, 2010
Portland Estates Elementary School

STAFF IN ATTENDANCE: Mitch Dickey, Planner
Jillian McLellan, Planner
Holly Kent, Planning Technician
Jennifer Little, Planning Controller

ALSO IN ATTENDANCE: Councillor Jackie Barkhouse, District 8
Councillor Bill Karsten, District 7
Rob Jahncke, Senior Park Planner

PUBLIC IN ATTENDANCE: 16

The meeting commenced at approximately 7:03 p.m.

1. Opening remarks/Introductions

Ms. Jillian McLellan, Planning Applications, called the meeting to order at approximately 7:03 p.m. in the Portland Estates Elementary School. Ms. McLellan introduced Kevin Neatt, Clayton Developments, Applicant; Councillor Jackie Barkhouse, District 8; Councillor Bill Karsten, District 7; Holly Kent, Planning Technician, HRM Planning Services and Jennifer Little, Planning Controller, HRM Planning Services.

Mr. McLellan welcomed residents to the meeting and thanked them for attending. She advised that the purpose of the meeting is to share information with the residents and to receive feedback as well. No decisions will be made during this meeting.

2. Overview

Ms. McLellan explained that this application has been initiated by Clayton Developments Ltd., to amend the Dartmouth Municipal Planning Strategy and the Development Agreement for Russell Lake West to allow medium density residential multiple unit housing along Basswood Drive on Parcel 7; to increase the allowable density on Parcel 8 from 15 units per acre to 16 units per acre, and to amend the Development Agreement for Russell Lake West to combine Blocks J & F and change the housing type from Multi-Unit Dwelling and Townhouses to Single Unit Dwellings.

Ms. McLellan explained what a Municipal Planning Strategy and a Development Agreement is and explained that this application is to amend the development agreement, which would change the location of certain land uses; include Block G (2 multi-unit buildings) in the development agreement and increase the overall density from 6.8 to 7.3 units/acre. Amendments to the Russell Lake West Secondary Plan would permit multi-unit buildings on a specific portion of Basswood Drive within Block H and will increase density of Block G from 15 to 16 units/acre.

3. Overview of Planning Process

Ms. McLellan explained that Regional Council had initiated this application at the request of Clayton Developments. She explained it has also reviewed by the Dartmouth Lakes Advisory Board. Following tonight's public information meeting, a more detailed review of the application will take place. Staff will review the proposal, taking into consideration comments from residents at tonight's meeting. Staff will then bring forward a recommendation report to Harbour East Community Council who will hold a public hearing for an opportunity for further public input and then will be sent to Regional Council for the Municipal Planning Strategy review and then back to Harbour East Community Council for the Development Agreement Amendments. There will be the opportunity to appeal Community Council's eventual decision for the development agreement to the Nova Scotia Utility and Review Board.

4. Presentation of Proposal

Mr. Kevin Neatt, Clayton Developments, thanked the residents for coming out to the meeting and reviewed a slide of the subject area explaining that the current plan was approved by Council in 2005, this is what allowed them to start construction. He explained that one of the main reasons they are going through this planning application is because the School Board has announced that they are not interested in purchasing the designated school site. Mr. Neatt reviewed a slide of the proposed development agreement explained that they are proposing the following amendments:

- multiple building relocated to north side of Basswood Run
- 30 single family units on cul-de-sac

- include parcel 8 in development agreement with 160 dwelling units

He then reviewed the proposed Municipal Planning Strategy amendments:

- Allow multiple buildings fronting on Basswood Run in Parcel 5
- 16 units per acre on Block G

Reviewing a slide indicating park land, Mr. Neatt explained that he has been working closely with HRM Parkland Planners to develop these areas. He explained that enlarged plans are hanging on the back wall for viewing after the meeting and added that he will answer any questions at that time.

5. Questions and Comments

Ms. Jillian Ring, Dartmouth, expressed concern about adding more apartment buildings in this area. High density buildings may create shadows and she would have preferred to see condos rather than rental units. She was concerned that the area would resemble High Field Park and that there wouldn't be enough parking for townhouses. She added that she would like to see more direct pedestrian and bicycle connections from the area to destinations such as the Woodside Ferry Terminal.

Mr. Neatt explained that Clayton Developments has a long history of protecting values through design guidelines and explained that the height of the buildings will be of a consistent height with surrounding and nearby multiple unit buildings. He explained that it is a transit friendly development, pedestrian walkways will be provided and townhouses will set back and likely have garages.

Ms. McLellan explained that the development will have to follow HRM standards for parking.

Councillor Karsten advised of Metro Transit's five year plan and that new routes are being added to provide better service in the area.

Mr. John Pierce, Dartmouth, repeated Councillor Karsten's bus comments adding that hopefully in 2011/2012 the #57 bus will run along Baker Drive and will run down to the Ferry. He expressed concern over the lack of waterfront trails and that there are too many privately owned waterfront properties that should have been parkland. He added that it is nice to see some variety in the area and also is pleased to see that the area where the school was going to be will become parkland.

Ms. Maureen Pallard, Dartmouth, addressed the need of active transportation and added that she would like to see a road connection to the business park via Mount Hope. She also questioned if the lake was safe for swimming.

Mr. Mike Hanusiak, Clayton Developments, explained that within the development agreement that was in passed 2005, it states that the lake is monitored and tested four times a year. The test results are submitted to City Staff and also to the Dartmouth Lakes and Advisory Board. He reviewed the types of contaminations that are tested for and explained that if results exceed the CCME guidelines it is reported through a protocol that Council Karsten had set up. He added that if the lake at any time has results that do not meet the criteria, public notice is posted.

Councillor Karsten agreed with Mr. Hanusiak regarding the public notification being placed in the paper when the fecal coliform levels meets 200ppm. Because of the inconsistency in results from what time of day the sample is taken and also how they may change daily, he explained that Council has recently changed this process. He explained that it is always recommended to take precaution in any urban lake.

A gentleman explained that in the late 1990's when these lands started to be consolidated, all of the lake frontage on Russell Lake was privately owned. At the time the master plan was approved, they all had 100% of the lake frontage. Through the master plan process, they agreed to donate to the city 50 % of this area.

Ms. Karen Pierce, Dartmouth, asked if the other side of the lake is privately or publicly owned and if there will be a pathway put in on that side.

Mr. Neatt explained that the other side of the lake is very steep, pathways were considered but, they would be washed away.

Councillor Karsten explained that the Portland Estates Residents Association acts on the residents behalf for parks and trails and urges more residents to get involved with this group. He explained that there will be an active transportation trail behind Portland Estates to the Woodside Ferry Terminal. He announced that approximately 8 weeks ago, HRM had received \$200,000 which they will match, to be put towards the active transportation trails in Portland Estates.

6. Closing Comments

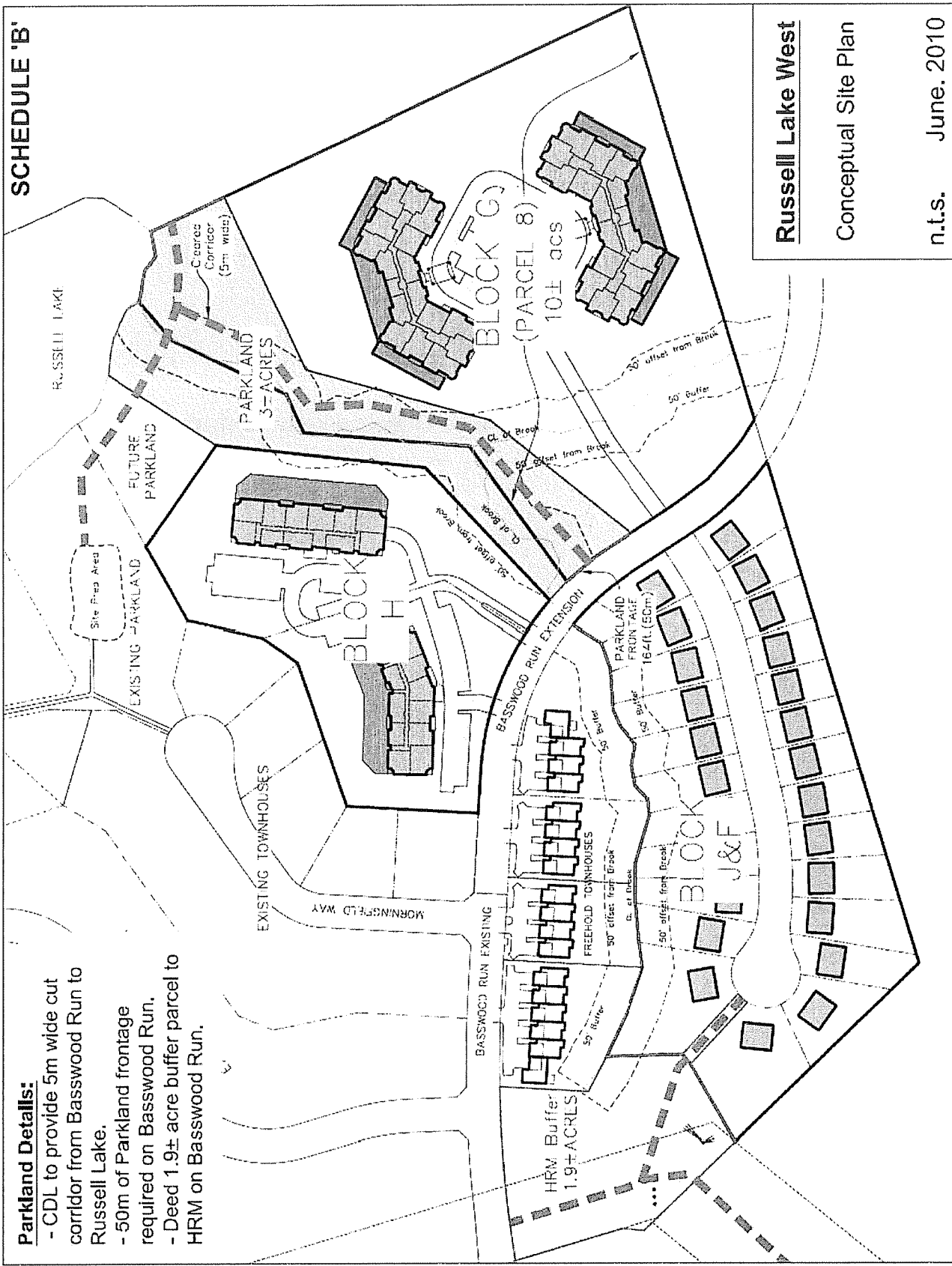
Ms. McLellan thanked the residents for expressing their comments and concerns.

The meeting adjourned at 7:55 pm.

SCHEDULE 'B'

Parkland Details:

- CDL to provide 5m wide cut corridor from Basswood Run to Russell Lake.
- 50m of Parkland frontage required on Basswood Run.
- Deed 1.9± acre buffer parcel to HRM on Basswood Run.



Russell Lake West
 Conceptual Site Plan
 n.t.s. June. 2010

Schedule B: Land Use Plan

HRM does not guarantee the accuracy of any base information.

Schedule C: Land Use Chart

Russell Lake West

Sep-09

Sub Area 1 Land Use Chart

equals actual built or designed units

Total Acreage 174 acs.

Low Density Residential	Single Lake 50 - 60' LOTS	Single Lake Cul-De-Sac	Single > 50 FT.	Single < 50 FT.	Townhouse 22 ft.	Townhouse 28 ft.	Bungalow Townhouse
Street A (Freshwater Trail)	35	6	44				
Street B (Coldstream Run)					34		
Street C (Lindenwood Cres)			68				
Street D (Peachtree Hill)			23	44			
Street F (Cloverfield Way)							46
Street G (Morningfield Way)					48		
Street J (Block J&F)			30				
Total	35	6	165	44	82	0	46

(* - Alternative Landuse, ** - Not to exceed 50% of Total Low Density Residential Units)

Townhouses	Acres	upa
Block I (South of Basswood)	18	4.2
Total	18	4.2

	Units	ppu	People
Total Number of Single Units	250	3.35	838
Total Number of Townhouses	128	3.35	429
Total Number of Condo Townhouses	18	3.35	60
Total Low Density Residential Units	396		1327
% of total Units	36.5%		

Shannex Seniors Complex	Units*	Acres	upa
Block B (BD-2, BD-3)	150	8.9	16.9
* calculated based on 2 BR unit equivalents			

Total 150 8.9

Total Number of Seniors Units 150 2.25 338
% of total Units 14%

High Density Residential	Units	Acres	upa
Block A (BD-1)	180	7.3	24.7
Block C (BD-5A&B)	110	8.4	13.1
Block D (BD-7)	54	4.1	13.2
Block E (BD-4)	62	3.5	17.7
Block H (North of Basswood)	132	7.9	16.7

Total 538 31.2

Total High Density Residential Units 538 2.25 1,211
% of total Units 49.6%

Block G (School Site) 160 10 16.0

Total Residential Units 1084
Total Residential Units Incl. Block G 1244 3235

Total Gross Acres (Non Commercial) 170.9
7.3 upa 18.9 ppa

Community Commercial	Acres
COM 1 (BD-6)	3.1
Total	3.1

Total Community Commercial Acreage 3.1 40 124

Total Gross Acres 174