



**Town of Truro**  
**Municipal Planning Strategy**

OFFICE CONSOLIDATION  
With Amendments to June 2018

Original Documents Approved by  
Truro Town Council on September 14<sup>th</sup>, 2010



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## **Schedule A • Future Land Use Map**

## **Schedule B • Existing Land Use Map**

## **Schedule C • Recreation Map**

# 1 • Introduction

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## 1.1 Purpose

This document is the principal policy document for Council providing guidance for decisions on land use and development matters within the Town of Truro. It also serves as a reference manual for citizens, in particular those engaged in residential or commercial development, but also, for anyone wanting a more thorough understanding of the policies of Municipal government.

The Town of Truro Municipal Planning Strategy (MPS) is enabled under the Municipal Government Act and provides direction on all other planning documents that are or may be developed and amended subject to this plan. The 2010 Municipal Planning Strategy is one component of the Town of Truro Community Plan, an integrated collection of planning documents that also includes the Community Sustainability Plan. The Community Sustainability Plan sets out a comprehensive vision of sustainable community and suggests a course for its pursuit. The MPS and supporting by-laws present a practical out-working of the principles of sustainability in relation to planning and development. Hence, within the Community Plan, the MPS is found under the section title: Planning for Sustainability.

## 1.2 Mission

The 2010 Town of Truro Municipal Planning Strategy seeks to be a planning and regulatory instrument for the fulfillment of the existing and complementary mission/vision statements set out in the Town's 2004 Strategic Plan and the 2010 Community Sustainability Plan:

***The Town of Truro will provide visionary, responsible, community driven, and open-minded leadership to ensure the best possible quality of life for all.***

[Town of Truro Strategic Plan]

***Truro is a just and vibrant community with a thriving economy and sustainable environment.***

[Town of Truro Community Sustainability Plan]

## 1.3 Organization

The Town of Truro's Municipal Planning Strategy (MPS) consists of eleven parts which are intended to organize the Town's land use policies based on different land use categories and issues. The organization of Truro's MPS is similar to other Nova Scotian municipalities and for the most part is consistent with contemporary approaches to land use planning.

This MPS has parts dedicated to the traditional land use categories, such as residential, commercial, and industrial. These parts comprise the bulk of the document. Preceding the land use specific policies is a community profile section and a general development section. The community profile section provides some context and background about the Town of Truro including a little bit of history, a description of the physical setting



of the Town, and a range of statistics that describe the citizens and the demographics of the Town. This information is essential to understand the challenges and opportunities that face Truro and provides a basis for many of the policies found in the MPS. After the community profile is the general development section that sets out land use policies pertaining to all development, regardless of the type of land use.

The MPS also sets out polices which deal specifically with issues that influence land use planning decisions. These are set out in separate parts that cover issues such as environmental constraints and infrastructure considerations.

The last part of the MPS is the implementation section. This part of the MPS sets out the policies that are intended to set out the procedures for implementing the Town's land use planning objectives set out in the remainder of the document. Also included in this section are policies that define the processes for amending the MPS, the Land Use By-law, and polices that pertain to entering into development agreements. This is a very important section of the MPS that guides the Town's entire land use planning process.

In addition to being a fairly standard approach to municipal planning, this document does not depart much from the Town's earlier plans. The most important distinction between this document and its predecessor is the lack of a section entitled "Urban Regional Core". The concept of the Urban Regional Core has been abandoned in this plan in an effort to simplify the regulations governing development in the downtown area. Land use policies affecting the downtown area now fall under the traditional land use categorizations of residential and commercial. To recognize the specific challenges of development in the core area, special zones and future land use designations have been created and carry the prefix 'downtown'.

Maps and graphics are included throughout the MPS and are essential tools to illustrate and in some instances set out land use policy. In this MPS an effort has been made to incorporate mapping within the flow of the document as much as possible to avoid the need to consult a schedule at the end of the document. This change is intended to make the document more user friendly. The Generalized Future Land Use Map and Recreation Map are still found at the back of the MPS as appendices. These maps are a legal part of this document and are required to properly interpret policy.

# 2 • Community Profile

## 2.1 History

The Town of Truro is situated in a region long inhabited by First Nation Peoples. Their presence, which continues today with Mi'kmaq citizens, is evident in archeological artifacts discovered near Debert dating back ten thousand years. Accounts written in the 1700's indicate that Mi'kmaq settlements were concentrated along the banks of the Salmon River near where the Nova Scotia Agricultural College was later established.

In the late 1600's, French settlers arrived in the area and by 1700 there were approximately twenty families residing near what is now known as Truro in the larger region they called Acadia. In 1713, England took over the governance of the territory, the title for which had gone back and forth among England, Scotland, and France during the 1600's, although it had never been ceded by the Mi'kmaq.

The expulsion of the Acadians from Nova Scotia was ordered by the British in 1755. Under orders of settlement destruction for those who would not align with the British Crown, only a few 'Old Barns' were left where Acadians had lived (now called Old Barns, just outside of Truro). Soon after, British land grants were attracting settlers loyal to the Crown, including the New England Planters.

The first Planters who came to the area did so from New Hampshire and were largely farmers of Scottish descent, even though they had arrived in North America from the Ulster region of Northern Ireland. The Cobequid area, Cobequid being the Mi'kmaq word for 'place of rushing waters' in reference to the tidal bore in the Minas Basin, was divided into three "townships" (sections of land consisting of 100,000 acres or 12 square miles). These were Londonderry, Onslow, and Truro.

Truro in 1878



Following the defeat of England in the American Revolutionary War, United Empire Loyalists found their way to Nova Scotia. It is likely that in one of these two waves of settlement, Truro's first Black settlers arrived.

Planter and Loyalist Grantees received shares that included marshland, house lots, farm land and wood lots. Truro was divided into 200 shares of 500 acres each. Lots were also put aside for a church, burial ground, school, and a common for public gatherings. Victoria Square was the original common in Truro Township. The

first meeting house was built in 1768 beside the burial ground which is now Robie Street Cemetery. In 1854 this original meeting house was abandoned and a new Presbyterian church was built on Lorne Street. This building was destroyed by fire in 1913 and what is now First United Church was constructed.

Early settlers in Truro cleared 100 acres of forested upland and farmed wheat, rye, oats, peas, barley, hemp and flax. Homes were built from the abundant wood in and around Truro. Tradespeople included shoe and garment makers. As travel and trade increased, self-sufficiency activities such as baking and farming were joined by manufacturing.

Transportation has always been central to Truro and Truro central to it. Shipbuilding thrived in the area prior to the dominance of rail and roads. By the mid to late 1800's, Truro was an important railway hub. This contributed to the development of a significant manufacturing sector that, at various times, has produced a diverse range of goods including footwear, hats, pianos, carpets, iron items, knitwear, clothes pegs, and horse carriages. Dairy, grain, and beverage processing also contributed to Truro's economy. Several companies located their headquarters in Truro.

Truro was incorporated as a Town in 1875. The Town's prosperity manifested itself in a booming construction sector responsible for numerous impressive civic, industrial, and religious buildings. Truro continues to be well-known for its many finely crafted private homes dating from the late 1800 and early 1900's.

Truro is a regional education centre, with a distinguished tradition of primary, secondary, and post-secondary institutions. The Provincial Normal School was established in 1854. It later became the Nova Scotia Teachers' College and operated until 1997. The Nova Scotia Agricultural College (next door in the Village of Bible Hill), Cobequid Educational Centre, and Truro campus of the Nova Scotia Community College have also contributed to Truro's reputation for learning institutions.

## 2.2 Geography

The Town's geographic setting has proven to be both a blessing and a challenge. The area benefits from its central place in the region, particularly its location on the Halifax-Moncton corridor. This corridor has been the centre of much of the population growth and economic activity in the Maritimes for many years and continues to prosper. However, the Town's location has also proven to have its challenges. The Town's location in an area that is susceptible to floods and storm surge events has been a challenge to development and has become an issue of vital importance. Climate change is expected to make storm events more frequent and intense, increasing the likelihood of flooding and storm surge and increasing their severity.

The Town of Truro is located at the eastern end of the Minas Basin at the mouth of the Salmon River. This is the westernmost point where road and rail traffic can make their way around the waters of the Bay of Fundy and connect places like Halifax, the Annapolis Valley, and the South Shore to New Brunswick and the rest of North America. This locational advantage also made the area a logical connection for transportation routes to New Glasgow and Cape Breton. As a result, Truro became an important node in the Province's and the Atlantic Region's transportation network.





Map of Truro and Area

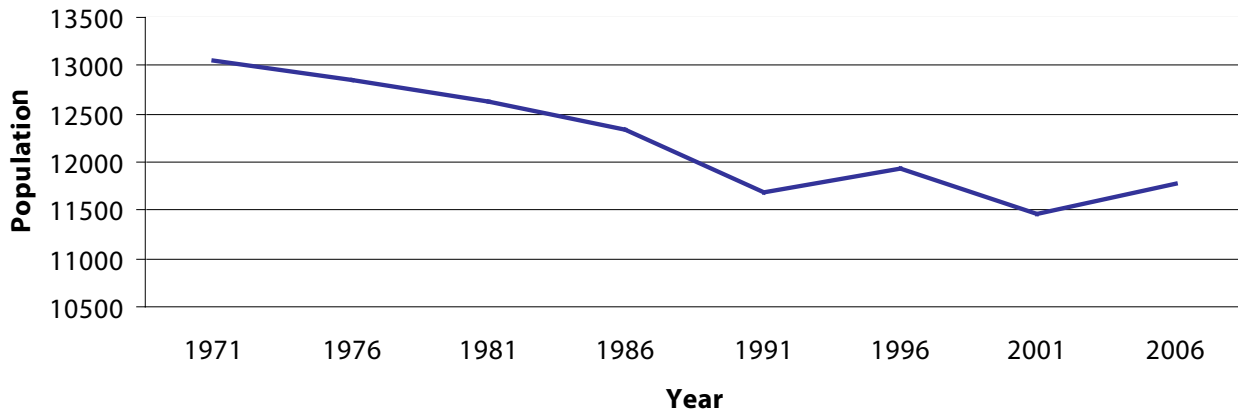
Truro is at the junction of the Canadian National Railway, running between Halifax and Montreal, and the Cape Breton and Central Nova Scotia Railway, running between Truro and Sydney. Until the 1980s, Truro also hosted a junction between the Canadian National and Canadian Pacific Railway's former Dominion Atlantic Railway line running through Windsor and down the Annapolis Valley to Yarmouth, Nova Scotia. The Town is also located at the junction of Highway 102 (Veterans Memorial Highway) and Trans-Canada Highway 104. These two routes convey traffic from all over Nova Scotia and Newfoundland and provide the primary connection between these areas and the rest of the continent. It is not surprising, then, that Truro has become widely known as the Hub of Nova Scotia.

The Town of Truro is the urban centre of Colchester County and it functions as a regional destination for shopping, business, health care, industry, distribution, and culture. The amount of high density multiple unit development and the variety of housing types in the central area is more characteristic of a larger urban centre than a small town.

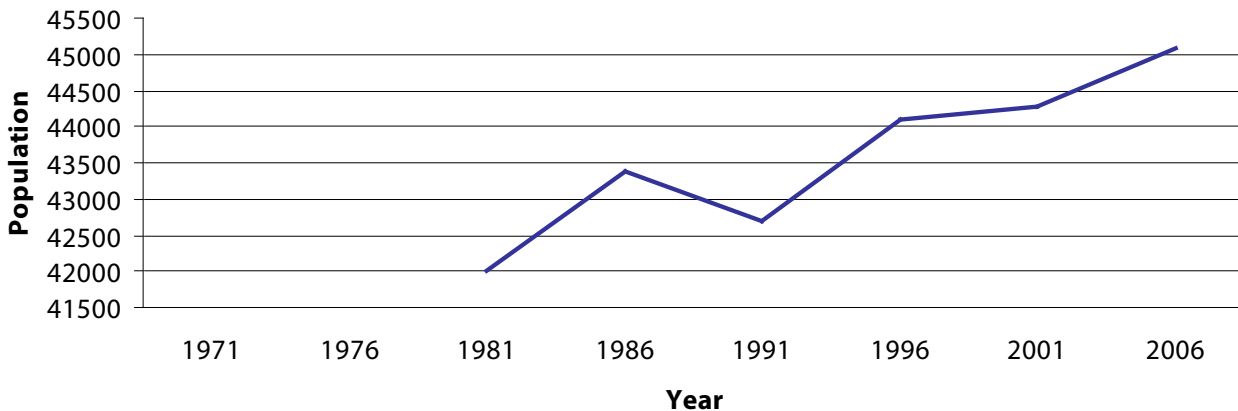
### 2.3 Population Characteristics

The population of the Town of Truro has been fairly stable for the past twenty years with the population remaining just under 12,000 residents. The regional population, which includes the Town and surrounding communities such as Bible Hill, Debert, Hilden, Millbrook, Onslow, Salmon River, and Valley has been increasing since 1991. The current population is over 45,000 residents.

### Town of Truro Population (1971-2006)

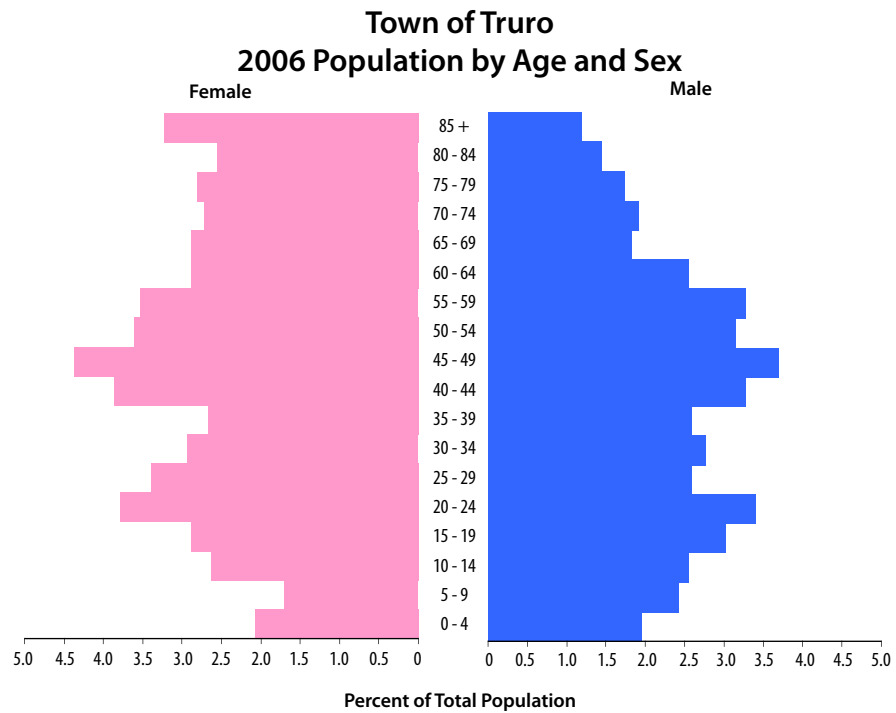
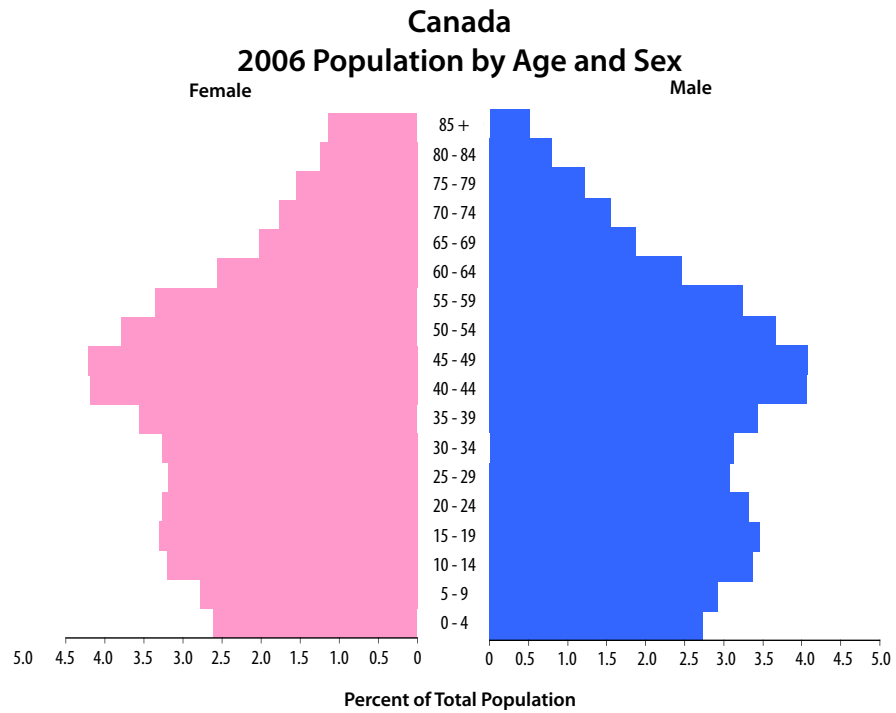


### Truro Census Agglomeration Population (1981-2006)



Like the national population, Truro population is growing older and the average age of its citizens is increasing as baby boomers age. Truro also has few people in the 25 - 40 age group which, again, is similar to the national population. While these trends are evident in many places across the nation, the trend seem to be more pronounced in Truro. People 55 and older make up over 35 percent of Truro’s population while the this group makes up just 25 percent of Canada’s population. Truro also has fewer young people as a percentage of its population. Just 19 percent of Truro’s population is under the age of twenty while 24 percent of Canada’s population is in this age group.

Truro’s population exhibits a greater separation between high and low income groups than other Nova Scotia communities. A total of 13% of families in Truro had low income status in 2006 while across Nova Scotia, 10 % of families had low income status in 2006. Average income in Truro is below the provincial average but consistent with other communities

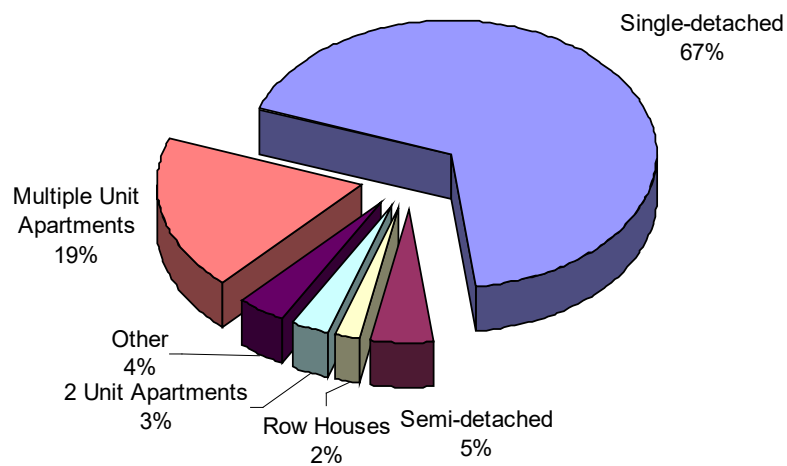


outside of the Halifax area. In 2006, the median income for individuals in Truro was \$21,287 a year, compared with the median of \$24,030 for Nova Scotia. Families in Truro had a median income of \$50,971, compared with the median of \$55,412 for Nova Scotia. In 2006, the average income for individuals in Truro was \$29,478 a year, compared with the average of \$31,795 for Nova Scotia. Families in Truro had a average income of \$60,534, compared with the average of \$66,032 for Nova Scotia.

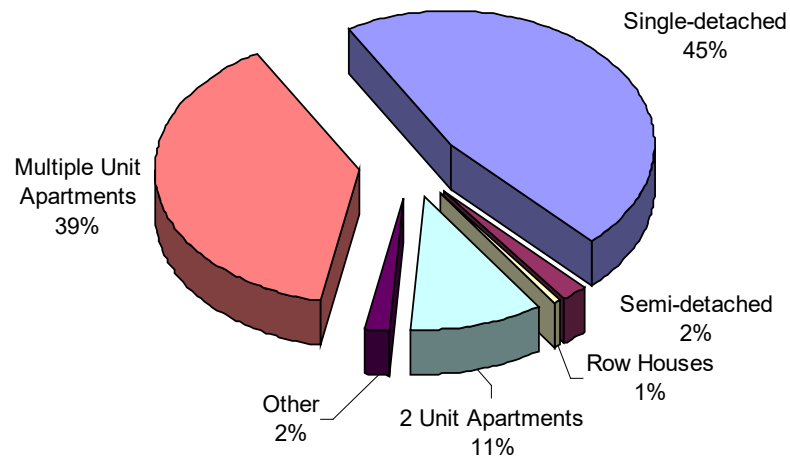
## 2.4 Housing

With an aging population and modest income levels comes a need for a wide range of housing types. Single unit dwellings are not always a practical and affordable housing choice. The demand for rental housing in Truro suggests that there is growing number of ‘empty nesters’ looking to downsize and they are choosing to live in rental units. Truro also has a significant number of families with low income status and there are two post-secondary institutions in the community with approximately 2200 students. These two groups are also in the market for more affordable housing options and rental housing.

Province of Nova Scotia  
Occupied Private Dwellings by Unit Type



Town of Truro  
Occupied Private Dwellings by Unit Type



# 3 • General Development Policies



## 3.1 Introduction

Most of Truro's Municipal Planning Strategy is organized into parts that correspond to different land use categories such as Commercial or Industrial. Each of these parts contain land use policies that relate specifically to the category of land use covered in that particular part of the document. There are, however, a number of development issues that are common throughout the Town and that are not unique to any specific land use category. These general development issues are covered in this Part.

## 3.2 Non-Conforming Structures & Uses

### 3.2.1 Interpretation

The term 'non-conforming' applies to land uses and structures which do not comply with current Land Use By-law regulations, but which were legally permitted under previous by-laws. The *Municipal Government Act* specifically addresses non-conforming structures, non-conforming structures used for residential purposes, non-conforming uses of land, and non-conforming uses of a structure. The *Act* contains provisions which recognize the legal status of these uses and allows some of the development rights normally reserved for uses and structures that conform to the applicable by-laws. The Town will deal with these non-conforming uses and structures in accordance with the *Act*.

#### Policy G-1

It shall be a policy of Council to administer non-conforming uses as provided for in the *Municipal Government Act*.

### 3.2.2 Expansions of Non-conforming Residential Uses

The Town of Truro has many large homes which are eighty or more years old that have been converted into multiple units. In many instances the conversion of these units happened before current zoning regulations were put into effect and often these converted dwellings exceed the maximum number of units permitted in the current zone and the structures do not meet the setbacks and other lot area requirements. These lawfully existing non-conforming uses or structures are limited to their existing volume under the planning provisions of the *Municipal Government Act*.

In many instances the above limitation restricts these properties to existing or worsening conditions because there is limited structural flexibility and consequently little financial incentive to make improvements. Council recognizes that limited expansion, carefully controlled, would have little or no impact on abutting or adjacent uses. Council has decided to allow limited expansion of such uses subject to special provisions set out in the Land Use By-law. These provisions are intended to limit the impact on abutting and adjacent uses, while allowing for limited flexibility for additions to such existing nonconforming uses and structures.

#### **Policy G-2**

It shall be a policy of Council to permit a one-time limited expansion of an existing non-conforming residential use in a Limited Residential zone provided the proposed expansion is limited to one additional dwelling unit. The Land Use By-law shall include special requirements for expansions permitted under Policy G-2 to ensure that any proposed addition has a limited or positive impact on neighbouring properties and on the external appearance of the structure when viewed from public areas.

### **3.2.3 Reconstruction of Non-Conforming Structures**

In accordance with Section 241 of the *Municipal Government Act*, a non-conforming structure containing a non-conforming use is not permitted to be repaired or rebuilt if substantially destroyed except in conformance with the Land Use By-law and the new building may only be occupied by a use permitted in the zone. In Truro, there are several examples of existing non-conforming uses in non-conforming structures and in many cases these uses have coexisted with neighbouring uses with little or no conflict for decades. Rather than preclude the potential for the redevelopment of these uses and structures, it is the intention of Council to consider reconstruction and recommencement of these structures and uses by development agreement. When considering such a development Council shall take into consideration the overall interests of the Town and the impact on abutting uses.

#### **Policy G-3**

It shall be a policy of Council to consider proposals to reconstruct non-conforming structures and recommence non-conforming uses by development agreement where the such a proposal would not otherwise be permitted by this Municipal Planning Strategy or the *Municipal Government Act*. When considering a development agreement application pursuant to this policy Council shall have regard for the following:

- a) the normal evaluative criteria for development agreements set out in Part 11, Implementation;
- b) that the proposed development is situated entirely within the boundaries of the existing lot;
- c) that the application for development agreement be made within one year of the damage or discontinuance;

- d) that any proposed increase in floor area, lot coverage, outdoor storage, parking, building height is effectively mitigated through a combination of increased setbacks, landscaping, buffering, and architectural design; and
- e) that the proposed structure does not further encroach on abutting properties where the former structure did not meet applicable setback requirements.

**Policy G-4**

It shall be a policy of Council to permit an existing non-conforming structure to be enlarged, reconstructed, repaired, or renovated provided that any change to the structure does not further reduce the minimum required yards or separation distances that do not conform with the Land Use By-law.

**3.2.4 Existing Lots and Buildings**

The Town of Truro has a fairly long history of development and there are many structures and lots in the Town that predate modern planning and subdivision regulations. Many of these structures and lots do not conform to the Town’s current Land Use and Subdivision By-laws. Although most of these situations are addressed through the non-conforming provisions in the *Municipal Government Act* there are situations which are not addressed by the *Act*, particularly with respect to existing lots and to existing buildings not used for residential purposes. Council wishes to allow some limited flexibility in such cases to encourage reinvestment in existing buildings and to accommodate efficient use of land.

**Policy G-5**

It shall be a policy of Council to permit an existing structure or existing non-conforming structure situated on an existing lot to be occupied by a permitted use when the structure does not meet the lot area and other yard requirements applicable to the proposed use.

**3.2.5 Existing Uses Exempt**

When an existing use is expanded and the number of units or floor area increased, it has been the Town’s practice to only calculate land use by-law requirements for parking and amenity space based on the new units or new floor area created. What existed prior to the expansion is considered a non-conforming situation and not taken into account, regardless of whether or not the use had less than the required parking or less than the required amenity space.

**Policy G-6**

It shall be a policy of Council to permit the limited expansion of a lawfully existing non-conforming structure containing a single unit dwelling on a lot that does not have frontage on a public street but which has legal access to a public street otherwise.

#### **Policy G-7**

It shall be a policy of Council to exempt existing uses from the parking and amenity space calculations and not take into account the existing floor area or existing number of units when considering a proposal to expand an existing use.

### **3.3 Variance**

A variance is as an allowance of a reduction in one or more Land Use By-law requirements which has been granted by the Town's Development Officer. Section 235 of the *Municipal Government Act* empowers the Development Officer to grant variances in circumstances where a proposed development may not be able to meet the requirements of the Town's Land Use By-law or a Development Agreement such as minimum lot frontage or a minimum yard requirements. The Development Officer is able to grant a variance in accordance with the procedures outlined in the *Act*.

The *Municipal Government Act* allows Council to consider other circumstances where a minor variance may be considered provided they are identified within that Municipality's Planning Documents and corresponding regulations.

#### **Policy G-8**

Therefore, it shall be a policy of Council to allow the Development Officer to grant a variance in one or more of the following terms in a development agreement, if provided for in the development agreement, or Land Use By-law requirements:

- a) the number of parking spaces and loading spaces required;
- b) the ground area and height of a structure;
- c) the floor area occupied by a home-based business; and
- d) the height and area of a sign.

### **3.4 Outdoor Storage & Display**

#### **3.4.1 Outdoor Storage**

Outdoor storage is a necessary component for some businesses. Some commercial and industrial uses, such as car dealerships and lumber yards, require large quantities of storage space for their wares. Under most circumstances it is not economical to construct large buildings for the storage of such goods and outside storage is often the only alternative. Because outdoor storage is highly land consumptive and may be seen as aesthetically unpleasing, it will be limited to certain zones. Standards regarding setback, height, and lot coverage for outside storage are aimed at respecting adjacent properties and uses.

#### **Policy G-9**

It shall be a policy of Council to limit outside and open-air storage within certain zones.

*Sidewalk displays to be permitted but regulated to ensure they do not interfere with pedestrian traffic*

### 3.4.2 Outdoor Displays/Merchandising

It is a common practice for businesses, notably retail stores, to display merchandise outside of the actual store, often on public properties and rights-of-way such as sidewalks. While this is generally desirable, such uses should be regulated in order to prevent too great a use of public property which may disrupt pedestrian traffic or present a safety hazard. Merchants will also benefit from the establishment of standards, as it will allow them to know beforehand where and how such space may be utilized.

#### Policy G-10

It shall be a policy of Council to restrict the extent of use of public property and rights-of-way throughout the Town regarding outdoor merchandising and sales by private businesses.

## 3.5 Fences

Fences are common throughout the Town of Truro and the majority of these structures are not very high and have a limited impact on surrounding land uses. Council does not intend to regulate fencing unless it is high enough to have an impact on abutting uses or unless the fencing is required in connection with a development.

#### Policy G-11

It shall be a policy of Council to require a development permit for fences that exceed a specified height or that are required in connection with a development.

## 3.6 Signage

*Signage to be strictly regulated to ensure that visual clutter is minimized and signage contributes to the creation of attractive streetscapes*

### 3.6.1 Signage Regulations

Signs can have a significant impact on the appearance of the Town and left unregulated, signage can create visual clutter on our streets and create a safety hazard by interfering with visibility and regulatory signage. Council recognizes the importance of regulating signs to ensure that Truro's streets and public areas are not overwhelmed by signage. Council wishes to regulate signage within the Town to ensure that signs are only permitted if they are suitably designed and located.

#### Policy G-12

It shall be a policy of Council to establish regulations in the Land Use By-law regarding the type, number, size and location of signs.

### 3.6.2 Street Banners

The Town is frequently approached by individuals and organizations wishing to place banners over public streets in Truro. It is Council's intention that banners only be permitted in pre-approved locations and that banners over public streets be reserved for not-for-profit events and organizations.

### **Policy G-13**

It shall be a policy of Council to Provide for street banners in permanent locations throughout the Town in commercial zones, establish fees for such use, limit the use to non-profit organizations, excluding electoral banners, and setting standards for such signage in the Land Use By-law.

## **3.7 Parking & Loading**

### **3.7.1 Parking Requirements**

Despite the growing emphasis placed on alternative modes of transportation, the automobile continues to be the dominant mode of transport in Truro. There are examples of cities and towns that have taken a very aggressive approach in their efforts to reduce the reliance on cars and to alleviate traffic congestion by limiting the amount of parking available in their communities. This is not a realistic approach in Truro where there is limited infrastructure in place for alternative means of transportation and cars continue to be the most practical means of getting around. This reliance on the private car requires that parking be considered as part of any new development proposal.

While most areas of Town permit on-street parking, these spaces are intended for temporary use only and are not well-suited for long-term or overnight parking. Also, there would be too few on-street spaces to safely accommodate demand if all development did not include some provision for off-street parking. To ensure the orderly development of the Town, Council intends to require off-street parking for new development. Because the amount of parking required is directly linked to the nature of the land use, it is also the intention of Council to base parking requirements on the type and intensity of a land use.

### **Policy G-14**

It shall be a policy of Council to ensure that there is sufficient parking in Truro to meet demand by developing and maintaining public parking facilities and by establishing parking requirements for new development.

### **Policy G-15**

It shall be a policy of Council to establish parking requirements within the Land Use By-law which will require minimum on-site parking based on land use type and intensity.

### **3.7.2 Flexible Parking Requirements**

While the provision of adequate off-street parking is an important objective there are situations where the strict adherence to parking requirements has resulted in more parking that is needed. There are negative environmental and aesthetic impacts associated with the provision of too much parking. The development of parking lots leads to a loss of green space and an increase in impervious surface which creates stormwater management issues and water quality issues. In many instances required parking lots are underutilized and would have been much more beneficial to the surrounding community had they been left as undeveloped green space.

*Less parking will be required for downtown locations*

*Council may consider requiring less parking for multiple unit developments intended for residents who are less likely to own a vehicle*

To ensure that parking is only provided where it is necessary, the Town is moving away from strict adherence to standard parking requirements and towards a more flexible approach. This approach allows for consideration of the circumstances that may affect demand for parking. The Town will consider shared parking where it can be demonstrated that such an arrangement will work and for residential developments, the Town will consider relaxing parking requirements where residents are less likely to own an automobile. The latter will apply to situations where proximity to the downtown or some other factor affects the likelihood that residents will own an automobile.

**Policy G-16**

It shall be a policy of Council to consider allowing reduced parking requirements for uses that have a peak demand for parking at different times provided the shared parking is situated within a suitable distance of each use and provided that each party enters into a joint use agreement.

**Policy G-17**

It shall be a policy of Council to establish appropriate parking requirements for residential development in the Downtown Commercial and Downtown Residential Designations where automobile ownership is less likely due to proximity to shopping, services, and employment.

**Policy G-18**

It shall be a policy of Council to consider allowing a reduction in the number of required parking spaces where it can be demonstrated the proposed development is intended for residents who are less likely to own an automobile due to factors such as age, income, or mobility issues.

**3.7.3 Calculating Residential Parking Requirements**

In the previous plans the Town based residential parking requirements on the number of dwelling units and the standard requirement was 1.5 spaces per dwelling unit. This standard is intended to provide one space for every unit plus additional parking for visitors and for the occasional unit that has more than one vehicle. This standard does not make any allowance for a variation in the number of bedrooms per dwelling unit. It is reasonable to assume that a one bedroom or bachelor apartment will require fewer parking spaces than units with two or more bedrooms. The 1.5 spaces per unit calculation also seems inappropriate in situations where a single dwelling unit may have several bedrooms. A more reasonable approach to calculating residential parking requirements will be to require a specified number of parking spaces based on the number of bedrooms per unit.

**Policy G-19**

It shall be a policy of Council to establish parking requirements for residential development based on the number of bedrooms rather than on the number of units.

### 3.7.4 Exemption from Parking Requirements

In the past the Town had a very active Parking Commission that was responsible for collecting a levy from downtown businesses and using the revenue to develop public parking lots in the downtown. Downtown businesses, in return for payment of this levy, would be exempt from parking requirements. This Commission has since been dissolved and the levy for parking is no longer collected, however, due to the efforts of this Commission there is ample free public parking available in downtown Truro today.

As part of its efforts to revitalize the downtown, it is an objective of Council to encourage new development and the reuse of existing structures in the downtown area. However, downtown Truro features many old buildings on small irregularly shaped lots that are not able to accommodate off-street parking. This can be a significant obstacle to overcome and in many cases will discourage potential investors or developers who are interested in redeveloping our old buildings or developing vacant lots. With the Downtown Parking Commission having been dissolved, the Town has resorted to a cash-in-lieu of required parking system in an effort to accommodate downtown development. However, the cash-in-lieu option tends to be cost prohibitive for developers and has never been used.

In an effort to revitalize the downtown by attracting new development and accommodating the reuse of existing buildings, Council has decided to waive parking requirements in the Downtown Commercial (C1) Zone. It is anticipated that parking for commercial uses can be accommodated through a mixture of on-street parking and public parking lots. It is also expected that parking for commercial development will be somewhat self regulating where developers will want to provide some parking for their developments in order to attract tenants. Council will continue to monitor the parking situation in the downtown area and rescind this policy or develop new parking areas should parking availability become a problem in the Downtown Area. New residential units in new structures will not be exempt from parking requirements as overnight parking on the street or in public lots tends to interfere with snow-clearing. Residential uses will be required to develop off-street parking lots or structured parking.

*Reduced or Waived  
Parking requirements  
for most development  
downtown in an effort to  
encourage reinvestment  
in the downtown*

#### **Policy G-20**

It shall be a policy of Council to waive parking requirements for new development and reuse of existing structures in the Downtown Commercial (C1) Zone. This exemption will not apply to new residential units created in a new structure or in an expansion of an existing structure.

#### **Policy G-21**

It shall be a policy of Council to monitor the availability of off-street parking in the downtown area to ensure that adequate parking is available for the clientele of downtown businesses and to determine if the Town should acquire and develop land for the provision of additional public parking.

### 3.7.5 Cash-in-Lieu of Required Parking

In the event that parking requirements can not be met, a developer has the option of providing cash-in-lieu of parking. The cash payment is intended to be used by the Town to acquire and develop public parking areas as required. The payment is calculated based on

a formula that takes into consideration the cost of acquiring land, developing the parking area, and the ongoing maintenance of the parking area. The cash-in-lieu provision is only available in the Downtown Commercial and Downtown Residential future land use designations where the Town currently maintains a number of public parking areas. A combination of the cash-in-lieu and on-site parking will also be acceptable.

**Policy G-22**

It shall be a policy of Council to develop a formula for calculating cash-in-lieu of required parking.

**Policy G-23**

It shall be a policy of Council to accept cash-in-lieu of required parking in the Downtown Commercial and Downtown Residential Future Land Use Designations.

**3.7.6 Design Standards for Parking Areas**

The establishment of minimum dimensions for parking stalls and aisles is essential to ensure that parking stalls and aisles are not too small to effectively function and accommodate the required number of vehicles.

Parking lots are rarely regarded as a welcome addition to any neighbourhood and they typically feature a large, featureless expanse of asphalt that has a negative visual impact on the surrounding uses and abutting streets. Where possible, it is desirable that parking lots be situated in rear yards or side yards away from streets and hidden from view by a building. Council recognizes that this is not always feasible and in situations where parking abuts a street or another property, it is essential that a landscaped visual buffer be provided to screen the parking area from the abutting use or street. Council is also interested in introducing trees and other plantings to large parking lots to eliminate large expanses of asphalt which, in addition to not looking very nice, create a range of stormwater drainage and water quality issues.

*Parking lots to be appropriately landscaped and, where possible, screened from view to ensure that they are not the dominant feature of any development*

Parking structures are much more expensive to develop than a conventional surface parking lot and designers are faced with the challenge of getting the greatest number of parking stalls while working around the internal mechanics and supports of a structure. It is recognized that parking structures may require more flexibility in terms of minimum dimensions than would normally be permissible under the standard specifications. Council is prepared to allow a parking structure to have less than the required stall dimensions or aisle widths provided the structure has been designed by a professional engineer or architect licensed to practice in the Province of Nova Scotia.

**Policy G-24**

It shall be a policy of Council to establish minimum specifications for off-street parking areas for more than four vehicles.

**Policy G-25**

It shall be a policy of Council to develop landscaping requirements for off-street parking areas for more than four vehicles.

### **Policy G-26**

It shall be a policy of Council to allow a parking structure to have less than the required stall dimensions or aisle widths provided the structure has been designed by a professional engineer or architect licensed to practice in the Province of Nova Scotia

### **3.7.7 Commercial Vehicles in Residential Areas**

The parking of commercial vehicles, such as semi-trailers, mobile canteens and taxis, has been of particular concern over the years. The integrity, safety and aesthetic qualities of a neighbourhood or street are hampered by the parking of these vehicles. Consequently, the parking of commercial vehicles beyond a certain size or number will be restricted in residential areas.

### **Policy G-27**

It shall be a policy of Council to regulate the parking and storage of commercial motor vehicles in all residential zones.

### **3.7.8 Loading Spaces**

The need for some land uses to have appropriate loading facilities has been an issue in Truro. There are occurrences where necessary loading and unloading has blocked the flow of traffic and pedestrian use of public streets. These occurrences are in some cases unavoidable. While it is difficult to correct past oversights, it is not the intention of this strategy to encourage such future conditions.

### **Policy G-28**

It shall be a policy of Council to regulate and set standards for minimum loading space requirements by land use on private and public property.

## **3.8 Outdoor Lighting**

Excessive and obtrusive outdoor lighting is a common concern when dealing with new development in and around residential areas. Developers will often illuminate parking areas and walkways in the interest of safety but this frequently leads to light trespass onto adjacent properties. Light trespass is an issue for many residents who would prefer not to have their homes and properties illuminated during nighttime hours. Council recognizes the need to regulate outdoor lighting and preserve the ambiance that nighttime can offer.

*Outdoor lighting to be regulated to ensure that illumination is provided only where it is needed.*

### **Policy G-29**

It shall be a policy of Council to permit reasonable uses of outdoor lighting for nighttime safety, utility, security, and enjoyment while preserving the ambiance of the night.

*Only full cut-off fixtures  
will be permitted in or  
abutting a residential  
zone*

**Policy G-30**

It shall be a policy of Council to prohibit outdoor lighting that is misdirected, excessive, or unnecessary.

**Policy G-31**

It shall be a policy of Council to require that all outdoor lighting fixtures in or abutting a residential zone or designation be full cut-off fixtures approved by the International Dark Sky Association.

**Policy G-32**

It shall be a policy of Council to regulate the lighting of commercial signage where it abuts a residential zone or use.

**3.9 Trees**

*Opportunities to  
plant new trees will  
be explored as part of  
any new development  
application*

The Town of Truro has long recognized the benefits of street trees and the importance of protecting its urban forest. The Town has a very active Tree Committee and a full time Tree Technician, both of whom are passionate about trees and their importance to our Town. Many of Truro’s streets are lined with mature trees but over the years these trees have been lost. The Tree Committee has been actively maintaining and caring for the Town’s street trees but many trees have been removed as they have succumbed to age and disease. The Committee has been actively working to reinstate street trees and encourage the establishment of trees on both private and public property throughout the Town. It is Council’s intention to support the Tree Committee in its endeavors by considering opportunities for planting of new trees as part of any development proposal.

**Policy G-33**

It shall be a policy of Council to support the Tree Committee in its efforts to re-establish street trees and to encourage planting of new trees on both private and public land.

**Policy G-34**

It shall be a policy of Council to consider recommendations from the Town’s Tree Technician regarding the planting of new trees in conjunction with any development proposal and to consider requiring the planting and maintenance of street trees on private land as a condition of approval.

**3.10 Driveway Access**

Controlling access to Town streets is an important element in ensuring that new development does not have a negative impact on traffic flow or on the safety of motorists, cyclists, and pedestrians. The Town has appointed a Traffic Authority to regulate access to all public streets. It is the intention of Council to have all development proposals and proposed changes to vehicle access reviewed by the Town’s Traffic Authority.

### **Policy G-35**

It shall be a policy of Council to require that all development proposals or other proposals that may impact upon vehicle access to a public street be subject to the approval of the Town's Traffic Authority .

## **3.11 Telecommunication Facilities**

### **3.11.1 Jurisdiction**

Applications for telecommunications facilities fall under the jurisdiction of Industry Canada. Policies currently followed by Industry Canada require that the proponent of a new telecommunication facility which is subject to federal approval must consult with the municipality and indicate whether the municipality concurs with the application. Procedures therefore require that land-use authorities be consulted, by the proponent, prior to the building of significant antenna structures. The process is designed to allow communities to influence the location of a telecommunication tower.

The purpose of this policy is to provide general guidance for the siting of telecommunication towers in the Town of Truro and to create a clear procedure for public participation in the review of such proposals.

### **3.11.2 Siting of Telecommunication Facilities**

The purpose of this Policy is to establish general guidelines for the siting of towers and antennae. The policies will not have the status of a zoning bylaw nor do the criteria have the status of zoning regulations.

These policies are intended to provide guidance and direction to staff when dealing with siting communication facilities while the ultimate approving authority for such facilities/ structures lies with the governing federal body, which may or may not choose to accept Council's recommendation.

### **Policy G-36**

When considering proposals for telecommunication towers and antennae, it shall be a policy of Council to promote the following objectives:

- a) To manage the location of telecommunication facilities within the Town of Truro;
- b) To preserve the natural and cultural landscape and minimize negative impacts;
- c) To outline a clear process for public consultation on telecommunication facility proposals;
- d) To provide for wireless telecommunications facilities in order to promote economic development and meet the business and safety needs of residents and the traveling public; and
- e) To promote and encourage co-location on existing and new towers as an option rather than construction of additional single-antenna towers, and to reduce the number of such structures needed in the future.

### 3.11.3 Co-locating Telecommunication Facilities

Wherever possible, developers of telecommunication towers, antennas, buildings or equipment shall attempt to utilize existing infrastructure. To this end, companies shall co-locate where possible and shall attempt to mount antennae on existing structures rather than build new freestanding towers.

#### **Policy G-37**

It shall be a policy of Council to encourage telecommunication providers to co-locate where possible and explore the possibility of mounting antennae on existing structures rather than construct freestanding towers.

### 3.11.4 Notification

All telecommunication facilities that require a license from Industry Canada, including alterations or additions to existing facilities, shall notify Town in writing.

#### **Policy G-38**

It shall be a policy of Council to require telecommunication providers to notify the Town before erecting or altering any telecommunication facility and require the applicant to submit detailed information outlining the proposed telecommunication facility.

#### **Policy G-39**

It shall be a policy of Council to hold an advertised public meeting to review any proposed telecommunication facility.

### 3.11.5 Submission Requirements

A telecommunication provider intending to erect a telecommunications structure, including alterations or additions to existing facilities, shall submit the following to Planning staff:

- a) A scaled plan clearly indicating the height and design configuration of proposed facility including colouration and lighting.
- b) Site plans showing the location of the proposed site, proposed tower and equipment, dimensions of the proposed site and set backs from property lines, topography, location and proximity of roadways and proposed access to the site, distance to residential areas and/or other structures, existing and proposed vegetation, fencing and other security measures.
- c) A detailed, independent professional assessment of the potential environmental impacts to the development of the proposed site and lands adjacent to the proposed site.
- d) Identification of the cell area to be serviced by the proposed tower.
- e) A letter indicating the reason why the requested telecommunication facility can not be co-located on any existing tower in the surrounding area. Also, the Proponent shall confirm that the proposed tower allows for future expansion.

- f) A letter indicating that the facility will not affect television, telephone, or other forms of electronic equipment in the surrounding area.
- g) Graphic representation (such as photograph) indicating the potential visual impact of the tower on surrounding properties.
- h) A letter from the property owner indicating that they are aware of the application and have consented to the location of the telecommunication facility on their property or building.
- i) Submit an processing fee (non-refundable) of \$300.00 plus an advertising deposit of approximately \$600.00 to the Town of Truro.
- j) Any other information deemed necessary by Planning Staff to evaluate the application.

### 3.11.6 Public Consultation

Once a completed application has been made there shall be a public consultation process that shall include:

- a) a public meeting date shall be established by staff in consultation with the Planning Advisory Committee;
- b) notice will be distributed to those property owners within 92.9 m<sup>2</sup> of the property where the proposed tower is to be located;
- c) a sign shall be erected by the applicant on the proposed site a minimum of two weeks prior to the public meeting and shall include the meeting details and contact information for both the applicant and the Town;
- d) a notice of the public meeting will be published in a local paper a minimum of two weeks prior to the meeting;
- e) at the meeting the proponent will explain the application and hear the concerns expressed by the public;
- f) following the meeting the applicant must submit to Town Staff, in writing, the concerns expressed by the public and how the applicant intends to address these concerns;
- g) Staff will prepare a report with recommendations for consideration of the Planning Advisory Committee;
- h) PAC's recommendation shall be reviewed by Town Council at a public Council meeting
- i) Council shall consider PAC's recommendation and either support or not support the application.
- j) Council's recommendation for the proposal will be sent to Industry Canada.

## 3.12 Wind Turbine Generators

Wind turbines present unique land use regulation challenges because of their physical and operational characteristics. Wind energy has been greeted with mixed reactions from communities based on perceived or actual impacts on health and quality of life of those in proximity to active turbines. While recognizing both the economic and environmental benefits associated with wind energy generation, the Town of Truro is mindful of its need to protect its citizens' safety and quality of life.

The Town wishes to facilitate the development of wind turbine generators while ensuring minimal or no adverse effects occur as a result of this type of land use. To that end, Council has developed policies to regulate permissible locations for turbines. Large turbines are not suited to residential areas. Council will establish setback requirements to ensure that wind turbines are well removed from neighbouring properties and conflicting land uses.

Also, it is the intent of Council to minimize the visual impact of proposed wind turbines by developing regulations concerning the appearance and location of wind turbines and establish a public review process to ensure that important view planes are identified and protected.

At present, the policies of this section apply to all turbines. However, Council is aware that wind energy generation is an evolving technology that varies in scale, intrusiveness, and intent. Specific policies relating to the definition and permissible locations of small and micro turbines for on-site power consumption will be developed by Council.

#### **Policy G-40**

It shall be a policy of Council to consider the development of wind turbine generators by development agreement only provided the proposed turbine or turbines are to be located in one of the following zones:

- a) Commercial Zone;
- b) Industrial Zone;
- c) Community Use Zone;
- d) Rural Residential (R8) Zone;
- e) Watershed Residential (R9) Zone; or
- f) Environmental Management Zone excluding the Floodway (E3) Overlay or the Floodway Fringe (E4) Overlay where the underlying Zone is a Residential Zone other than the Rural Residential (R8) or Watershed Residential (R9) Zone;

#### **Policy G-41**

It shall be a policy of Council to require the submission of the following documentation, in addition to the information required in Part 10: Implementation, along with any request to enter into a development agreement with the Town for the purpose of developing a wind turbine or wind farm:

- a) a scaled plan clearly indicating the height and design configuration of proposed facility including colouration and lighting;
- b) site plans showing the location of the proposed site and proposed tower and equipment, dimensions of the proposed site and set backs from property lines, topography, location and proximity of roadways and proposed access to the site, distance to residential areas and/or other structures, existing and proposed vegetation, fencing and other security measures;
- c) written confirmation that the proposed wind turbine or wind farm will not affect television, telephone, or other forms of electronic equipment in the surrounding area;

- d) written confirmation that the proposed wind turbine or wind farm has been reviewed by Transport Canada or that the proposed structure does not require approvals from Transport Canada;
- e) graphic representation of the proposed wind turbine or wind farm indicating the potential visual impact of the wind turbine on surrounding properties and from various vantage points throughout the Town;
- f) a processing fee (non-refundable) of \$300.00 plus an advertising deposit of \$600.00 to the Town of Truro; and
- g) any other information deemed necessary by the Town to evaluate the application.

#### Policy G-42

It shall be a policy of Council to require that all wind turbine generators are constructed and maintained so that:

- a) the total height of the turbine shall not exceed 80 m in height;
- b) the tower height shall not exceed 52 m in height;
- c) the rotor blade of the turbine shall not exceed 28 m in radius;
- d) the minimum rotor blade clearance of the turbine be no less than 7.5 m;
- e) noise produced by a wind turbine shall not exceed 40 dB(A) or 5 dB(A) above background noise, whichever is greater, when measured at a non-participant dwelling, at a non-participant structure, or in a residential zone;
- f) the wind turbine generator shall not exist on a lot smaller than 2000 m<sup>2</sup>;
- g) a locked security fence no less than 2 m in height shall enclose each turbine tower;
- h) an access ladder to the turbine shall not hang within 3.7 m from grade;
- i) decommissioned turbines shall be removed within two years of the cease of operation;
- j) no advertisements or lettering shall be visible except that of the manufacturer;
- k) support tower, blades and nacelles should be painted the same colour – preferably off white or light grey – and have a matt finish; and
- l) rotors should not cause any existing residential uses to experience shadow or flicker as a result of the tower or rotors obstructing direct sunlight.

#### Policy G-43

It shall be a policy of Council to require that all wind turbine generators conform to the following setback requirements:

##### Wind Turbine Setback Requirements

<i>Feature</i>	<i>Required Setback</i>
Participant Dwelling or Structure	3 times total height of wind turbine
Non-Participant Property	3 times total height of wind turbine
Non-Participant Dwelling or Structure	10 times tower height of wind turbine
Residential Zone (except R8 and R9)	10 times tower height of wind turbine

**Policy G-44**

It shall be a policy of Council to require that all wind farms conform to the following setback requirements:

- a) the minimum separation distances between turbines shall be 5 times the rotor diameter (rotor arc);
- b) wind generators must be uniform in size and design; and
- c) all wind generators within a wind farm shall rotate in the same direction and should be kept operating at once.

**Policy G-45**

It shall be a policy of Council to develop a small and micro wind turbine regulatory framework.

### 3.13 Urban Agricultural Uses

The Town is interested in accommodating limited urban agricultural uses in an effort to promote the ideals of local food production and food security. These concepts are key elements of the Town's Community Sustainability Plan and relate specifically to the objective of promoting the local economy. Urban agriculture is becoming increasingly popular and many communities across Canada are struggling to deal with the land use conflicts that can arise where chickens, bees, or other animals are introduced in urban residential areas. Council recognizes that urban agriculture is only going to become more popular as our society moves to become more sustainable. Council's intent, therefore, is to adopt policies and regulations that will ensure that urban agricultural uses are accommodated in an orderly manner with minimal impact on neighbouring uses.

**Policy G-46**

It shall be a policy of Council to permit small scale urban agricultural uses in an effort to promote the ideals of local food production and food security within the Town of Truro.

**Policy G-47**

It shall be a policy of Council to establish minimum lot sizes, buffering requirements and proportional animal allowance regulations for urban agricultural uses to ensure that the potential for land use conflicts with neighbouring uses is minimized.



# 4 • Residential Policies



## 4.1 Background

### 4.1.1 Residential Development in Truro

Truro can be a complex and challenging place when it comes to planning for new residential development. Even though the Town has a population of just under 12,000 it faces many of the complex issues and development pressures normally associated with much larger urban centre. The complex nature of the issues facing Truro can be partly attributed to Truro's role as the central core of an urban area with a population of around 45,000 residents. It can also be attributed other factors such as the age and condition of our housing stock, the Town's commitment to its architectural heritage, the need to be a more sustainable community, or the challenges associated with housing an aging population and a sizeable student population. The Town of Truro's Residential Policies take into account each of these factors in an effort to accommodate new residents and new housing opportunities while at the same time ensuring the best possible quality of life for all members of our community.

There was a modest increase in the Town and region's population during the last census period. Demand for housing in the Truro area also continues to increase and much of the demand is for rental housing rather than traditional single unit dwellings. Accommodating the demand for new apartments and other multiple unit developments within Town has proven to be one of the most contentious issues facing Town Council.

Truro's role as a regional centre contributes to the demand for rental units within the Town. Land value and demand for housing are typically highest in and around the downtown core of any urban area. Consequently, developers are eager to increase residential densities and permit apartment buildings and conversions in downtown residential areas. The downtown core of the region is wholly contained within the Town of Truro, as is much of the demand for higher residential densities. Lower density residential development, however, is mostly situated outside of the Town limits. This explains, in part, why Truro has a large percentage of rental dwellings versus owner occupied dwellings. 2006 census data indicates that over 50 percent of occupied private dwellings in Truro are rental units while the provincial average is 27.5 percent. It also helps to explain why a relatively small town like Truro has over 2500 rental units and why it is the second largest rental market in Nova Scotia after the Halifax Regional Municipality.

*50.7% of occupied private dwellings in Truro are rented. This is well above the provincial average of 27.5% and above other Nova Scotian Towns such as New Glasgow or Kentville which have around 38 % rented dwellings.*

*Statistics Canada,  
2006 Census Data*

*Truro has over 2500 rental units and it is the second largest rental market in Nova Scotia after the Halifax Regional Municipality.*

*CMHC Rental Market Report,  
Spring 2009*

The demand for rental housing can also be attributed to demographics. In addition to experiencing some modest population growth during the last census period, average household size has been decreasing. Consequently, there are more people looking for housing and more dwellings are needed to house the same number of people. This translates into increased demand for housing. Considering that Truro's population is aging and there is a growing number of "empty nesters" looking to downsize, it can be assumed that much of this increased demand will be for apartments and condominium units. There is also the issue of housing the approximately 2200 full and part time students who attend the two Truro area post-secondary institutions. These students are also primarily interested in apartment-type dwelling units.

Over the past few decades most new single unit dwellings in the Truro area have been constructed in residential subdivisions just outside of the Town in communities such as Bible Hill, Valley, and Hilden. While the relatively newer neighbourhoods in Truro remained mostly intact, the large heritage homes in the older areas of Town were being converted into multiple units to meet the demand for apartments. The older neighbourhoods surrounding the downtown area consist of homes from the late 1800s and early 1900s. Homes from this period are typically larger than today's single family homes and are often big enough to allow for conversions into two or more units. As a result, many of the larger homes in the downtown area have been converted into two or more rental units. This has led to the older historic neighbourhoods becoming increasingly dominated by rental units. Meanwhile, existing residents and prospective home-buyers seeking a single unit dwelling in a stable residential environment were drawn to other areas of Truro or to nearby communities.

There are three heritage districts and over 100 registered heritage properties in downtown Truro. The preservation of this significant architectural heritage has been a priority of Council. In response the Town has adopted a Heritage District Plan and By-law as well as created a Heritage Advisory Committee. The noted demand for new rental housing in the downtown area presents constant pressure to redevelop properties in and around the Heritage Districts. The Town is faced with finding a balance between preserving its historic downtown neighbourhoods and accommodating the demand for new residential housing.



Outside of the downtown there are fewer issues to deal with when planning for residential development. Residential areas outside of the downtown tend to be dominated by single and two unit dwellings in generally stable neighbourhoods with no evident signs that these areas are in transition. Areas that are in transition, either in the process of being redeveloped or converted into another use or a more intensive use, tend to be the most challenging areas to plan for elsewhere in Town. There are a few of these areas including the older neighbourhoods in the east end of Town which share many of the same development issues facing the downtown area. Other residential areas which are in transition include South Young Street, Robie Street, Willow Street, and Ford Street. These areas are characterized by a mixture of dwelling types and land uses including multiple unit developments.



There are a number of large vacant parcels of land within the Town that are suitable for new housing developments. Planning is underway for developments off Wood Street, Centennial Drive, and Upham Drive in the vicinity of the Truro Elementary School. Given the nature of the surrounding development, these areas are well suited for traditional residential subdivisions consisting of single and two unit dwellings.

#### 4.1.2 Policy Context

The Town's 2004 Planning Documents placed a great deal of emphasis on planning for and accommodating increased residential densities. Policies and regulations were put in place to allow

for multiple unit developments in many areas of the Town but this was accompanied by a more rigorous evaluative process. The process was designed to ensure that Council had the ability to consider new development proposals in existing neighbourhoods, but only if the development was compatible with its neighbours. The process was also expanded to include a broader public participation program to ensure that residents were aware of and engaged in the planning process and to ensure that the process be more transparent.

The 2004 Planning Documents were quite receptive to the idea of more multiple unit residential development in the downtown. New downtown housing developments have complemented the Town's efforts to increase residential densities in the core and they have helped to accommodate population growth without having to build new municipal infrastructure. This continues to be consistent with Council's desire to be a more sustainable community by making more efficient use of existing services and with Council's plans to revitalize its downtown by increasing the customer base for downtown retailers and services.

Although Council wanted the ability to consider new multiple unit developments in the downtown; they also wanted to ensure that new multiple unit developments, particularly infill developments in the downtown residential did not detract from neighbouring heritage properties and streetscapes. Multiple unit proposals, therefore, were to be considered by development agreement. Detailed evaluative criteria were put in place to ensure that these developments were compatible with neighbouring development.

*Between 2004 and 2009 there were 440 new apartment units constructed in Truro. This represents about a 20% increase in the total number of apartments within the Town.*

The former Planning Documents also indicated that the Town was interested in accommodating residential development outside of the downtown area and ensuring that the Town offers a variety of housing options. Large vacant parcels of land on the edge of the community were set aside for future residential development. These areas were viewed as natural extensions to existing low density neighbourhoods and policies were put into place to allow this type of development to take place. The policies did allow for some mixture of land uses and dwelling types on these larger parcels of land by proceeding through a Comprehensive Development District Agreement. The Town also wanted to accommodate more intensive residential development outside of the downtown area where the potential for land use conflict is minimal and where the roads and other infrastructure are capable of handling the development. Transitional areas such as South Young Street and Ford Street permitted multiple unit developments by development agreement.

#### 4.1.3 Issues

The Residential Development Policies in the Town's 2004 Planning Documents placed a great deal of emphasis on accommodating new residential growth and in particular the demand for new multiple unit dwellings. Although this approach was successful in bringing more people and over 440 new apartment units to Truro, some residents are not in favour of these developments. Of particular concern was the lack of predictability when it came to where multiple unit developments would be permitted and the lack of a rigid set of regulations governing their development. While multiple unit developments were not permitted in certain areas of town, particularly the zone for single unit dwellings, most zones allowed Council to consider more intensive residential uses by development agreement.

The development agreement process included detailed evaluative criteria designed to ensure that new developments would be compatible with adjacent homes. This approach was quite successful in accommodating several new and well designed multiple unit developments that had minimal impact on surrounding properties. However, this approach gave rise to concerns about the proximity of these developments to existing homes and the effect on the quality of life in the surrounding neighbourhoods.

The inherent flexibility in the development agreement process gave rise to the impression that the Town regularly allows developers to get around the by-laws and regulations. A development agreement is designed to provide Council with some discretion when dealing with new development proposals. It is also intended to give Council, the developer, and residents assurances about how the subject land is to be developed and maintained. A development agreement is negotiated between the Town and a developer, giving the Town the flexibility to vary its normal land use requirements within the parameters set out in the Planning Documents. The Town normally does this in exchange for some added benefit from the developer or in light of some other mitigating circumstances. This flexibility, which is integral to the development agreement process, is sometimes perceived by members of the public as a disregard for the regulations.

These Planning Documents will strive to achieve a balance between accommodating new sustainable growth and providing a sense of security for residents when it comes to understanding where and how this growth can occur.

*Concern about lack of predictability and security when it came to knowing where new multiple unit residential development would occur.*

*Perception that the development agreement process allows developers to circumvent the rules.*

*This plan will clearly establish where and how new residential development will occur*

#### 4.1.4 Approach

The Town's previous Planning Documents separated residential development into two primary categories based on residential densities. Residential densities are determined by calculating the number of units per hectare or acre. Certain areas of Town were set aside for "low density" development and other areas for "medium to high" density development. This approach led to a regulatory framework largely based on a mathematical calculation that is only partially useful in establishing the kinds of land use impacts a proposed development may have. Certain land use impacts, such as higher traffic volumes and higher demand for municipal services, can be attributed to residential densities but density only tells part of the story.

*Greater emphasis on evaluating development based on the quality of its design rather than on its density.*

In order to truly understand how a proposed development will impact the surrounding neighbourhood and the community, it is necessary to use a more comprehensive approach. It is, after all, possible to have a low density development that has a negative impact on a surrounding low density neighbourhood because it is poorly designed. Accordingly, these Planning Documents place less emphasis on density and focus more on built form, site design, and land use type as a means of regulating residential development and minimizing land use conflicts.

Truro is not comprised of homogeneous neighbourhoods and most areas contain a mix of dwelling types. Future land use designations are not, therefore, intended to exclude other types of residential development. It is the intention of Council that options are available to permit some discretion when considering development proposals.

## 4.2 Residential Objectives

### 4.2.1 A Livable Community

The Town is committed to promoting the best possible quality of life for its residents. Part of what determines the quality of life in a community is the quality of its residential neighbourhoods. A well designed, maintained, and functional residential neighbourhood is essential to ensuring a high quality of life for its residents. There is a considerable amount of development pressure in the community and Council recognizes that there is a need to regulate development in order to ensure the best possible quality of life for Truro's residents. To achieve this, it is important that all residential development takes place in a manner that complements existing development and that it contributes to the creation and preservation of attractive streetscapes, vibrant public open spaces, and welcoming pedestrian environments.

#### Policy R-1

It shall be a policy of Council to encourage new residential development that will promote a high quality of life for Truro's residents and result in the creation of attractive streetscapes, vibrant public open spaces, and welcoming pedestrian environments.

#### 4.2.2 Great Neighbourhoods

In addition to the physical design of the neighbourhood, for a neighbourhood to truly support a high quality of life it must fully account for the social, economic, and cultural sustainability of the community. The Town will encourage residential development that leads to more sustainable and vibrant neighbourhoods which convey a sense of belonging, neighbourliness, community pride, civic responsibility, and safety. Emphasis will also be placed on encouraging neighbourhoods that foster creative expression, entrepreneurialism, recreation, and collective action.

##### **Policy R-2**

It shall be a policy of Council to promote sustainable and vibrant neighbourhoods which convey a sense of belonging, neighbourliness, community pride, civic responsibility, safety, and which foster creative expression, entrepreneurialism, recreation, and collective action.

#### 4.2.3 Active and Healthy Community

Town Council recognizes the important role that good community design can have in supporting a more active and healthy lifestyle for residents. Council will encourage residential developments that facilitate walking and bicycling as an alternative to the private automobile. When considering new development proposals Council will also place emphasis on developments that include opportunities for recreation, trail developments, and linkages or extensions to existing park systems.

##### **Policy R-3**

It shall be a policy of Council to encourage new residential development to emphasize and facilitate bicycling and walking as alternatives to private vehicular travel.

##### **Policy R-4**

It shall be a policy of Council to encourage new residential development that facilitates active sustainable lifestyles.

#### 4.2.4 Environmental Stewardship

It is essential that the Town assume a much greater role in ensuring that residential development takes place in a manner that consumes fewer resources and uses infrastructure more efficiently.

##### **Policy R-5**

It shall be a policy of Council to encourage new residential development to make more efficient use of land, infrastructure, and services.

#### 4.2.5 Planned Growth

Truro experienced modest population growth during the last census period and demand for housing continues to grow. Council recognizes that well planned growth can have numerous benefits for the community and it is their vision and desire that Truro should continue to grow. Council therefore wishes to encourage and accommodate new residential development.

##### **Policy R-6**

It shall be a policy of Council to encourage population growth and to accommodate new sustainable residential development in a manner that ensures the best possible quality of life for all residents.



#### 4.2.6 Intensification

The 2004 Planning Strategy placed emphasis on increasing the number of residents in Truro by developing new residential units on vacant lots and in under-utilized buildings. This process of intensification accommodates residential development without requiring an extension of municipal services or infrastructure. Intensification also brings more people closer to the downtown area which helps promote diversity and interest in the downtown while providing more users for services and businesses -- a key component of any downtown revitalization strategy and any sustainable community.

Council still recognizes the importance of accommodating more residents on existing infrastructure but they

are concerned about the potential negative impact that new residential development and redevelopment projects can have on the integrity of established neighbourhoods. Council is, therefore, only interested in context sensitive development that complements surrounding homes and has minimal impact on established residential areas.

##### **Policy R-7**

It shall be a policy of Council to encourage context sensitive intensification and infill residential development that complements surrounding homes and preserves or enhances neighbourhood integrity.

#### 4.2.7 Range of Housing Opportunities

In an effort to regain a greater proportion of regional residential development and allow Truro's population to continue to grow the Town must anticipate and be receptive to changing market demands and new housing types. Changing demographics and particularly an aging population are creating a demand for new apartment buildings and condominiums. Policies that allow for non-traditional housing forms will foster continued residential growth.

##### **Policy R-8**

It shall be a policy of Council to encourage new residential development in the Town that supports a variety of lifestyles and includes a range of housing choices and household types.

#### 4.2.8 Neighbourhood Integrity & Stability

Council recognizes the need to preserve residential neighbourhoods where there has not been a significant number of conversions or incompatible redevelopment and the original housing is in good repair and largely intact. These areas tend to foster a sense of neighbourhood and are an integral part of a sustainable and vibrant community. In order to ensure that these areas continue to be appealing places to live and invest, it is Council's intention that redevelopment opportunities are carefully regulated by a clear and predictable process that provides residents with a sense of security and neighbourhood stability.

##### **Policy R-9**

It shall be a policy of Council to encourage new residential development and redevelopment opportunities that enhance and complement established and intact residential neighbourhoods.

##### **Policy R-10**

It shall be a policy of Council to clearly establish where and how new residential development can occur in order to ensure that growth takes place in a predictable manner that provides residents a sense of security and neighbourhood stability.

#### 4.2.9 Clear Policies & Regulations

Many residents have expressed concern about the lack of predictability afforded by the Town's 2004 Municipal Planning Strategy when it came to understanding where and how residential development was permitted to occur. Concern has also been expressed about the complexity and clarity of the development application and evaluation process. Council recognizes that there is a need to develop clear policy statements and regulations to ensure that the planning process is accessible to all and that residents are able to understand how new development proposals are regulated and evaluated.

##### **Policy R-11**

It shall be a policy of Council to adopt a clear a transparent application and evaluation process to be used when considering residential development proposals.



#### 4.2.10 Mixture of Dwelling Types

Truro has a relatively high percentage of low income individuals with nearly 20% of the Town's population classified as having a low income before taxes. This represents an average which is about 6% higher than the province and 4% higher than New Glasgow. This indicates that there is a demand for more affordable housing units in Truro. The wrong way to accommodate this demand is by setting aside areas for high density development and discouraging this type of development elsewhere. That approach would lead to a community that is segregated on the basis of economic means and potentially create neighbourhoods that are more susceptible to crime and urban decay. There is, however, a recognized demand for neighbourhoods of single and two unit dwellings and it is Council's intent that this type of development be accommodated on a limited basis. Council's general approach to residential development will be to support and give preference to residential proposals that either consist of a mixture of dwelling types or will contribute to a mixture of dwelling types in the neighbourhood. Proposals that do not contribute to a mixture of dwelling types will be discouraged.

##### Policy R-12

It shall be a policy of Council to, on lands outside of the Limited Residential Designation, support and give preference to residential proposals that either consist of a mixture of dwelling types or will contribute to a mixture of dwelling types in the neighbourhood.

#### 4.2.11 Engaged and Informed Residents

Council recognizes that public participation is a key component of the planning process. In order for a public participation process to be truly effective it is important that residents understand the development application process, that they are aware of ongoing development activity within the community, and that they are welcome to participate in the process.

##### Policy R-13

It shall be a policy of Council to adopt a public participation process that is designed to engage residents in the planning process and inform them about development applications in their community.

#### 4.2.12 Adequate and Affordable Housing

All communities are characterized by disparity of wealth, but a sustainable community concerns itself with ensuring that the basic needs of all are met. Shelter is one such need. Although it is difficult to gauge at any given time the number of citizens who are experiencing inadequate housing, certain community groups, including several churches, make it their concern to assess on-going need. Adequate housing means shelter that is habitable and structurally sound, and that provides sufficient space and protection against cold, damp, heat, rain, wind, noise, pollution and other threats to health.

Affordable housing is any option available to an individual(s) or family at a cost that does not compromise their ability to meet other basic needs, including food, clothing and access to education. While Council does not develop housing, it approves development that meets the requirements of its Municipal Planning Strategy and Land Use By-law. Along with encouraging a variety of housing choices and types, it is desirable for affordable housing to represent a proportion of overall residential development. The Nova Scotia Department of Community Services offers a series of incentives for developers and landlords in this regard.

#### **Policy R-14**

It shall be a policy of Council to be aware of the shelter needs of citizens without adequate housing and to collaborate with concerned community groups to meet these needs as they arise.

#### **Policy R-15**

It shall be a policy of Council to encourage residential development in Truro that includes affordable housing units.

## **4.3 Limited Residential Designation**

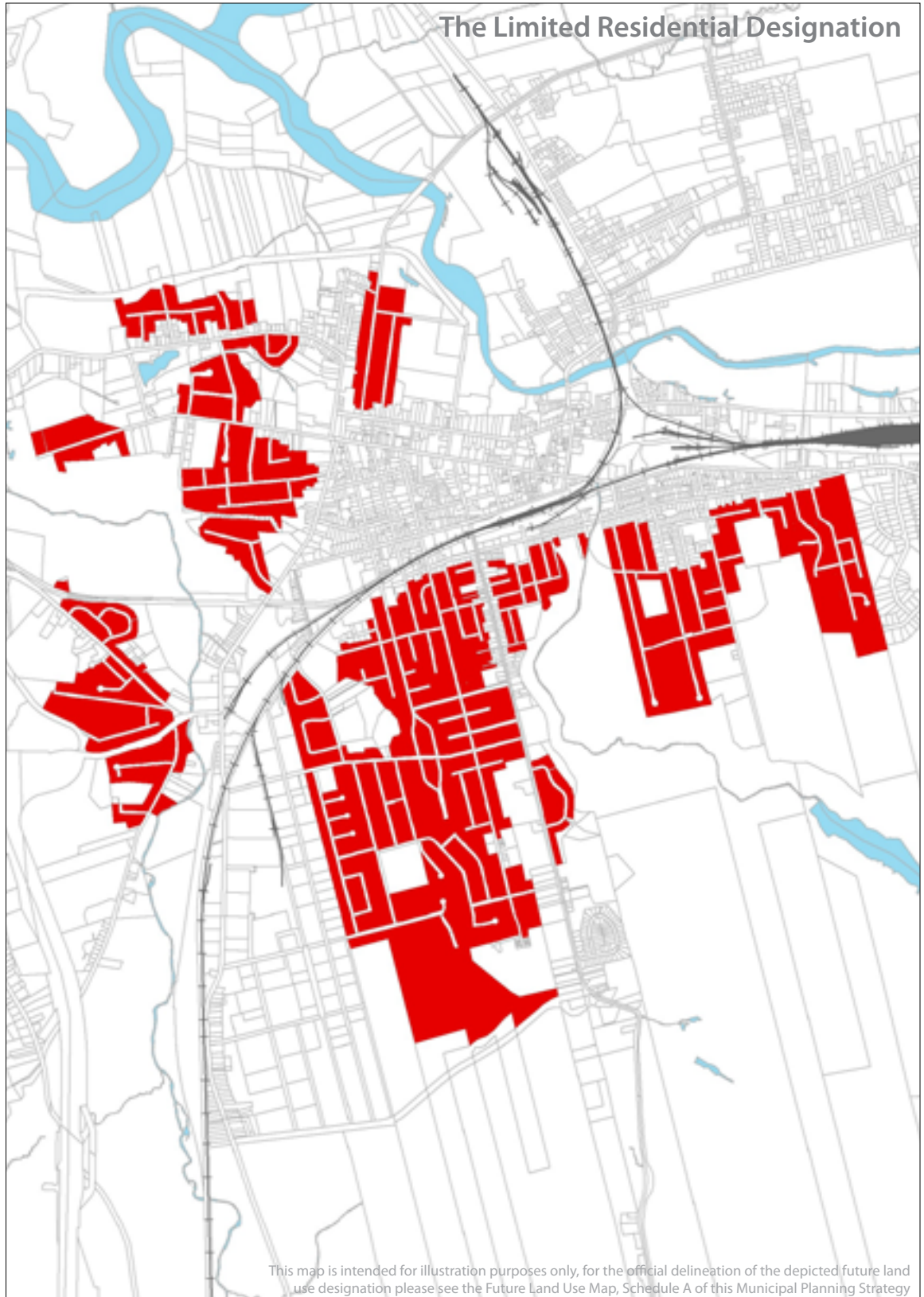
### **4.3.1 The Limited Residential Designation**

Residential areas outside of Truro’s downtown core consist mostly of post-war and more recent housing developments that are primarily owner-occupied dwellings. These neighbourhoods tend to be more intact with homes less likely to have been split up into multiple units, converted into other uses, or redeveloped. These areas also tend to foster a sense of “neighbourhood” that comes from having resident land owners with a vested interest in a quiet, attractive, and stable residential environment where the value of their real estate investment can grow. Many residents in these areas regard multiple unit developments and other more intensive land uses as incompatible with their vision of neighbourhood. Multiple unit developments, they argue, generally do not contribute to a sense of community and often have negative land use impacts such as traffic, noise, and intrusive lighting.

From a community sustainability perspective, a typical residential subdivision consisting entirely of single unit dwellings has a number of significant drawbacks. These developments do not usually make efficient use of land and services, they perpetuate social stratification, and are particularly reliant on the private automobile. Nevertheless, there is a market for homes in stable post-war subdivisions where housing is predominantly owner-occupied and residents share a common vision for their neighbourhood. Ignoring this demand and adopting policies that favour only mixed use development would drive this type of

*Typical residential subdivisions consisting of single unit dwellings are not a sustainable form of development*





development outside of the Town's boundaries. Not only would this lead to urban sprawl on a regional level, it would also deny the Town the benefits associated with new residential development and increased population. This would have a negative impact on the economic sustainability of the community.

The Town is mindful of the drawbacks associated with traditional single unit residential developments and it is Council's intention that preference be given to mixed use developments that place more emphasis on environmental and cultural sustainability. However, it is also Council's intention to recognize that new single and two unit residential developments need to be accommodated to some extent and, where they exist today, afforded some degree of stability.

The Town has created the Limited Residential Designation in order to provide the level of predictability and stability that many property owners seek when it comes to property values and the quiet enjoyment of their lands. This Designation is intended to apply to existing neighbourhoods and vacant lands which the Town wants reserved for less intensive land uses such as single and two unit dwellings. In order to ensure that these neighbourhoods are afforded protection from potentially incompatible development on abutting vacant lands, the Limited Residential Designation may also be applied to vacant lands adjacent to these existing neighbourhoods. New multiple unit and other more intensive residential development is not permitted within this designation. This designation shall apply to most of the developed residential areas outside of the downtown core and a large area of vacant land to the south of Upham Drive. The Limited Residential Designation also applies to other vacant lands off Wood Street and McLean Street excluding vacant lands within the Lepper Brook Watershed.

### Policy R-16

It shall be a policy of Council to establish the Limited Residential Designation on the Town's Future Land Use Map. This designation is intended to apply to existing neighbourhoods and vacant lands within the Town that are to be reserved primarily for low intensity residential land uses such as single and two unit dwellings.

*The Town will ensure that demand for single and two unit developments are accommodated within the Town to help prevent urban sprawl on a regional level.*

### 4.3.2 Single Unit Residential (R1) Zone

Within the Town there are residential areas which may be considered identifiable neighbourhoods where there exists a certain degree of land use homogeneity. These neighbourhoods typically consist of owner occupied single detached dwellings where individuals have considerable investments in their properties. The intent of this strategy is to foster a degree of stability within these neighbourhoods by limiting the range of permitted uses to and by restricting the intensity and scale of new development. By applying the appropriate zone based on existing land use to these neighbourhoods, this objective should be achieved.



*R1 Zone designed to create a stable residential environment where residents feel secure about their real estate investments.*

*Accessory units permitted in existing dwellings.*

The Single Unit Residential (R1) Zone is not intended to be completely inflexible and limited to single unit dwellings only. To accommodate an aging population and allow for more housing opportunities, the R1 Zone will also permit the conversion of a single unit dwelling to include an accessory dwelling unit. To ensure that the character of existing neighbourhoods is preserved, a second dwelling unit will only be permitted where there are no significant changes to the exterior of the proposed building. Also, accessory dwelling units will only be permitted as a conversion of a single detached dwelling that was in existence at the time the Land Use By-law was adopted. This will eliminate the occurrence of purpose built semi-detached dwellings in the R1 Zone.

#### **Policy R-17**

It shall be a policy of Council to establish the Single Unit Residential (R1) Zone and apply this zone to those areas that consist primarily of single detached dwellings and vacant lands identified as suitable for this type of development.

#### **Policy R-18**

It shall be a policy of Council to permit single unit dwellings, accessory uses, open space uses and a limited range of home based business uses in the Single Unit Residential (R1) Zone.

#### **Policy R-19**

It shall be a policy of Council to maintain a low intensity residential character in existing and potential single unit residential neighbourhoods in the Single Unit Residential (R1) Zone through minimum lot sizes, frontage requirements, setback requirements, maximum lot coverages, and height restrictions.

#### **Policy R-20**

It shall be a policy of Council to permit the conversion of an existing dwelling in the Single Unit Residential (R1) Zone to provide one additional dwelling unit subject to certain requirements designed to maintain the appearance of a single detached dwelling and minimize impact on adjacent land uses and the surrounding neighbourhood.

### **4.3.3 Two Unit Residential (R2) Zone**

This zone will permit semi-detached, duplex construction, and two-unit conversions in addition to R1 Zone uses. These dwelling types are generally more efficient than single unit dwellings in terms of land consumption and service utilization. Two unit dwellings offer an affordable alternative to the single family home and when properly designed are mixed together with other dwelling types to form a residential subdivision, these dwellings can be attractive additions to a community and a streetscape. Two-unit conversions of existing single unit dwellings will be subject to special requirements designed to preserve the appearance of a single detached dwelling and minimize impact on the surrounding properties.

### **Policy R-21**

It shall be a policy of Council to establish a Two Unit Residential (R2) Zone in those areas where the predominant land use is two unit dwellings or where the development of two unit dwellings is anticipated.

### **Policy R-22**

It shall be a policy of Council to permit low intensity residential uses such as single and two unit dwellings in the Two Unit Residential (R2) Zone and allow a range of home based business uses, day-care centres, accessory uses, open space uses, and a limited range of commercial uses provided the primary use is residential.

### **Policy R-23**

It shall be a policy of Council to permit up to two dwelling units per lot in the Two Unit Residential (R2) Zone including the conversion of an existing dwelling to provide one additional dwelling unit subject to certain requirements designed to maintain the appearance of a single detached dwelling and minimize impact on adjacent land uses and the surrounding neighbourhood.

### **Policy R-24**

It shall be a policy of Council to maintain a low intensity residential character in existing and potential single and two unit residential neighbourhoods in the Two Unit Residential (R2) Zone through minimum lot sizes, frontage requirements, setback requirements, and height restrictions.

### **Policy R-25**

It shall be a policy of Council to require that residential subdivisions in the Two Unit Residential (R2) Zone consist of a mixture of single and two unit dwellings rather than consist entirely of two unit dwellings.

#### **4.3.4 Rezonings from the R1 Zone to the R2 Zone**

Rezonings from the Single Unit Residential (R1) Zone to the Two Unit Residential (R2) Zone may be considered, but only where the lot in question abuts the desired zone. This will allow for limited flexibility and expansion of the housing stock in a controlled and orderly manner. However, the ‘creeping’ of the R2 Zone into a R1 Zone on a large scale will not be permitted.

Council may consider applications to rezone large parcels of land in the Low Density Residential Designation to the Two Unit Residential (R2) Zone but Council wants to ensure that the resulting development ensures a high quality of life for its residents. Developments that consist entirely of semi-detached dwellings often result in streetscapes dominated by driveways, cars, and utility lines. There is a tendency by developers to repeatedly use the same building design and materials creating a neighbourhood that feels



*Two unit dwellings are to be permitted but a mixture of dwelling types is preferred over a development consisting entirely of semi-detached dwellings*

more like a housing project than a community of individual homes. When considering applications to rezone lands from the Single Unit Residential (R1) Zone to the Two Unit Residential (R2) Zone Council shall favour those proposals that include an appropriate mixture of residential dwelling types. In instances where there are compatibility issues with neighbouring single family neighbourhoods, Council may require that large development proposals that include a high percentage of two unit dwellings or two unit dwellings near an R1 Zone be considered only by development agreement.

#### **Policy R-26**

It shall be a policy of Council to permit parcels of land under 2.0 hectares (4.9 acres) in the Limited Residential Designation to rezone to the Two Unit Residential (R2) Zone provided that:

- a) the lands abut the Two Unit Residential (R2) Zone;
- b) the abutting lands were zoned Two Unit Residential (R2) at the time of the adoption of this strategy and its Land Use By-law; and
- c) the proposal satisfies the evaluative criteria for land use by-law amendments outlined in Part 10: Implementation of this Strategy.

#### **Policy R-27**

It shall be a policy of Council to consider rezoning lands in the Limited Residential Designation with an area equal to or greater than 2.0 hectares (4.9 acres) to the Two Unit Residential (R2) Zone provided that:

- a) the proposed development consists of a mixture of both single unit dwellings and two unit dwellings;
- b) lands within 30 metres (100 feet) of a Single Unit Residential (R1) Zone are not included in the area to be rezoned;
- c) the land abuts an Arterial or Collector street as shown on the Transportation Map; or
- d) the Town's Traffic Authority is satisfied that the street network is capable of safely and effectively handling any traffic generated by the proposed development; and
- e) the proposal satisfies the evaluative criteria for land use by-law amendments outlined in Part 10: Implementation of this Strategy.

#### **Policy R-28**

It shall be a policy of Council to consider developments that would normally be permitted by rezoning in accordance with Policy R-27 by development agreement, subject to the evaluative criteria for development agreements and amendment applications as outlined in Part 11: Implementation of this Strategy, where:

- a) the proposed development includes less than 30 percent single unit dwellings; or
- b) the proposed development includes two unit dwellings within 30 metres (100 feet) of a Single Unit Residential (R1) Zone.

## 4.4 General Residential Designation

### 4.4.1 The General Residential Designation

The previous Planning Documents had just two residential land use designations outside of the downtown core: the Low Density Designation and the Medium to High Density Designation. Despite their names, both of these Designations permitted a range of densities and dwelling types and relatively high density residential developments were permitted in certain areas of the Low Density Designation by development agreement. This disconnect between the name of the Designation and the type of development permitted proved to be disconcerting to many residents.

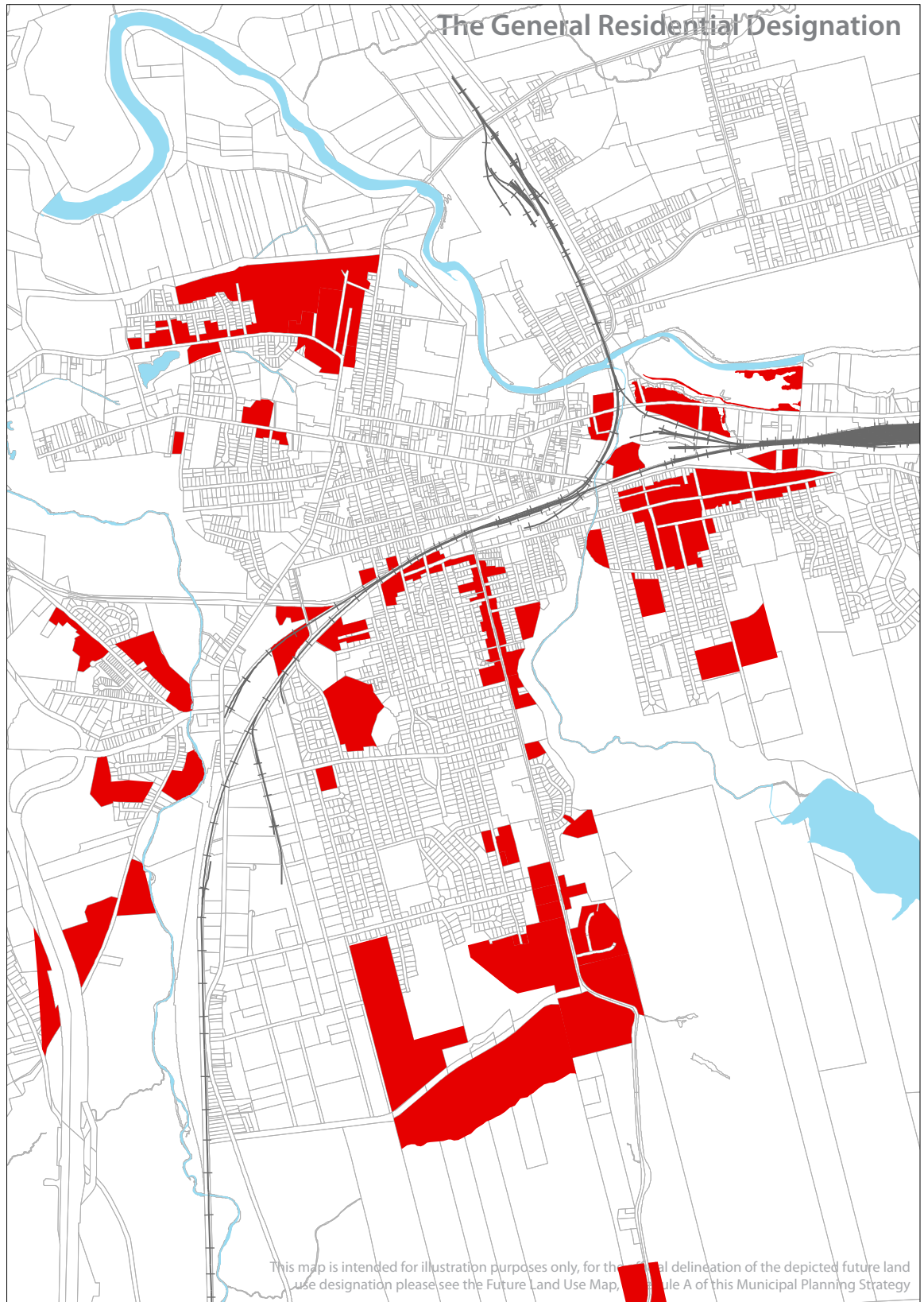
The Limited Residential Designation, which was discussed in the previous section, was created as part of the Town's efforts to create more stable residential neighbourhoods and ensure a greater level of predictability when it comes to residential development. Although single and two unit dwellings are covered by the Limited Residential Designation, Council recognizes that there is a need to set aside other areas of Town in order to accommodate different types of dwelling units. More intensive residential developments are desirable because they utilize municipal services more efficiently and cost-effectively than lower intensity uses and often provide an opportunity for more affordable housing. The Town is interested in having more intensive residential uses in the downtown area and this will be discussed in the next section. There is also demand for other forms of housing and more intensive residential uses in areas outside of the downtown.

*General Residential Designation is intended to apply to lands outside of the downtown core and away from established single unit neighbourhoods where Council can consider a wide range of residential development proposals*

Council wants to accommodate more intensive residential uses in areas where the potential for land use conflicts is minimal, where there is vacant land available, and where the infrastructure is in place to handle new development. Council has created the General Residential Designation partly to recognize existing intensive residential land uses but also to set aside areas outside of the downtown which are better suited for a wider range of dwelling types. This includes vacant areas of land on Lower



Truro Road, James Street, Kaulback Street, Marshland Drive, and Young Street, south of Glenwood Drive. This designation also applies to existing developed areas on the periphery of established residential areas where redevelopment and intensification is desirable. This would include lands on Brunswick Street, Queen Street, Robie Street, and Young Street north of Glenwood Drive. Other areas that have been included in the General Residential Designation include large multiple unit projects, areas with concentrations of multiple unit development, and vacant pockets of land with the ability to handle more intensive residential development.



It is Council's intention that the General Residential Designation allow less intensive residential uses as-of-right but that Council have the discretion to permit more intensive residential land uses through a planning application process. Since Council is concerned about the potential impact that this type of development may have on surrounding homes, the Town intends to permit more intensive residential uses such as mini-home parks and large multiple unit developments by development agreement only where land use conflict issues have been addressed.

#### Policy R-29

It shall be a policy of Council to establish the General Residential Designation on the Town's Future Land Use Map. This designation is intended to apply to lands suitable for residential development or redevelopment projects outside of the Downtown area and not situated within the Limited Residential Designation.



#### 4.4.2 General Residential (R3) Zone

The General Residential (R3) Zone will permit residential uses such as single and two unit dwellings. The R3 Zone is also intended to place fewer restrictions on home based businesses when compared to the Single Unit Residential (R1) or Two Unit Residential (R2) Zones and it is meant to allow a wider range of uses such as day care centres, bed & breakfasts, and residential care facilities.

*R3 Zone to permit R1 and R2 Zone uses but allow more intensive residential uses by development agreement or rezoning.*

#### Policy R-30

It shall be a policy of Council to establish the General Residential (R3) Zone which will permit un-intensive residential uses such as single and two unit dwellings and allow a range of home based business uses, day-care centres, accessory uses, open space uses and a limited range of commercial uses provided the primary use is residential.

#### Policy R-31

It shall be a policy of Council to establish minimum lot sizes, frontage requirements, setback requirements, and height restrictions in the General Residential (R3) Zone to ensure the orderly development of single and two unit residential dwellings.

#### 4.4.3 Multiple Unit Residential (R4) Zone

The Multiple Unit Residential (R4) Zone will recognize existing multiple unit residential developments and permit limited expansions provided the zone requirements can be met. The R4 Zone will permit less intensive residential uses such as single and two unit dwellings and will permit multiple unit development up to four units as-of-right. The R4 Zone will not permit the as-of-right development of new multiple unit proposals with more than four units. This type of development will only be permitted by development agreement and only if the lands are situated in the General Residential Land Use Designation.

*R4 Zone intended to recognize existing multiple unit developments.*

In adopting this strategy, Council is aware that a number of multiple unit residential development currently exists outside of the General Residential Designation. In most cases these developments will be zoned R4 to reflect the existing use rather than make these uses non-conforming. To protect abutting properties, however, such zones are to be limited to the lot on which they existed at the adoption of this strategy and only limited expansions to existing multiple unit residential uses will be permitted.

##### **Policy R-32**

It shall be a policy of Council to establish the Multiple Unit Residential (R4) zone and apply it to existing multiple unit developments outside of the Downtown area.

##### **Policy R-33**

It shall be a policy of Council to permit single unit dwellings, two unit dwellings, conversions, townhouses and other multiple unit dwellings with up to four units as-of-right in the Multiple Unit Residential (R4) Zone.

##### **Policy R-34**

It shall be a policy of Council to recognize existing multiple unit developments in low density areas by applying appropriate zoning provided that:

- a) such uses are determined by Council to have lawfully existed prior to October 1, 1992; and
- b) such zones are limited to the lot on which the use is determined to exist.

##### **Policy R-35**

It shall be a policy of Council to establish minimum lot sizes, frontage requirements, setback requirements, height restrictions, amenity space requirements, and landscaping requirements for the Multiple Unit Residential (R4) Zone in order to ensure a high quality of life for residents, both in the R4 Zone development and on adjacent properties.

##### **Policy R-36**

It shall be a policy of Council to permit expansions to existing multiple unit residential uses in the Multiple Unit Residential (R4) Zone only by development agreement except for minor increases in floor area and/or minor increases in the number of units.

#### 4.4.4 New Multiple Unit Dwellings

Multiple unit developments are considered intensive land uses and as such will require additional approvals to ensure that the proposed building makes a positive contribution to the Town's built environments, with particular emphasis on the building's architecture and relationship with surrounding properties and public spaces. Multiple unit residential developments will be permitted only by development agreement anywhere in the General Residential Land Use Designation.



##### Policy R-37

It shall be a policy of Council to consider multiple unit residential developments in the General Residential Designation by development agreement.

##### Policy R-38

When considering multiple unit residential development proposals in the General Residential Designation pursuant to Policy R-37, it shall be a policy of Council to require the following:

- a) that the proposal be reviewed using the evaluative criteria for development agreements as outlined in Part 11: Implementation of this Strategy;
- b) that the proposal be compatible with adjacent structures in terms of height, bulk, scale, and lot coverage;
- c) that the proposal be compatible with adjacent uses in terms of architectural design, including roof pitch, roof type, materials, and fenestration;
- d) that the proposal does not detract from an established or developing streetscape by significantly varying from the typical height and setback of abutting structures or by having a building that is oriented away from the street;
- e) that the parking area be suitably landscaped or fenced and situated where it will not be readily visible from neighbouring properties and the public right-of-way;
- f) that suitable recreational space is available for use by residents of the development; and
- g) that the proposal contribute to a mixture of dwelling types in the neighbourhood as a whole.

*New Multiple unit proposals will require a development agreement .*

#### 4.4.5 Mini-Home Residential (R5) Zone

Mini homes are an affordable form of housing that are popular choices for senior citizens, young people, and empty-nesters. Mini-homes are an affordable home ownership option for many people since they are typically less costly to purchase and less costly to maintain than other housing choices. There are currently very few mini-home parks in Truro aside from a modern mini-home development off Young Street and an older development off



East Queen Street. The existing mini-home park off Young Street is a high quality development with owner occupied homes on individual lots. This is the type of development the Town wishes to encourage. The Mini-Home Residential (R5) Zone has been established to recognize the existing development on Empire Loop which is situated off Young Street near the Truro Junior High. The Town wishes to discourage any further mini-home park developments like the park off East Queen Street -- which includes several mini-homes on one lot. This “trailer park” will be considered a legal non-conforming use and will not be included in the R5 Zone. Rezoning to the Mini-home Residential (R5) Zone are not permitted. This zone is intended to apply only to mini-home parks that have been created through a development agreement process.

##### **Policy R-39**

It shall be a policy of Council to establish the Mini-Home Residential (R5) Zone and apply it to the existing mini-home park on Young Street in the vicinity of the Truro Junior High.

##### **Policy R-40**

It shall be a policy of Council to permit mini-homes, accessory uses, open space uses and low intensity residential uses within the R5 Zone.

##### **Policy R-41**

It shall be a policy of Council to establish minimum lot sizes, frontage requirements, setback requirements, and height restrictions for the Mini-Home Residential (R5) Zone in order to ensure a high quality of life for residents, both in the mini-home park development and on adjacent properties.

##### **Policy R-42**

It shall be a policy of Council to not permit any rezonings to the R5 Zone except in the case of lands that are subject to a development agreement approved pursuant to Policy R-36.

#### 4.4.6 New Mini-Home Development

The Town wishes to provide for mini-home housing by permitting the creation of mini-home parks. Mini-homes are not well suited for inclusion in residential neighbourhoods outside of a mini-home park due to their unusual length to width ratio which does not complement more traditional style homes. Mini-homes, therefore, are only permitted in mini-home parks. The creation of a new mini-home park or expansion of an existing park is only permitted in the General Residential Designation and only by development agreement. The placement of regulatory controls on the establishment of parks is important in ensuring that they are an attractive, well-maintained and accepted place to live. New mini-home parks are expected to conform to the Mini-Home Residential (R5) Zone requirements although Council may choose to vary from these requirements as part of a development agreement process.

*New Mini-Home Parks will require a development agreement*

##### **Policy R-43**

It shall be a policy of Council to consider development of mini-home parks in the General Residential Designation by development agreement only.

##### **Policy R-44**

When considering mini-home park development proposals it shall be a policy of Council to require the following:

- a) that the proposal be reviewed using the evaluative criteria for development agreements as outlined in Part 11: Implementation of this Strategy;
- b) that the development be located on a lot of not less than 1.5 hectares (3.7 acres);
- c) that the development abut or have independent access to a collector or arterial road as indicated on the Transportation Map of this strategy;
- d) that any negative impact on abutting low density residential uses be effectively mitigated through landscaping elements and appropriate setbacks;
- e) that the proposal include recreational open space suitable for use by residents of the development; and
- f) that the Mini-Home Residential (R5) Zone requirements be used as a guide when considering lot requirements and amenity space requirements except where these requirements are contrary to this Policy.

#### 4.4.7 Local Commercial (C3) Zone Uses

The Town is frequently approached with proposals to operate home based businesses or to expand existing home based business. Occasionally, the proposal conforms to most of the home based business policies but does not meet the normal requirements such as the square footage limit or the proposal does not comply because it includes a retail component. In order to consider these proposals and evaluate them based on their potential land use impacts, Council will permit rezonings to the Local Commercial (C3) Zone. To minimize potential land use conflicts with stable residential neighbourhoods, rezonings to the C3 Zone will not be considered in the Limited, Downtown, or Rural Residential Designations.

*C3 Zone to accommodate limited commercial uses in the General Residential Designation by rezoning or Development Agreement*

**Policy R-45**

It shall be a policy of Council to consider, in the General Residential Designation, a limited range of non-intensive commercial uses such as offices, professional services, personal service shops, and artist studios that exceed the home based business requirements by rezoning to the Local Commercial (C3) Zone.

**Policy R-46**

When considering applications to rezone lands to the Local Commercial (C3) Zone in accordance with Policy R-45, it shall be a policy of Council to:

- a) require that the proposal be reviewed using the evaluative criteria for rezonings as outlined in Part 11: Implementation of this Strategy;
- b) require that the applicant submit a detailed site plan drawn to scale that identifies the location of any parking, landscaping, and signage; and
- c) require that the applicant submit a detailed floor plan drawn to scale that illustrates the interior layout and floor area of the proposed business.

**Policy R-47**

It shall be a policy of Council to consider a limited range of more intensive uses such as convenience stores by concurrent rezoning and development agreement applications in accordance with Policy C-45.

**4.4.8 Commercial Uses in Multiple Unit Developments**

In larger multiple unit residential developments there is occasionally a demand for personal service shops or convenience stores to locate within the development. Council wishes to accommodate this type of development in a limited fashion in order to ensure that the primary use of the development remains residential and to ensure that the proposed commercial use does not generate any land use conflicts with neighbouring residential uses.

**Policy R-48**

It shall be a policy of Council to permit a limited range of non-intensive commercial uses within a new multiple unit residential development in the General Residential Designation provided:

- a) the use is considered as part of a development agreement application for a new or expanded multiple unit residential development in the General Residential Designation;
- b) the commercial use is clearly secondary to the residential use of the property;
- c) the commercial use is limited to low intensity commercial uses such as personal service shops or convenience stores;
- d) dedicated parking is available for the proposed use; and
- e) signage is consistent with the regulations for signage in residential zones;

## 4.5 Downtown Residential Designation

### 4.5.1 The Downtown Residential Designation

Nowhere in Truro has residential development been more contentious and complex than in the Downtown area. There are a number of stakeholders in the Downtown including the residents, the Town's Heritage Advisory Committee (HAC), developers, and the Town itself. Each of these groups has legitimate, but sometimes conflicting, ideas about how development should take place within the Downtown.

The previous planning documents contained several pages of policies and several different designations in an attempt to address the issues related to development in the Downtown area. In an effort to clarify the regulations and policies that relate to the Downtown, the Town has created the Downtown Residential Designation. This designation will include

all residential areas within and adjacent to the area defined by Arthur Street, Willow Street, Queen Street, Walker Street, and the Esplanade. Primarily commercial areas along Prince Street and the Esplanade are not included in this designation. Residential development in these areas are covered in Part 5, Commercial Policies.

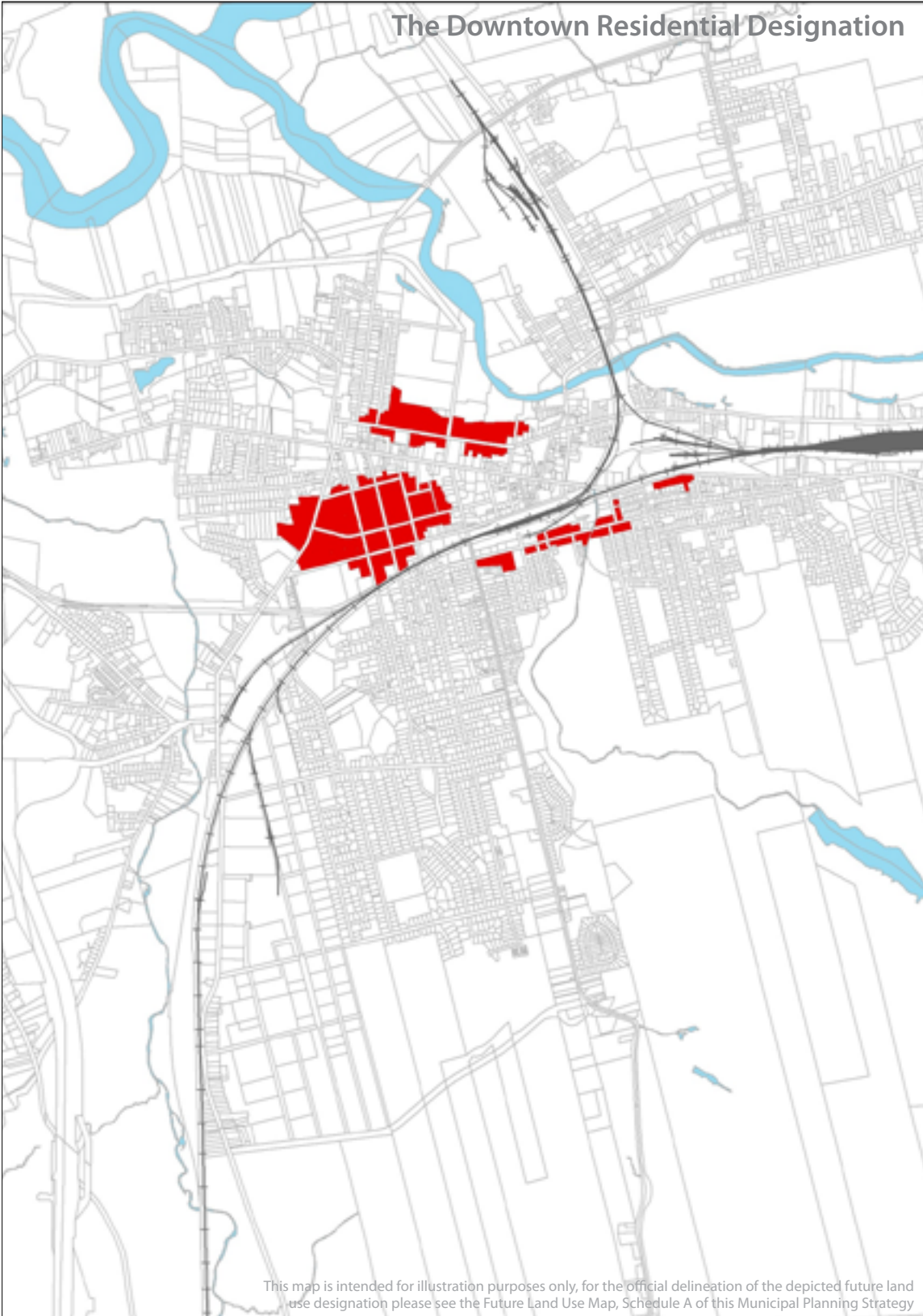
A common concern raised during the 'Truro Have Your Say' public participation process was the lack of effective architectural controls in the heritage districts to preserve the character of these areas. To address this issue, Council has adopted design standards that will apply to all development within the Downtown Residential Designation. These design standards are based on those found in Truro's Heritage District Plan and By-law. They will ensure that all new development contributes to the Town's efforts to enhance and preserve its heritage architecture.

*The Town wants to conserve existing heritage homes and neighbourhoods while accommodating context sensitive redevelopment where appropriate.*



#### Policy R-49

It shall be a policy of Council to establish the Downtown Residential Designation on the Town's Future Land Use Map. This designation is intended to apply to residential properties within and adjacent to the area defined by Arthur Street, Willow Street, Queen Street, Walker Street, and the Esplanade. The Downtown Residential Designation will also apply to Brunswick Street west of Cottage Street and East Prince Street west of Wood Street.



#### 4.5.2 Downtown Residential Architectural Design Requirements

Most of Truro's Registered Heritage Properties and the Town's three Heritage Districts are situated within the Downtown Residential Designation. In order to ensure that this heritage resource is preserved, Council is determined to maintain the integrity of the residential neighbourhoods requiring that any new structures complement the architectural style of nearby heritage properties and contribute to the development, conservation, and enhancement of downtown heritage streetscapes.

*New Architectural  
Design Requirements for  
development within the  
Downtown Residential  
Designation*

##### **Policy R-50**

It shall be a policy of Council to establish Architectural Design Requirements for the Downtown Residential Designation and require that all new development and conversions conform to these standards and that these standards be considered as part of any development agreement application process.

#### 4.5.3 Residential Heritage

The Downtown area contains some of the most historically significant properties in the Town including some very fine examples of Victorian and Edwardian architecture. In earlier versions of the Municipal Planning Strategy there were no mandatory heritage provisions. Instead, Council was to consider architecture as one variable when permitting higher residential densities and business uses. Nonetheless, further erosion of the heritage resources continued in the area, particularly where properties were being renovated outside of the development agreement process.



This strategy intends to further strengthen heritage provisions. In addition to being a consideration under the development agreement process, the Land Use By-law will include urban design standards which will incorporate architectural standards that are designed to complement and enhance heritage architecture. These urban design standards will apply to as-of-right development and will also be considered as part of any development agreement process.

##### **Policy R-51**

It shall be a policy of Council to require that all conversions and new construction within the Downtown Residential Designation maintain the integrity of the surrounding residential neighbourhoods and that any new structures complement the architectural style of nearby heritage properties and contribute to the development, preservation, and enhancement of downtown heritage streetscapes.

**Policy R-52**

It shall be a policy of Council to forward development agreement proposals within the Downtown Residential Designation to the Heritage Advisory Committee for review and recommendation.

**Policy R-53**

It shall be a policy of Council to take into consideration advice from the Heritage Advisory Committee on the following matters when evaluating a development agreement proposal in the Downtown Residential Designation that involves any exterior structural alterations, new signage, new parking, lighting, or landscaping:

- a) the proposal's architectural design and its compatibility with heritage architectural styles found in the neighbourhood;
- b) the compatibility of the proposal with any abutting heritage properties in terms of its height, bulk, and scale;
- c) the impact of the proposal on any heritage streetscape;
- d) the location of any proposed parking areas and how well they are screened from neighbouring properties and from the street; and
- e) the suitability of any signage, lighting, fencing, or landscaping elements in terms of their impact on any abutting heritage properties or any heritage streetscape.

*R6 Zone to permit mixture of residential and commercial uses and to accommodate context sensitive redevelopment and infill projects*

**4.5.4 Mixed Use Residential (R6) Zone**

The Mixed Use Residential (R6) Zone is intended to encompass predominantly residential portions of Arthur Street, Queen Street west of Walker Street, Brunswick Street west of Cottage Street, and East Prince Street west of Wood Street. These properties are situated on the major traffic routes into the downtown commercial area and are highly visible

properties with potential for commercial uses. However, it is Council's intent that any commercial use of these lands be limited in nature in order to preserve the residential character of these neighbourhoods.

The R6 Zone is designed to provide a live-work option for local artists, craftspeople, and home based businesses that require a limited retail component. The R6 Zone is also intended to permit a limited range of non-residential uses such as office and professional uses, personal service shops, small restaurants, day care centres, and other uses that can be accommodated within a residential style structure while still maintaining the residential character of the property.



The R6 Zone is also intended to apply to Downtown residential areas that have been subjected to extensive redevelopment, conversions, demolitions, and where the housing stock is in need of revitalization. Council wishes to encourage reinvestment in these properties and it is recognized that a range of development opportunities should be available to ensure that investment in these properties is a viable and attractive option. However, it is important that the development of these lands does not have a negative impact on the integrity of the surrounding residential neighbourhoods and that any new structures contribute to the development, preservation, and enhancement of downtown heritage streetscapes.



#### **Policy R-54**

It shall be a policy of Council to establish the Mixed Use Residential (R6) Zone and apply it to the following lands within the Downtown Residential Designation:

- a) predominantly residential portions of arterial and collector streets in the Downtown excluding a portion of Willow Street where most homes remain single unit dwellings;
- b) predominantly residential portions of Brunswick Street west of Cottage Street and East Prince Street west of Wood Street;
- c) existing multiple unit developments other than conversions; and
- d) sections of Duke Street and Pleasant Street which consist mainly of converted dwellings.



#### **Policy R-55**

Within the R6 Zone, it shall be a policy of Council to permit single unit dwellings, two unit dwellings, two unit conversions, free-hold townhouse units with up to four units, accessory uses, open space uses, and limited non-residential uses such as day care centres, bed & breakfasts, office and professional uses, home based businesses and associated retail.

**Policy R-56**

It shall be a policy of Council to establish minimum lot sizes, frontage requirements, setback requirements, and height restrictions for the Mixed Use Residential (R6) Zone in order to maintain the traditional residential character of the Downtown area.

**Policy R-57**

Within the R6 Zone, it shall be a policy of Council to consider multiple unit residential proposals with three or more units by development agreement.

**Policy R-58**

When considering multiple unit residential proposals in accordance with Policy R-57, it shall be a policy of Council to:

- a) review the proposal using the evaluative criteria for development agreements as outlined in Part 11: Implementation of this Strategy;
- b) require that all new construction or expansions to existing structures be designed by an architect licensed to practice in the Province of Nova Scotia;
- c) require the submission of professionally prepared renderings or graphic representations that illustrate how any proposed new construction or expansion will impact abutting properties and the streetscape; and
- d) require that the proposal be forwarded to the Town's Heritage Advisory Committee (HAC) for review and recommendation.

**4.5.5 Heritage Residential (R7) Zone**

The Heritage Residential (R7) Zone is intended to apply to lands within the Town's three heritage districts to preserve the heritage character and sense of neighbourhood that still exists in these remnants of what was a much larger and cohesive downtown residential area.

The R7 Zone will also include other areas of the Downtown that contain groups of heritage homes that together form a streetscape which retains most of its original housing stock. In addition to the three heritage districts, this designation will include portions of Willow Street, Victoria Street, Duke Street, and King Street. The R7 Zone will permit single unit dwellings along with a limited range of conversions and mixed use developments.

Many of the homes in the Downtown area are large structures that are costly to heat and maintain. Consequently, these homes have been attractive as potential conversions into commercial uses or into multiple dwellings. After several years of a policy which favoured residential conversions it has become apparent that this approach has led to a degree of urban decay. While some of these conversions have been maintained, others, especially some of the income properties owned by non-resident landlords, are negatively affecting neighbourhoods. In order to reverse the decline of these downtown neighbourhoods, Council intends to only permit the conversion of single unit dwellings into a maximum of two units. This will still allow homeowners to supplement the cost of maintaining larger homes with an accessory unit. These limited conversions will continue to contribute to the Town's efforts to bring more residents Downtown.

*R7 Zone designed to preserve heritage homes and neighbourhoods by prohibiting multiple unit conversions and redevelopment proposals*

Other types of conversions have been much more successful in encouraging reinvestment in heritage homes. Dwellings that have been converted for office and professional uses, home based businesses, and other uses such as artisan's studios tend to be some of the best maintained properties in the downtown. Previously, these uses required a development agreement to address landscaping, signage and architectural details. However, with the introduction of the new design standards, these details are already regulated. It is Council's intention that uses such as office and professional uses, personal services, and bed & breakfasts be permitted as-of-right. In addition to these uses and the two unit conversions mentioned earlier, other permitted uses will include single unit dwellings and new two unit dwellings that maintain the look of a single unit dwelling.

#### **Policy R-59**

It shall be a policy of Council to establish the Heritage Residential (R7) Zone and apply it to the Town's three heritage districts and other residential areas in the Downtown Residential Designation where the majority of homes are single and two unit dwellings.



**Policy R-60**

Within the Heritage Residential (R7) Zone, it shall be a policy of Council to permit single unit dwellings, two unit dwellings, two unit conversions, and limited non-residential uses such as bed & breakfasts, office and professional uses, and home based businesses.

**Policy R-61**

It shall be a policy of Council to establish minimum lot sizes, frontage requirements, setback requirements, and height restrictions for the Heritage Residential (R7) Zone in order to maintain the traditional residential character of the Downtown area.

*No rezonings from R7 to R6 will be permitted in order to maintain neighbourhood stability*

**4.5.6 Rezoning in the Downtown Residential Designation**

The purpose of the Heritage Residential (R7) Zone is to preserve heritage neighbourhoods in the Downtown area and provide some stability for residents in these areas. The Mixed Use Residential (R6) Zone, however, allows a wider range of land uses and permits multiple unit developments by development agreement. To ensure that multiple unit developments are not an option in the R7 Zone, it is Council’s intention that properties in the R7 Zone may not be rezoned to the R6 Zone.



**Policy R-62**

It shall be a policy of Council to not permit rezonings from the Heritage Residential (R7) Zone to the Mixed Use Residential (R6) Zone.

**4.5.7 Exemption from Architectural Design Requirements**

The Downtown Residential Architectural Design Requirements are a key component of the Town’s efforts to ensure that its architectural heritage is preserved and enhanced by new development. Council is aware that the Design Requirements are a rigid set of controls and there may be occasions where a greater degree of flexibility may be desirable. This flexibility would be intended to accommodate examples of both contemporary and heritage architecture that may not comply with the Town’s Design Requirements but nevertheless would make welcome additions to our historic downtown neighbourhoods. Council acknowledges that strict adherence to the Design Requirements would stifle architectural creativity and not permit the freedom of design that is sometimes necessary to overcome unique site challenges. However, Council is mindful that any such accommodation must not undermine the primary goal of heritage preservation and enhancement. To this end, Council wants to ensure that there is an appropriate and effective evaluation and approval process in place that allows variations from the Design Requirements. The application of this flexibility will only be considered where it can be demonstrated to the satisfaction of the Development Officer that the design of the proposed development will compliment existing heritage architecture and not have a negative impact on a heritage streetscape. In consideration of any exemption from the Design Requirements, the Development Officer shall seek input from the Town’s Heritage Advisory Committee.

### **Policy R-63**

It shall be a policy of Council to allow the Development Officer to permit proposals in the Downtown Residential Designation that do not conform to the Town's Architectural Design Requirements where the Development Officer is satisfied that the proposed development achieves the Town's objectives with respect to heritage preservation and enhancement as outlined in this Municipal Planning Strategy. In considering such a proposal, the Development Officer shall seek the advice and opinion of the Town's Heritage Advisory Committee concerning the following matters:

- a) the proposal's architectural design and its compatibility with heritage architectural styles found in the neighbourhood;
- b) the compatibility of the proposal with any abutting heritage properties in terms of its height, bulk, and scale;
- c) the impact of the proposal on any heritage streetscape;
- d) the location of any proposed parking areas and how well they are screened from neighbouring properties and from the street; and
- e) the suitability of any signage, lighting, fencing, or landscaping elements in terms of their impact on any abutting heritage properties or any heritage streetscape.

### **Policy R-64**

It shall be a policy of Council to require the submission of detailed elevation drawings, a site plan, and any other information that the Development Officer deems necessary to evaluate a development proposal pursuant to Policy R-63.

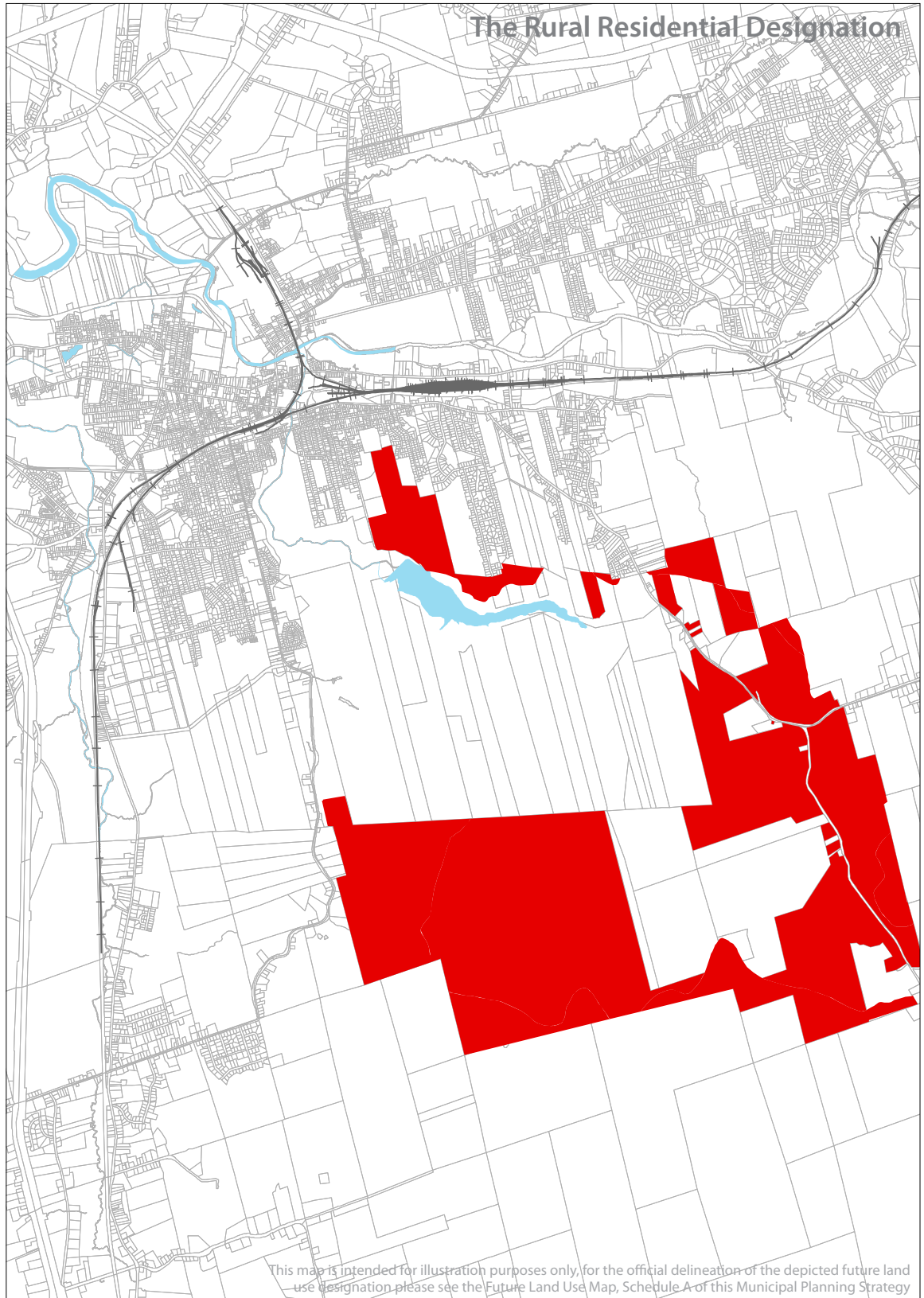
## **4.6 Rural Residential Designation**

### **4.6.1 The Rural Residential Designation**

There are, at present, several large tracts of land in the Town which are not serviced and for which there are no immediate plans for development. Council wants to encourage the orderly development of these lands to accommodate future growth while avoiding costly extensions to municipal infrastructure and services. Council hopes to achieve this by developing the lands closest to the existing built up area first. Lands further removed from existing development and services will be set aside for future growth although some limited -- and unserviced -- development may be permitted to occur. The Town has created the Rural Residential Designation to apply to these lands.

### **Policy R-65**

It shall be a policy of Council to establish the Rural Residential Designation on the Town's Future Land Use Map. This designation will apply to lands east of Wood Street and south of Upham Drive that are outside of the serviced area of the community and are intended for future residential development or for unserviced residential development. This designation does not include lands within the Lepper Brook Watershed.



#### 4.6.2 Rural Residential (R8) Zone

The objective in establishing a Rural Residential (R8) Zone is to ensure that sporadic development does not occur away from central services and to ensure that large parcels of land are available for future development when services are eventually extended. At the same time, Council is hesitant to zone lands in such a manner as to limit a land owner's ability to develop their lands. Therefore, these unserved areas are provided limited development rights. The R8 Zone will be applied to lands within the Rural Residential Designation that are not situated within the Lepper Brook Watershed. The R8 Zone will permit low intensity residential, agricultural, recreational and institutional uses as well as forestry uses. It will require large lot sizes to ensure that development is low density and that lot sizes are suitable for on-site services.

##### **Policy R-66**

It shall be a policy of Council to establish the Rural Residential (R8) Zone and apply it to undeveloped areas of Town which are within the Rural Residential Designation and not currently within range of municipal infrastructure.

##### **Policy R-67**

It shall be a policy of Council to permit a range of low intensity residential uses, accessory uses, open space uses, agricultural uses, recreational uses, institutional uses, forestry uses and limited non-residential uses such as kennels, day care centres, and home based businesses within the Rural Residential (R8) Zone.

##### **Policy R-68**

It shall be a policy of Council to establish minimum frontage requirements, setback requirements, and height restrictions for the Rural Residential (R8) Zone in order to maintain the rural character of the R8 Zone. Minimum lot sizes will be determined based on provincial specifications respecting on-site servicing.

#### 4.6.3 Watershed Residential (R9) Zone

The Lepper Brook Watershed is the source of the Town's water supply. While the majority of this watershed is municipally owned, there is a substantial quantity of private land, with some low density residential uses in this environmentally sensitive area. The Town has actively been acquiring much of the property within the watershed, but there remain a number of privately held properties along Harmony and Camden Roads within the watershed. The Town will allow only limited development on these properties. The Rural Residential (R8) Zone does not provide adequate land use controls to protect the watershed so the Watershed Residential (R9) Zone is to be established and applied to all privately owned lands with street frontage within the Lepper Brook Watershed. Permitted uses in the R9 Zone will include low intensity residential and recreational uses along with existing agricultural uses.

**Policy R-69**

It shall be a policy of Council to establish a Watershed Residential (R9) Zone which shall be applied to all vacant privately owned lands with street frontage within the Town watershed. This zone is to be established subject to the Watershed Policies set out in Part 9: Environmental Management of this Strategy.

**Policy R-70**

It shall be a policy of Council to permit low intensity residential uses, accessory uses, open space uses, existing agricultural uses, forestry uses, recreation uses, and limited non-residential uses such as kennels and home based businesses in the Watershed Residential (R9) Zone.

**Policy R-71**

It shall be a policy of Council to establish minimum lot sizes, frontage requirements, setback requirements, and height restrictions for the Watershed Residential (R9) Zone in order to preserve the rural character of the R9 Zone and to preserve water quality by limiting the intensity of development within the watershed.

**4.6.4 Serviced Development in the Rural Residential Designation**

It is anticipated that lands within range of existing services and which have been set aside for residential development will eventually be developed, avoiding the need to expand municipal services into undeveloped areas to accommodate new growth. Council wants to make sure that new development occurs in an orderly manner that makes the most efficient use of existing services and extensions to existing services. Accordingly, Council will require an approval process in order to expand serviced residential development into the Rural Residential Designation, Council will also require that detailed plans be provided for review as a condition of any approvals. In order to protect the Town's water supply, more intensive residential development will not be permitted within the Lepper Brook Watershed.

*Rezoning to the R1 or R2  
Zone permitted subject  
to extension of municipal  
services*

**Policy R-72**

It shall be a policy of Council to permit lands within the Rural Residential Designation that are zoned Rural Residential (R8) to be rezoned to the Single Unit Residential (R1) or the Two Unit Residential (R2) Zone provided there are plans to extend municipal services into these lands that have been accepted by Town's Engineering & Public Works Department.

**Policy R-73**

When considering a rezoning application in accordance with Policy R-72, it shall be a policy of Council to review the proposal using the evaluative criteria for rezonings as outlined in Part 11: Implementation of this Strategy.

## 4.7 Non-Residential Uses

### 4.7.1 Limited Commercial Uses Permitted

Larger scale business uses are generally not compatible with residential uses. This is usually due to the basic land use characteristics inherent to business uses such as traffic, lighting, noise, litter, signage, and architectural differences. However, certain commercial uses are permitted provided they maintain the residential character of the structure and are not expected to create land use conflicts with neighbouring properties. The types of commercial uses permitted varies depending on the land use designation and policies that indicate where uses such as home based businesses, day care centres, professional offices, and bed and breakfasts are found above under the policies related to each designation.

### 4.7.2 Home Based Businesses

A home based business is a commercial enterprise operated out of a residential dwelling by an occupant of that residence. Because these uses are permitted in owner occupied dwellings, it is assumed that the owner/operators has a vested interest in maintaining the residential character of the dwelling and the neighbourhood. Home based businesses, therefore, tend to be a good fit in most neighbourhoods provided they are limited in terms of their size and appearance.

Allowing home based businesses is an effective way of supporting local products, local artists and craftspeople, and the local economy. They are also an attractive option for start up businesses as it allows individuals to establish their own business without having to rent expensive commercial space. These uses are generally innocuous and do not disturb the neighbourhood or necessitate any exterior changes to the structure. The range of permitted uses along with details such as area, number of employees, signage, and outdoor display are to be carefully regulated in order to prevent any potential conflict with neighbouring residential uses. Home based businesses are to be permitted in all residential designations although home based businesses in the Downtown Residential designation will be given greater flexibility in order to support a wider range of potential uses.

#### **Policy R-74**

It shall be a policy of Council to permit a portion of a single unit dwelling in a residential designations to be used for a home based business or business purposes, subject to restrictions on the type of business, signage, floor area, number of employees and parking requirements.

### 4.7.3 Bed & Breakfasts

Bed and breakfasts and guest houses are an important means of attracting tourists to a community, particularly one where there is a wealth of heritage homes. These uses are generally unobtrusive and are welcome additions to the community provided some regulations are put in place governing their location and size. Specialized requirements for location and number of rooms will help minimize any potential impacts.

**Policy R-75**

It shall be a policy of Council to permit bed and breakfasts in single unit dwellings in all residential designations subject to certain restrictions designed to maintain the appearance of a dwelling and minimize impacts on adjacent land uses and the surrounding neighbourhood.

**4.7.4 Office & Professional**

Office and professional uses have been successfully incorporated into Truro's Downtown residential areas and in many instances have resulted in a much needed reinvestment in an aging historic home. Allowing office and professional uses in residential areas does present a few concerns with respect to parking, traffic, signage, and architectural design. Also, the conversion of a dwelling can sometimes have a negative impact on the identity of the area as a residential neighbourhood, particularly if there are a number of office and professional uses grouped together. There is also a concern that allowing too many office and professional uses to locate in residential areas will lead to vacancies and decline in the traditional Downtown commercial area. Despite these concerns, Council recognizes that office and professional uses can be carefully regulated to make sure they maintain the residential character of the structure. Properly regulated office and professional uses are often a good reuse scenario for historic homes, thereby contributing to community, environmental, and economic sustainability.

**Policy R-76**

It shall be a policy of Council to permit office and professional uses to locate in throughout the Downtown Residential Designation subject to restrictions on the type of business, floor area, signage, and parking.

**4.7.5 Day Care Centres**

Day care centres provide an important service to the community and are generally unobtrusive uses aside from their tendency to generate traffic. These uses can be accommodated and land use impacts minimized by ensuring that they are permitted in the more intensive residential zones where potential impacts such as traffic will have a less noticeable impact on the residential character of the neighbourhood.

**Policy R-77**

It shall be a policy of Council to permit day care centres within the Two Unit Residential (R2), General Residential (R3), Mixed Use Residential (R6), and Rural Residential (R8) Zones subject to requirements relating to traffic management.

#### 4.7.6 Lodging Houses

Lodging houses are generally acceptable uses provided that some regulations are put in place governing their location, particularly with regard to traffic generation, promotion of fire safety, and reduction of noise. Special requirements for location in residential areas will help minimize any potential impacts.

##### **Policy R-78**

It shall be a policy of Council to permit lodging houses in the General Residential (R3) and Multiple Unit Residential (R4) Zones, subject to special requirements concerning parking, amenity space, and additions to the existing structure.

#### 4.7.7 Commercial Motor Vehicles in Residential Zones

Commercial vehicles such as semi-trailers, buses, mobile canteens, and taxis are highly visible vehicles that are not compatible with a residential streetscape and can have a significant negative impact on the residential character of a neighbourhood. To protect the integrity, safety, and aesthetic quality of Truro's residential areas, Council wishes to prohibit the parking of commercial motor vehicles in residential zones.

##### **Policy R-79**

It shall be a policy of Council to prohibit the parking of commercial motor vehicles in any residential zone.

#### 4.7.8 Outdoor Storage and Display in Residential Zones

The outdoor storage and display of any goods or materials in relation to a home based business or other commercial use is not compatible with a residential streetscape and can have a significant negative impact on the residential character of a neighbourhood. The outdoor storage and display of any goods or materials intended for sale or related to a home based business or other commercial enterprise is prohibited in any residential zone.

##### **Policy R-80**

It shall be a policy of Council to prohibit the outdoor storage and display of any goods or materials related to a home based business or other commercial enterprise in any residential zone.

#### 4.7.9 Institutional Uses

Institutional uses such as schools, churches, and residential care facilities are frequently located within residential neighbourhoods and these uses are generally compatible with residential development. Council wishes to continue to allow institutional uses in residential areas but there is a desire for greater control over land use impacts such as traffic, lighting, and noise in the urban areas of Town. Council will, therefore, permit

institutional uses in all residential designations by development agreement with the exception of the Rural Residential Designation. Institutional uses will be permitted as-of-right in the Rural Residential Designation, excluding lands in the Watershed Residential (R9) Zone where they will not be permitted .

**Policy R-81**

It shall be a policy of Council to permit Institutional (P3) Zone uses in the Limited Residential and Downtown Residential Designations by development agreement. Institutional (P3) Zone uses listed as permitted uses within a specific Residential Zone will not require a development agreement in that Zone.

**Policy R-82**

When considering a development agreement application in accordance with Policy R-81, it shall be a policy of Council to review the proposal using the evaluative criteria for development agreements as outlined in Part 11: Implementation of this Strategy.

**4.7.10 Recreation Uses**

Public recreation uses such as parks and playgrounds are generally desirable additions to any neighbourhood and Council wishes to encourage this type of land use. Low intensity recreational land uses such as playgrounds, public open space, and public playing fields or playing courts are to be permitted in any Residential Designation. Recreational (P2) Zone uses such as golf courses or privately operated sports facilities are permitted in the Rural Residential (R8) Zone only.

**Policy R-83**

It shall be a policy of Council to permit Institutional (P3) Zone uses in the Rural Residential (R8) Zone.

**Policy R-84**

It shall be a policy of Council to permit low intensity recreational uses such as playgrounds, public open space, and public playing fields or playing courts in any Residential Designation.

**Policy R-85**

It shall be a policy of Council to permit Recreation (P2) Zone uses in the Rural Residential (R8) Zone.

## 4.8 Specialized Housing

**4.8.1 Community Homes and Residential Care Facilities**

The Town recognizes that there is a need for housing options for individuals where institutional living is not appropriate yet living alone or with their family is not in her/his best interest. The Town makes provision for community based living arrangements in a single house keeping unit for those with social, emotional, legal, mental, and/or physical

conditions warranting these arrangements. The home or care facility is developed for the well being of its residents through self-help, professional care, guidance, and supervision that would be unavailable in the resident's own family, an institution or in an independent living situation. These community based living arrangements are licensed, funded, or approved by the Province of Nova Scotia.

#### **Policy R-86**

It shall be a policy of Council to permit community homes in all residential zones subject to locational and other special requirements designed to minimize land use conflicts with adjacent uses.

#### **Policy R-87**

It shall be a policy of Council to permit residential care facilities in the Two Unit Residential (R2) General Residential (R3) and Multiple Unit Dwelling (R4) Zones subject to locational and other special requirements designed to minimize land use conflicts with adjacent uses.

## **4.9 Buffering Requirements**

### **4.9.1 Parkland Dedication as a Buffer**

Where a residential subdivision abuts a General Commercial or Industrial Designation it is Council's intention that, where appropriate, parkland dedication required as part of the subdivision process be used to create a buffer between the commercial or industrial uses and the residential development.

#### **Policy R-88**

When approving a subdivision for residential uses that abuts the General Commercial or Industrial Designation, it shall be a policy of Council to give consideration to parkland dedication that includes lands that will contribute to providing a buffer between the residential development and the industrial or commercial lands. The Town's Recreation Committee shall be consulted to determine if these lands are suitable.

# 5 • Commercial Policies



*Truro is well positioned to take advantage of its central location in the Atlantic Canadian Market.*

## 5.1 Background

### 5.1.1 Commercial Development in Truro

The Town of Truro has historically been known as the “hub of Nova Scotia” due to its central location in the Province’s network of highways and railroads. Modern transportation infrastructure still converges in the Truro area and the Town is well positioned to take advantage of the Atlantic Canadian market. The Town also acts as the “hub” of business, retail, and service activity for the Colchester region and most of the businesses and services within the Town cater to a regional population.

Commercial development in Truro includes a very busy central business district, mixed use areas in the older residential areas surrounding the Downtown, some strip commercial development along major routes into the Downtown, a few isolated convenience stores, and highway commercial type development consisting of big box stores and a shopping mall. The downtown retail sector experienced a decline during the latter part of the last century with the development of shopping malls and big box stores on the edge of Town, but the Downtown has maintained its position as an important commercial centre. Commercial growth in the Town has been steady but modest over the past five years. However, there have been some significant new commercial projects in the vicinity of the McClures Mills Connector and Exit 13. Interest in this area seems to be linked to nearby construction of a new regional hospital, the Millbrook Power Centre development, and the development of two big box stores off Wade Road.

### 5.1.2 Policy Context

The commercial development policies found in the 2004 Planning Documents were effective in responding to market demands and accommodating modest commercial growth without creating any significant land use conflicts or issues. The 2004 policies are quite simplistic in their approach and the emphasis was more on accommodating the market more so than on manipulating it to realize community objectives. For example, the plan does not attempt to encourage office and retail downtown by discouraging it elsewhere. The revised policies are designed to allow commercial development to occur, but ensure that it occurs in a manner that will not negatively impact existing development. This accommodating approach to commercial development is necessitated by Truro’s proximity to competing commercial development in both Millbrook and Colchester County. These areas are both actively seeking commercial development within their boundaries and the

*In an effort to remain competitive with surrounding communities, the Town’s Commercial Policies are designed to accommodate the market rather than to manipulate it.*

Town is reluctant to put itself at a competitive disadvantage by adopting more restrictive land use controls to achieve broader community objectives.

Downtown Truro affords the Town an opportunity to become a little more involved in planning for future commercial development with slightly less concern that affected businesses might move outside of Town. The Downtown caters to businesses that are more at home in a pedestrian oriented ‘downtown’ shopping experience than areas like Millbrook and the County which are dominated by the automobile. The previous Planning Documents had a fairly complex approach to regulating Downtown development that centred around the creation of an Urban and Regional Core Designation. This designation was an attempt to simplify the Town’s approach to regulating development in the Downtown area by grouping all downtown development, including commercial, residential, and mixed use development under one designation. This Urban and Regional Core Designation became overly complex as it was often necessary to refer to the separate residential or commercial sections of the plan in addition to the Urban and Regional Core policies when dealing with a residential or commercial development in the Downtown. Although well intentioned, this was a confusing framework for regulating development. This approach also created the impression that there was little distinction between established Downtown residential neighbourhoods and commercial development. This developed into a contentious issue for Downtown residents who viewed this approach as fostering the transition of the neighbourhood from residential to a more intensive use.

*No more “Urban Regional Core” designation in an effort to simplify downtown development regulations*

### 5.1.3 Issues

There has not been a great deal of pressure for commercial development within the built up area of Town. The commercial areas of Truro offer plenty of room for infill projects and there is adequate vacant land on the edge of Town next to Highway 102 for further highway commercial type of development. Demand for new commercial space can easily be accommodated on these lands where there is minimal potential for land use conflicts. The availability of suitable land for commercial development has helped to ensure that there have been few significant land use issues arising from the implementation of the 2004 commercial policies.

There are, however, a few issues to be addressed with respect to commercial development, including parking requirements and the excessive amount of vacant land. Parking regulations have been problematic for new developments in the Downtown, particularly when additional parking is required for a change of use in an existing building. There are many Downtown properties where reuse options are limited because the building covers all or most of the lot and there is no land available for additional parking required by the new use.

*Town recognizes it needs to sell off and encourage the redevelopment of Town owned properties in the Downtown*

A growing issue facing the Town is the amount of vacant parcels of land in the Downtown. Surplus lands including the old public works site and the hospital site are of particular interest because of their high visibility and suitability for commercial development. Another issue has been the demand for office and professional space and home based businesses in the Downtown residential area. Because this type of development primarily impacts existing residential development, these issues are discussed in detail and addressed in the Residential Policies section of this document.

### 5.1.4 Approach

The commercial development policies in the 2004 Planning Documents accommodated modest commercial growth without creating any significant land use conflicts. Council recognizes that the effectiveness of these policies and, consequently, the commercial policies found in this Plan borrow heavily from the last Municipal Planning Strategy. These policies will abandon the Urban Regional Core Designation and create land use designations based on standard and recognizable land use classifications, specifically residential and commercial. Although the Downtown area is characterized by a mixture of uses, the residential areas and the commercial areas are quite distinct in terms of their built form and this distinction is recognizable to the general public. Developing a regulatory-framework based distinction will help to preserve the residential character of the Downtown neighbourhoods and provide Downtown residents with a sense of stability.

## 5.2 Commercial Objectives

### 5.2.1 Strengthen Role as Regional Centre

The Town's role as a regional centre for Colchester County is well established but the Town cannot take this for granted and must work to maintain and enhance this position. There are efforts to create commercial nodes on the outskirts of Truro and the Town must accommodate commercial growth on Robie Street and in the vicinity of Exit 13 in order to ensure that the Town continues to share in the commercial tax base that is growing in these areas. There are also efforts to create a village centre commercial core as part of a planned development in Bible Hill. Truro already has a vibrant downtown and every effort must be made to ensure that it continues to be the prime location for higher order services, retailing, and business and ensure that there is never sufficient demand to recreate a downtown centre elsewhere. Downtown Truro is also well suited for pedestrian oriented shopping, dining, and nightlife and this is an important feature of the area that makes it a successful regional destination.

*Downtown Truro offers a unique pedestrian oriented shopping experience that makes it an important regional destination.*

#### Policy C-1

It shall be a policy of Council to accommodate commercial development in the areas adjacent to Highway 102 and Robie Street in order to ensure that businesses wanting to locate in the vicinity of Millbrook, Wade Road, or Robie Street have an option to locate within the Town.

#### Policy C-2

It shall be a policy of Council to ensure that Downtown Truro remains the preeminent location in Colchester County for higher order goods and services and uses such as banks, institutions, cultural facilities, law firms, retailing, specialty shops as well as for pedestrian oriented shopping, dining, and nightlife.

### 5.2.2 Allow a Range of Commercial Development Options

In order for Truro to attract new commercial development and maintain its share of the regional commercial tax base the Town must ensure that its commercial land use policies are able to accommodate a broad range of retail formats. Retail trends are constantly

changing and it is advisable that commercial policies be designed to respond to market changes and accommodate a variety of uses as well as a range of lot configurations, zone requirements, and subdivision options. In this way the Town can help to ensure that new retail formats can be accommodated.

### Policy C-3

It shall be a policy of Council to have flexible commercial development regulations that will help to ensure that a variety of commercial development options are available.

### 5.2.3 Minimize Impact on Residential Areas

Truro experiences very little conflict between commercial development and residential development at present. This is partly due to a clear separation of land uses in most areas and also due to the fact that there has been only modest commercial growth in Truro over the past few years. Commercial development in residential areas, however, can be quite contentious and it is desirable to have landscaping, architectural, lighting, setback, signage, and other requirements in place to ensure that commercial development does not have a negative impact on abutting residential areas. A strict separation of land uses is not always desirable and it is often beneficial to a community to permit limited commercial ventures within residential area. Restrictions placed on commercial development to ensure compatibility with abutting homes shall generally be limited to more intensive commercial uses.

*Special consideration will be given to site layout and landscaping for commercial development proposals abutting residential areas*

### Policy C-4

It shall be a policy of Council to encourage intensive commercial development to locate in established commercial areas and to minimize potential land use conflicts by carefully regulating commercial land uses that abut residential areas.

### 5.2.4 Aesthetically Pleasing Development

Commercial development is often the most visible part of any community since businesses like to locate on busy streets and at prominent locations. As a result, commercial areas are often the part of Town that residents and visitors see the most and the part that can leave an impression on the viewer. By regulating design elements such as signage, architecture, parking and landscaping the Town can help to ensure that residents and visitors are left with a positive impression of our community. These measures will also help to minimize the lack of a sense of place and community identity that can result from the uncontrolled display of national brands and logos.



**Policy C-5**

It shall be a policy of Council to regulate some of the aesthetic elements of commercial development to ensure a high quality of design and to ensure that it does not overwhelm the more subtle aspects of the visual landscape that help define what makes Truro a unique place.



*More opportunities for local artists, professionals, and other small businesses to operate from private dwellings*

*Potential for pre-approved development sites in the downtown area as a means of encouraging redevelopment*

**5.2.5 Support for Local Businesses**

In order to foster the development of a local economy the Town needs to provide affordable locations for small businesses, professionals, artists, and craftspeople. Many of these start-up businesses are too small to afford commercial rents and operating these businesses out of a private dwelling is an affordable alternative. The Town will permit limited home-based businesses throughout the residential areas and will permit mixed use development in some commercial areas. Home based businesses in the Downtown residential areas will also be permitted larger floor areas and limited retail display. Policy support for home based businesses are found in the Residential Policies section of this document and related regulations will be found in the Residential Zones section of the Land Use By-law.

**Policy C-6**

It shall be a policy of Council to support local small businesses, professionals, artists, and craftspeople by permitting these uses to locate in private dwellings in residential areas and by allowing mixed use development in some commercial areas.

**5.2.6 Reuse of Vacant Buildings and Lands in Commercial Areas**

The Town of Truro is currently the owner of a number of high profile vacant buildings and properties within commercial areas in the Downtown area and along the riverfront. The Town is also expecting to become the owner of the old regional hospital site when the new Hospital opens in late 2011. These areas offer significant opportunities for commercial development but when left vacant and undeveloped they create a negative impact on the vitality and appearance of commercial streetscapes, creating the impression of a stagnant economy.

**Policy C-7**

It shall be a policy of Council to investigate potential reuse and redevelopment options for vacant commercial properties including the possibility of preparing conceptual development plans for these parcels and taking the necessary steps to have these lands pre-approved for development.

### 5.2.7 Allow a Mixture of Uses

A long held belief in land use planning was that the separation of uses is essential to a high quality of life. This notion was based on the idea that commerce and industry were not compatible with residential development. It is now generally understood that a strict separation of land uses can lead to a variety of problems from lifeless downtowns to an over-dependence on the automobile. There is also a growing trend where people want to operate a business in their home to cut down on costs. Furthermore, permitting residential uses in the downtown is an effective way of providing a greater customer base for downtown businesses and residential uses are a great options for the reuse of vacant commercial buildings, particularly on the upper floors. Another beneficial mixture of uses is the option to have commercial development in association with industrial uses. Whereas industrial uses in Truro tend to be light business uses, warehouses and distribution centres, there is little potential for land use conflict with commercial uses and it is desirable to allow for commercial uses such as hotels and restaurants near employment centres.

*Mixture of uses to be encouraged*

#### Policy C-8

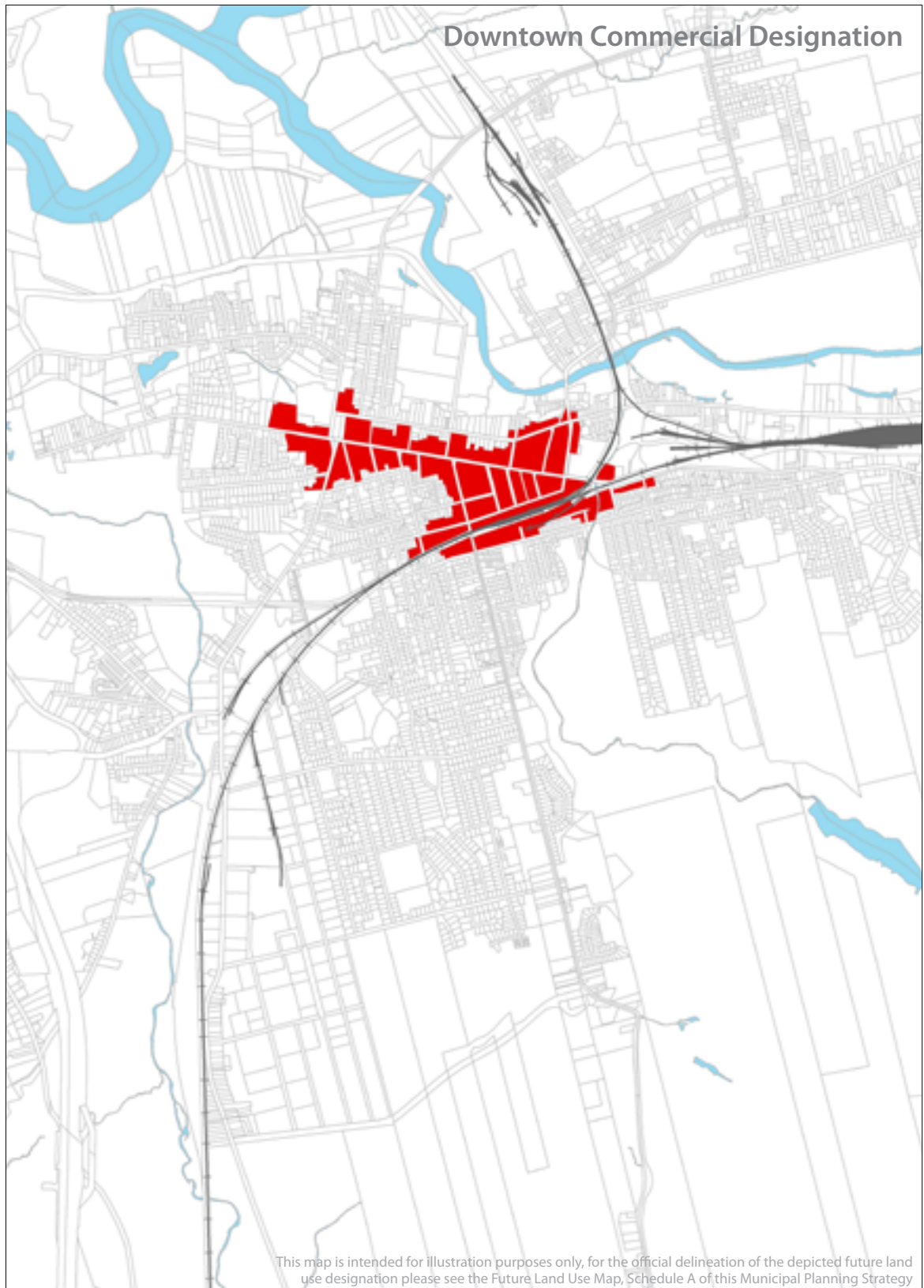
It shall be a policy of Council to permit a controlled mixture of land uses where the potential for land use conflicts is minimal.

## 5.3 Downtown Commercial Designation

### 5.3.1 Downtown Truro

The Downtown commercial area is made up of two distinct areas, one centred around Inglis Place and the other centred around Victoria Square. Historically the focus of the community was on Victoria Square but with the arrival of the railroad the focus shifted towards Inglis Place and the Esplanade where the train station was located. Victoria Square continued to be an important focal point where major roads from Halifax, Amherst, and Cape Breton converged. Over the years, both areas continued to develop and eventually expanded to include most of Prince Street between Willow and Walker Streets and commercial development began to expand outwards along the major streets. Today the Downtown commercial area includes Prince Street between Whitman Court and Cottage Street, Walker Street, the Esplanade, and portions of Young, Queen, Arthur, and Elm Street. The two original commercial areas extended down Prince Street towards each other but the areas remain separated today by the Civic Block area which features institutional uses with plenty of green space and large front lawns. This is in stark contrast to the rest of the downtown portion of Prince Street where structures occupy nearly all of the lot and are built right to the sidewalk.





Like many communities throughout Canada, Truro's Downtown experienced a decline in the later part of last century following the development of shopping malls and big box stores outside of the central area. While the retail sector may not be as prominent as it once was, Truro's Downtown remains an important retail destination and offers many shops and services. Despite the development of shopping malls and big box stores on the edge of Town the Downtown area has managed to attract two national grocery chains and has retained hardware stores, a furniture store, a department store, clothing stores, and other retail shops. The Downtown is also an important centre of for banking, finance, and legal services. Several important institutions, churches, the regional library, museum, and performing arts centre are also situated Downtown and establish Truro as an important cultural centre.



### 5.3.2 The Downtown Commercial Designation

The Downtown Commercial Designation has been created to recognize and enhance the distinct type of built form and mixture of uses that makes Downtown Truro a regional destination for shopping, dining, banking, and other higher order services. The Downtown area experienced a period of decline during the latter half of the last century but the Downtown remains the focal point of our community and region and it continues to be home to a wide range of shops and services. The Downtown retains a rich heritage of commercial architecture, a great mixture of uses, and a large number of appropriately designed and scaled buildings that create appealing pedestrian friendly streetscapes. Council wants to ensure that the Downtown area builds upon these strengths and the Downtown Commercial Designation has been created to ensure that the appropriate policies and objectives are put into place to realize this objective.

The Downtown Commercial Designation is intended to apply to properties in the Downtown where Council wants to retain or enhance the traditional built form that contributes to the creation of vibrant and pedestrian friendly streetscapes. This Designation is also intended to apply to lands on the periphery of the traditional Downtown area where commercial development has been encroaching into traditionally residential areas. In these areas the Downtown Commercial designation will permit limited commercial development that is more compatible with adjacent residential uses.

#### Policy C-9

It shall be a policy of Council to establish the Downtown Commercial Designation on the Town's Future Land Use Map. This designation is intended to apply to commercial properties on Prince Street between Whitman Court and Lyman Street, portions of side streets off of this section of Prince Street, around Victoria Court, and to lands between The Esplanade and Prince Street. The Downtown Commercial Designation will also apply to portions of Young Street, Brunswick Street, Queen Street, and a block of Arthur Street between Young and Pleasant Streets.

### 5.3.3 Commercial Heritage

The Downtown area contains some of the most historically significant properties in the Town, with some very fine examples of commercial architecture. Council is interested in the preservation and enhancement of the downtown commercial streetscapes and will seek the advice of the Heritage Advisory Committee when considering any development agreement or rezoning applications in the Downtown Commercial Designation.

#### Policy C-10

It shall be a policy of Council to forward development agreement proposals within the Downtown Commercial Designation to the Heritage Advisory Committee for review and recommendation.

#### Policy C-11

It shall be a policy of Council to take into consideration advice from the Heritage Advisory Committee on the following matters when evaluating a development agreement proposal in the Downtown Commercial Designation that involves any new structure, exterior structural alterations, new signage, new parking, lighting, or landscaping:

- a) the proposal's architectural design and its compatibility with heritage architectural styles found in the downtown area;
- b) the compatibility of the proposal with any abutting heritage properties in terms of its height, bulk, and scale;
- c) the impact of the proposal on any heritage streetscape;
- d) the location of any proposed parking areas and how well they are screened from neighbouring properties and from the street; and
- e) the suitability of any signage, lighting, fencing, or landscaping elements in terms of their impact on any abutting properties or streetscape.

### 5.3.4 Downtown Commercial Urban Design Standards

Part of what makes Downtown Truro an important destination for shopping and dining is the way that the Downtown appeals to pedestrians. Human scale buildings that line the streets, well maintained sidewalks, street furniture, lighting, plantings, and a mixture of uses all help to create a vibrant pedestrian friendly environment. It is essential that the Town carefully regulate new construction and redevelopment projects in the Downtown to ensure that due consideration is given to how the development interacts with the street and other public spaces.

*Urban Design Standards to help preserve and enhance the appearance of the downtown and encourage suitable redevelopment and infill projects*

#### Policy C-12

It shall be a policy of Council to establish urban design standards for the Downtown Commercial (C1) Zone and the Limited Commercial (C2) Zone and require that all new development and conversions conform to these standards and that these standards be considered as part of any development agreement application process.

### **Policy C-13**

It shall be a policy of Council to require that all conversions and new construction within the Downtown Commercial (C1) Zone and the Limited Commercial (C2) Zone contribute to the development, preservation, and enhancement of pedestrian friendly and aesthetically pleasing downtown streetscapes.

#### **5.3.5 Exemption from Commercial Urban Design Standards**

The Commercial Urban Design Standards are a key component of the Town's efforts to ensure that downtown streetscapes are preserved and enhanced by new development. Council is aware that the Design Standards are a rigid set of controls and there may be occasions where a greater degree of flexibility may be desirable. This flexibility would be intended to accommodate examples of both contemporary and heritage architecture that may not comply with the Town's Design Standards but nevertheless would make welcome additions to the downtown. Council acknowledges that strict adherence to the Design Standards would stifle architectural creativity and not permit the freedom of design that is sometimes necessary to overcome unique site challenges. However, Council is mindful that any such accommodation must not undermine the primary goal preserving and enhancing pedestrian friendly and aesthetically pleasing downtown streetscapes. To this end, Council wants to ensure that there is an appropriate and effective evaluation and approval process in place that allows variations from the Urban Design Standards. The application of this flexibility will only be considered where it can be demonstrated to the satisfaction of the Development Officer that the design of the proposed development will compliment and not negatively impact downtown streetscapes. In consideration of any exemption from the Urban Design Standards, the Development Officer shall seek input from the Town's Heritage Advisory Committee.

### **Policy C-14**

It shall be a policy of Council to allow the Development Officer to permit proposals in the Downtown Commercial Designation that do not conform to applicable Urban Design Standards where the Development Officer is satisfied that the proposed development achieves the Town's objectives with respect to streetscape preservation and enhancement as outlined in this Municipal Planning Strategy. In considering such a proposal, the Development Officer shall seek the advice and opinion of the Town's Heritage Advisory Committee concerning the following matters:

- a) the proposal's architectural design and its compatibility with heritage architectural styles found in the neighbourhood;
- b) the compatibility of the proposal with any abutting heritage properties in terms of its height, bulk, and scale;
- c) the impact of the proposal on the abutting streetscape;
- d) the location of any proposed parking areas and how well they are screened from neighbouring properties and from the street; and
- e) the suitability of any signage, lighting, fencing, or landscaping elements in terms of their impact on any abutting heritage properties or any heritage streetscape.

**Policy C-15**

It shall be a policy of Council to require the submission of detailed elevation drawings, a site plan, and any other information that the Development Officer deems necessary to evaluate a development proposal pursuant to Policy C-14.

**5.3.6 Existing Permitted Uses**

There are a number of existing uses in the Downtown that Council wants to acknowledge by having the specific business name and location itemized and noted as a permitted use in the Land Use By-law. These uses, such as A. J. Walker & Son or Clarence Farm Services have been a fixture in the Downtown for many years and they are a part of the landscape. Council wants these businesses to be able to continue operating without being hindered by a non-conforming status. By indexing these uses, they are granted all the rights and privileges of any other permitted use in the Downtown Commercial Zones provided the use does not change and they do not expand beyond the existing property boundaries.

**Policy C-16**

It shall be a policy of Council to identify existing industrial uses, and existing non-conforming commercial uses and uses in the Downtown Commercial (C1) Zone and the Limited Commercial (C2) Zone.

**Policy C-17**

It shall be a policy of Council to consider expansions of uses identified as “existing” in accordance with Policy C-16 onto adjacent properties by development agreement. When considering such an application Council shall have regard for the evaluative criteria for development agreements as outlined in Part 11: Implementation of this Strategy.

**5.3.7 Residential Uses in the Downtown Commercial Designation**

In order to encourage a vibrant and active multiple uses to be established in the downtown core, low density residential uses will be permitted within the Downtown Commercial Designation. This will promote diversity and interest in the core while also providing more users for services and businesses located in the urban core. The presence of residential development helps promote a safe and inviting atmosphere within the area that might not occur with solely commercial uses. In order to maintain a commercial presence and accommodate a retail environment in the downtown area, residential uses adjacent to the street at grade will be limited.

The intention of providing an effective mix of land uses within the downtown includes the provision of a variety of housing types in the area. Higher density housing makes effective use of space, is economically efficient and encourages greater use of downtown services but a larger residential development in the downtown can have a greater land use impact and care must be taken to ensure that existing uses are not negatively impacted. For this reason multiple unit residential development will only be permitted by development agreement in the Downtown Commercial Designation.

*Council remains committed to encouraging increased residential densities in the Downtown*

### **Policy C-18**

In the Downtown Commercial Designation, it shall be a policy of Council to permit up to four residential dwelling units in a building where the predominant use adjacent to the street at grade is a commercial use.

### **Policy C-19**

In the Downtown Commercial Designation, it shall be a policy of Council to consider multiple unit residential developments having more than four units by development agreement.

### **Policy C-20**

When considering multiple unit residential development proposals in the Downtown Commercial Designation pursuant to Policy C-19, it shall be a policy of Council to:

- a) review the proposal using the evaluative criteria for development agreements as outlined in Part 11: Implementation of this Strategy;
- b) require the submission of professionally prepared renderings or graphic representations that illustrate how any proposed new construction or expansion will impact abutting properties and the streetscape;
- c) require that the proposal be compatible with adjacent uses in terms of height, bulk, scale, and lot coverage;
- d) require that the proposal does not detract from an established or developing streetscape by significantly varying from the typical height and setback of abutting structures or by having a building that is oriented away from the street;
- e) require that the proposal be forwarded to the Town's Heritage Advisory Committee (HAC) for review and recommendation;
- f) require that the parking area be suitably landscaped or fenced and situated where it will not be readily visible from the public right-of-way; and
- g) require that the proposal include recreational open space suitable for use by residents of the development.

### **Policy C-21**

In the Downtown Commercial Designation, it shall be a policy of Council to only consider proposed multiple unit residential developments that have been designed by an architect licensed to practice in Nova Scotia where the proposal includes new construction, an expansion, or exterior alteration of an existing building.

### **Policy C-22**

It shall be a policy of Council to permit existing buildings in the Downtown Commercial Designation to be converted to a maximum of four dwelling units which may include ground floor residential units, provided the residential units do not occupy prime ground floor commercial space fronting on Inglis Place.

### 5.3.8 Ground Floor Residential

For many years, planning regulations in Truro discouraged the residential use of the ground floor in the Downtown commercial area. The general feeling was that the highest and best use for the ground floor would be retail space. It is now understood that downtowns become more vibrant and diverse places when uses are appropriately mixed. In addition, residential uses provide a twenty-four hour use that keeps the area robust and safer than it might become without it. Indeed, many communities have worked very hard to reintroduce residential uses in these core areas for the positive value it generates. Accordingly, Council intends to encourage a mixture of uses within the Downtown including permitting ground floor residential development throughout the Downtown Commercial Designation with the exception of Inglis Place where residential units will not be permitted at ground level adjacent to the street.

#### Policy C-23

It shall be a policy of Council the residential conversion of an existing building in the Downtown Commercial Designation to include street level residential uses with the exception of Inglis Place where residential units will not be permitted at ground level adjacent to the street. Ground floor residential uses may also be considered as part of multiple unit development considered in accordance with Policy C-19.

### 5.3.9 Downtown Commercial (C1) Zone

The Downtown Commercial (C1) Zone is intended to apply to all lands within the Downtown Commercial Designation and include land use regulations designed to encourage development that contributes to the creation of vibrant and pedestrian friendly streetscape. The C1 Zone shall permit a broad range of uses that will recognize the existing mixture of uses that exists in the downtown including commercial, residential, and institutional uses. Large commercial development proposals will be permitted only by development agreement in order to ensure that potential negative land use impacts are addressed.

#### Policy C-24

It shall be a policy of Council to establish the Downtown Commercial (C1) Zone and apply it to lands within the Downtown Commercial Designation that form the traditional Downtown business and retail area of Truro where buildings are typically two to three stories tall and built to the street.

#### Policy C-25

Within the Downtown Commercial (C1) Zone, it shall be a policy of Council to permit a broad range of commercial uses such as retail uses, office and professional uses, restaurants, lounges, cabarets, accommodations, and banks. The C1 Zone shall also permit other land uses such as institutional uses, parks, and residential uses.

### **Policy C-26**

It shall be a policy of Council to maintain a traditional downtown character and pedestrian friendly environment of the Downtown Commercial (C1) Zone through minimum lot sizes, frontage requirements, setback requirements, and height restrictions.

### **Policy C-27**

It shall be a policy of Council to consider development proposals in the Downtown Commercial (C1) Zone which exceed 3251 m<sup>2</sup> (35,000 ft<sup>2</sup>) commercial or net floor area by development agreement only. In considering such proposals council shall have regard for the evaluative criteria contained in Part 11: Implementation of this Strategy.

### **Policy C-28**

When considering commercial development proposals in accordance with Policy C-27, it shall be a policy of Council to:

- a) review the proposal using the evaluative criteria for development agreements as outlined in Part 10: Implementation of this Strategy;
- b) require the submission of professionally prepared renderings or graphic representations that illustrate how any proposed new construction or expansion will impact abutting properties and the streetscape; and
- c) require that the proposal be forwarded to the Town's Heritage Advisory Committee (HAC) for review and recommendation.

### **5.3.10 General Commercial Uses in the C1 Zone**

General commercial uses tend to be automobile oriented uses which demand lots of easily accessible parking. This type of built form is generally a poor fit with a traditional pedestrian friendly downtown. Nonetheless, there is a recognized need to allow a limited range of automobile oriented businesses in the Downtown and Council wishes to accommodate uses such as automobile rentals subject to certain site design and landscaping considerations.

### **Policy C-29**

It shall be a policy of Council to permit a limited range of automobile oriented uses such as automobile rentals in the Downtown Commercial (C1) Zone with the following restrictions:

- a) that there be a limited amount of on-site parking or storage of vehicles;
- b) that the landscaping, lighting, and signage reflect the scale and characteristics of the traditional Downtown area;
- c) that the on-site parking and storage of vehicles be located in an area of the lot that is not readily visible from a public street;
- d) that any vehicles parked or stored on-site be limited to light trucks and cars.

### 5.3.11 C1 Zone Residential Buffering Requirements

In the Downtown Commercial (C1) Zone there are no requirements for front or side yard setbacks and in many cases buildings will be able to occupy an entire site. However, where a commercial zone directly abuts a residentially zoned property, there will be provision in the Land Use By-law to require side and rear yards for abutting yards.

#### Policy C-30

It shall be a policy of Council to require minimum side and rear yard setbacks where properties within the Downtown Commercial (C1) Zone abut a residential zone.

### 5.3.12 Automobile Dealerships in the C1 Zone

*Existing car dealerships  
are permitted uses but  
with restrictions*

Over the years two main automobile dealerships established in the downtown area of Truro; Dodge Chrysler and Chevrolet Oldsmobile. Council recognizes the contribution of these long standing businesses to the Town but Council is also mindful of the negative impact that large amounts of outdoor display of vehicles along with the requisite lighting and signage can have on surrounding streetscapes and uses.

Council wishes to allow limited expansion of the existing non-conforming use on existing lots that are abutting or adjacent to the lot on which the nonconforming dealership exists. Expansions beyond the prescribed limits shall be considered by development agreement.

#### Policy C-31

Therefore it shall be a policy of Council to consider the expansion of existing nonconforming automobile dealerships (automobile sales) onto an abutting lot in the Downtown Commercial Designation provided:

- a) the development is on an existing lot which is abutting or adjacent to the lot on which the nonconforming dealership exists;
- b) the proposed expansion conforms to applicable Downtown Commercial (C1) or Limited Commercial (C2) Zone requirements; and
- c) a development permit for a limited expansion has not been issued pursuant to the policy previously.

#### Policy C-32

It shall be a policy of Council to consider the expansion of existing automobile dealerships which would exceed the expansion provisions prescribed in Policy C-31 by development agreement. In considering such development agreement applications, Council shall have regard for the evaluative criteria for development agreements in Part 11: Implementation and the following considerations:

- a) the sales of automobiles is limited to passenger cars and light trucks; and
- b) that the Downtown Commercial (C1) Zone requirements be used as a guide when considering the landscaping, lighting, and signage elements of the proposal.

### 5.3.13 Limited Commercial (C2) Zone

The Limited Commercial (C2) Zone is intended to provide a buffer between the traditional Downtown retail and business area and neighbouring residential areas. The C2 Zone shall permit a broad range of uses that will recognize the existing mixture of uses that exists in the downtown including commercial, residential, and institutional uses but it will not permit uses likely to generate land use conflicts with abutting residential uses due to noise, hours of operation, or traffic. The C2 Zone will include land use regulations designed to encourage development that contributes to the creation of vibrant and pedestrian friendly streetscapes. Large commercial development proposals will be permitted only by development agreement in order to ensure that potential negative land use impacts are addressed.

*New Limited Commercial (C2) Zone has been created to act as a buffer between downtown development and neighbouring residential areas*

#### Policy C-33

It shall be a policy of Council to establish the Limited Commercial (C2) Zone and apply it to lands that are situated on the periphery of the traditional Downtown business and retail area where commercial development has either encroached into a traditionally residential area or provides a buffer between a residential area and the traditional Downtown business and retail area.



#### Policy C-34

Within the Limited Commercial (C2) Zone, it shall be a policy of Council to permit a broad range of commercial uses such as retail uses, office and professional uses, restaurants, accommodations, and banks. The C2 Zone shall also permit other land uses such as institutional uses, parks, and residential uses but it will not permit uses that are likely to create a land use conflict with neighbouring residential properties such as outdoor kennels, lounges, or cabarets.

#### Policy C-35

It shall be a policy of Council to establish minimum lot sizes, frontage requirements, setback requirements, and height restrictions for the Limited Commercial (C2) Zone that will permit existing commercial areas on the edge of the Downtown to be redeveloped in manner that enhances Downtown streetscapes and provides a transition between commercial development and neighbouring residential development.

#### Policy C-36

It shall be a policy of Council to consider development proposals in the Limited Commercial (C2) Zone which exceed 3251 m<sup>2</sup> (35,000 ft<sup>2</sup>) commercial or net floor area by development agreement only.

**Policy C-37**

When considering commercial development proposals in accordance with Policy C-36, it shall be a policy of Council to:

- a) review the proposal using the evaluative criteria for development agreements as outlined in Part 11: Implementation of this Strategy;
- b) require the submission of professionally prepared renderings or graphic representations that illustrate how any proposed new construction or expansion will impact abutting properties and the streetscape; and
- c) require that the proposal be forwarded to the Town’s Heritage Advisory Committee (HAC) for review and recommendation.

**5.4 General Commercial Designation**

**5.4.1 The General Commercial Designation**

The General Commercial Designation has been created to recognize the broad range of commercial development that exists outside of the Downtown core. This includes the large format retailing/shopping centre development oriented to Highway 102, the strip commercial development on Robie Street and Willow Street, and the new automobile oriented commercial development on the edge of the Downtown. This designation also includes potential redevelopment areas such as the old public works site or the site of the current hospital which is scheduled to close in 2011. Most of these areas are already developed and this designation is primarily intended to recognize existing development and accommodate new commercial growth through redevelopment and intensification.

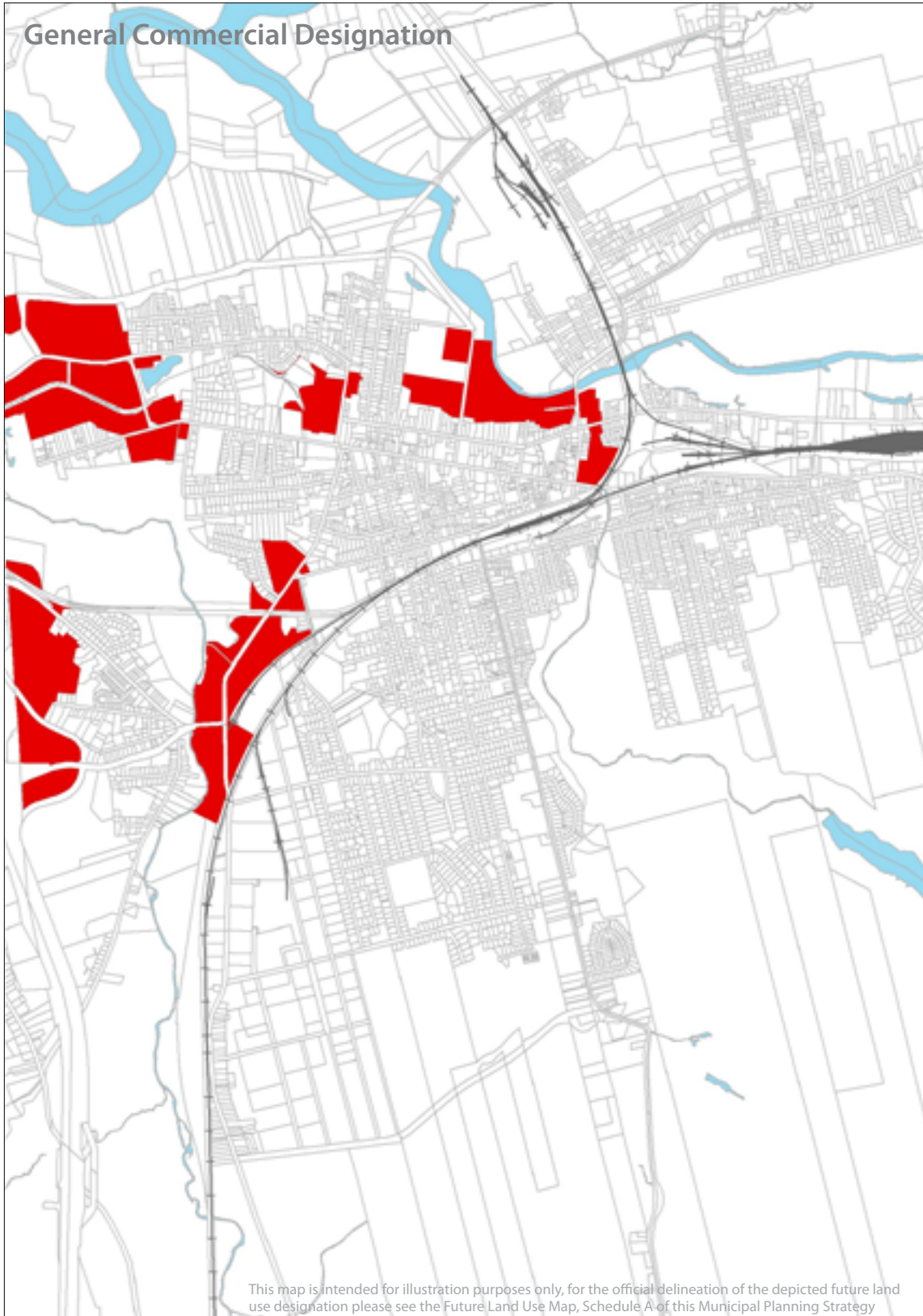


**Policy C-38**

It shall be a policy of Council to establish the General Commercial Designation on the Town’s Future Land Use Map. This designation is intended to apply to commercial development areas outside of the downtown core such as the automobile oriented commercial development around the Downtown, the shopping mall, and the large format retailing oriented to Exit 13 on Highway 102.

**5.4.2 Existing Uses**

There are a number of existing residential uses in the General Commercial Designation, particularly along Willow Street. Although it is Council’s intent that these properties will eventually be redeveloped as a commercial use, Council recognizes that these uses predate the commercial designation and there is no desire on the part of Council to unduly restrict these long-standing residential uses. Accordingly, existing residential uses will be listed as permitted uses in the General Commercial Designation zones and thereby granted conforming status.



**Policy C-39**

It shall be a policy of Council to list existing residential uses as permitted uses in all General Commercial Designations and make these uses subject to the Two Unit Residential (R2) Zone requirements.

**5.4.3 New Residential Development**

Council recognizes the importance of encouraging residential development in other serviced areas of Town and thereby making better use of existing infrastructure. Council also recognizes that fostering an attractive mix of uses, including residential uses, in established commercial areas outside of the downtown will help increase demand for businesses and services throughout the Town. Furthermore, Council is aware that the General Commercial Designation has been the focus of a lot of development in recent years and this area is expected to become an major centre of employment in the region. It is expected that there will be demand for new multiple unit development within the General Commercial Designation as people seek housing near their place of work. The General Commercial Designation is also an appealing location for new multiple unit development because intensive development is expected in this area and the potential for land use conflicts with established residential neighbourhoods is minimal.

*Multiple unit residential permitted by Development Agreement in the General Commercial Designation but only where it does not preclude future commercial development*



Council is, however, concerned that residential development in commercial areas may lead to future land use conflicts between residential uses and new commercial development and that residential development will consume valuable commercial lands. To address these concerns, Council will consider multiple unit development proposals by development agreement and require that the developer demonstrate that the proposal will not preclude the future development potential of the lands. To demonstrate this, the developer will have to show how the residential use can be accommodated while being effectively buffered from existing or future commercial uses on abutting properties and how the frontage of the site can be reserved for future commercial development.

**Policy C-40**

In the General Commercial Designation it shall be a policy of Council to consider multiple unit development proposals having three or more units by development agreement only.

### Policy C-41

When considering multiple unit residential development proposals in the General Commercial Designation pursuant to Policy C-40, it shall be a policy of Council to require:

- a) that the proposal be reviewed using the evaluative criteria for development agreements as outlined in Part 11: Implementation of this Strategy;
- b) that a multiple unit proposal consisting of more than four residential units be designed by an architect licensed to practice in the Province of Nova Scotia;
- c) that the proposed multiple unit development preserve the future commercial development potential of the property and neighbouring properties by:
  - i) providing adequate landscaped buffers from existing or potential commercial uses on the property or on an abutting property; and
  - ii) reserving a portion of the property that is suitable in terms of size, frontage, visibility, servicing, access, and topography for future commercial development; or
  - iii) having a structure that either includes ground floor commercial units or residential units on the ground floor that are designed to be converted into commercial units.

#### 5.4.4 The Local Commercial (C3) Zone

In addition to the automobile oriented and large format commercial development, the General Commercial Designation also supports the Local Commercial (C3) Zone. The C3 Zone is intended to accommodate a limited range of non-intensive commercial uses such as neighbourhood convenience stores and home based businesses that have grown beyond what is permitted under the home based business regulations. Council wishes to provide greater support for local businesses and allowing for home based businesses to grow is an important step in fostering a prosperous and sustainable local economy. Because these uses are generally situated in residential areas, Council is concerned with the potential for land use conflicts. Accordingly, the C3 Zone will permit a limited range of uses and include zone requirements designed to provide adequate protection for neighbouring residential uses.

The relationship between the C3 Zone and the General Commercial Designation is not as straightforward as what typically exists between other zones and designations. Whereas local commercial uses tend to be isolated businesses situated in residential areas, the C3 Zone is generally going to be applied to lands in residential designations. While lands in the General Commercial Designation will be able to rezone to the C3 Zone it is not Council's intention that lands zoned C3 will necessarily be situated in the General Commercial Designation.



**Policy C-42**

It shall be a policy of Council to establish the Local Commercial (C3) Zone and apply it to existing convenience stores in residential areas provided that:

- a) such uses are determined to have existed prior to the adoption of the 1983 Municipal Planning Strategy; and
- b) such zones are limited to the lot on which the use is determined to exist.

**Policy C-43**

Within the Local Commercial (C3) Zone, it shall be a policy of Council to permit existing convenience stores; a limited range of commercial uses such as offices, professional services, personal service shops, and artist studios; mixed use developments including a maximum of two residential dwelling units; and residential uses containing a maximum of three dwelling units.

**Policy C-44**

It shall be a policy of Council to establish minimum lot sizes, a commercial floor area limit, frontage requirements, setback requirements, landscaping requirements, height restrictions, and specify design regulations for the Local Commercial (C3) Zone in order to ensure that local commercial uses maintain the residential character of the surrounding neighbourhood and do not have a negative impact on abutting residential uses.

**5.4.5 Local Commercial Uses by Development Agreement**

Existing convenience stores are permitted in the Local Commercial (C3) Zone but new convenience stores will require a development agreement to ensure that potential land use conflicts are addressed and other issues such as parking, landscaping, lighting, and traffic are taken into consideration. Council also wants to be able to consider C3 Zone uses that exceed the normal zone requirements or that include a limited retail component by development agreement.

**Policy C-45**

It shall be a policy of Council to consider the following by development agreement in the Local Commercial (C3) Zone:

- a) new convenience stores;
- b) commercial uses occupying more than the ground floor of a structure;
- c) commercial uses occupying more than 80 m<sup>2</sup> (861 ft<sup>2</sup>) of a new or expanded structure; and
- d) commercial uses including the retail sale of any product not manufactured, produced, or assembled on site. multiple unit residential uses with four or more dwelling units;
- e) mixed use developments with three or more dwelling units sharing a structure with a Local Commercial (C3) Zone permitted use; and
- f) mixed use proposals or residential uses with three or fewer dwelling units that do not meet the standard Land Use By-law or Local Commercial (C3) Zone requirements.

### **Policy C-46**

When considering a development agreement application pursuant to Policy C-45, it shall be a policy of Council to:

- a) review the proposal using the evaluative criteria for development agreements as outlined in Part 11: Implementation of this Strategy;
- b) only consider those proposals with frontage on an Arterial, Collector, or Local Collector Street as identified on the Transportation Map found in Part 10: Infrastructure of this Strategy;
- c) require that the architectural design and finish of the structure and signage is complementary to that of surrounding residential uses;
- d) require that no more than one residential unit will be situated on the same lot as the commercial use;
- e) require that the site be properly landscaped and adequately buffered from adjacent residential uses, and
- f) require proper vehicular access and egress to the site.

#### **5.4.6 Expanded Local Commercial Uses by Rezoning**

Local Commercial uses are typically situated in residential areas and consist of more intensive land uses than the surrounding development. These uses are often a focal point in their neighbourhoods and generate a higher degree of traffic and activity than surrounding land uses. Council recognizes local commercial uses are an important part of the local economy and Council wants to accommodate the growth and success of local commercial uses by permitting their expansion. Council also recognizes that more intensive lands uses may be appropriate in the vicinity of these neighbourhood focal points given the heightened level of activity associated with the local commercial uses. Accordingly, Council wishes to have the discretion to consider rezonings of properties immediately abutting the Local Commercial (C3) Zone.

### **Policy C-47**

It shall be a policy of Council to consider applications to amend the Land Use By-law Zoning Map and rezone lands to the Local Commercial (C3) Zone without requiring a Municipal Planning Strategy amendment, provided the lands to be rezoned abut a property that was zoned C3 prior to May 7, 2018 and the lands have frontage on a Arterial, Collector or Local Collector Road.

#### **5.4.7 The General Commercial (C4) Zone**

The General Commercial (C4) Zone is intended to accommodate automobile oriented commercial development including strip development along Willow and Robie Streets, the Truro Mall, and the large format retailing around Exit 13 on Highway 102. While this zone will place emphasis on parking and visibility in order to accommodate the automobile, Council is also committed to development that supports walking and cycling as alternative modes of transport. This commitment includes an emphasis on landscaping

and aesthetic considerations in order to improve the appearance of the streets that make up the C4 Zone and that form The C4 Zone shall permit a broad range of uses that will recognize the existing mixture of uses that exists in the commercial areas along the major roads into Town including commercial uses as well as limited residential, and institutional uses. Large commercial development proposals will be permitted only by development agreement in order to ensure that potential negative land use impacts are addressed.



**Policy C-48**

It shall be a policy of Council to establish the General Commercial (C4) Zone and apply it to automobile oriented commercial development on the periphery of the Downtown and along the major routes into the Downtown, including Elm Street, Brunswick Street, Juniper Street, Walker Street, and commercial sections of Willow and Prince Streets.

**Policy C-49**

Within the General Commercial (C4) Zone, it shall be a policy of Council to permit a broad range of commercial uses such as retail uses, office and professional uses, restaurants, licensed liquor establishments, accommodations, banks, service stations, and other automobile oriented uses. The C4 Zone shall also permit other land uses such as institutional uses, parks, and limited residential uses.

**Policy C-50**

It shall be a policy of Council to establish minimum lot sizes, frontage requirements, setback requirements, and height restrictions for the General Commercial (C4) Zone to generally recognize existing development and to ensure that redevelopment occurs in an orderly manner that accommodates automobile oriented development and contributes to the creation of attractive and pedestrian friendly streetscapes.

**Policy C-51**

In the General Commercial (C4) Zone, it shall be a policy of Council to consider development proposals, including shopping centres and retail complexes, which exceed 3251 m<sup>2</sup> (35,000 ft<sup>2</sup>) commercial floor area by development agreement only. In considering such proposals council shall have regard for the evaluative criteria contained in Part 11: Implementation of this Strategy.

### Policy C-52

When considering commercial development proposals in accordance with Policy C-51, it shall be a policy of Council to consider possible impacts on municipal streets and services and to review the proposal using the evaluative criteria for development agreements as outlined in Part 11: Implementation of this Strategy.

#### 5.4.8 Relaxation of Lot Requirements

Large commercial developments such as a shopping mall or a big box development occasionally need to subdivide their properties off to allow for businesses to locate on smaller lots in the midst of a larger development. These smaller lots are required in the case of long term leases or for retailers who want to own their own property but remain part of a larger shopping development. In many cases it is not practical to require that these lots have frontage on a public street or to require that these lots maintain the normal side yard setback requirement or comply with landscaping requirements. Council recognizes that this kind of flexibility is essential in order to accommodate new trends in retailing but Council does not want this flexibility to create problems in the future. To ensure that this flexibility is used in conjunction with larger commercial developments as intended and not as a means of permitting undersized lots for piecemeal development, this provision will only be applied to larger lot sizes.

*Flexible lot requirements for large commercial developments to accommodate changing trends in retailing*

### Policy C-53

It shall be a policy of Council to permit the creation of lots with less than the required frontage, landscaping, and setback requirements in the C4 Zone provided:

- a) the proposed lot is to be developed as part of a larger commercial development;
- b) servicing and access are to be provided by a right-of-way easement agreement, the details of which are satisfactory to the Town Engineer and Development Officer;
- c) the remainder lot is 2.0 hectares (4.94 acres) or more in area; and
- d) the net floor area of any development on a lot created pursuant to this Policy is included in any calculation of net floor area for the commercial development on the remnant or parent parcel.

#### 5.4.9 Existing Permitted Uses

Stanfield's Limited has been a part of Truro for many years and the company's textile mill on the riverfront is an important landmark in the community. Council recognizes the value that this industry represents but mill's proximity to the Downtown and to established residential areas on Queen Street is a cause for concern. At present Stanfield's is a benign industrial use that generates very little noise or pollution and the operation fits in well with the mixture of uses in the Downtown area. However, Council is concerned about the mill changing hands and



*Stanfield's Limited is recognized as an existing permitted industrial use in a commercial zone*

perhaps changing to a more noxious industrial use. By applying a commercial zone to the property, Council can provide some guarantee that this will not happen. However, this makes the Stanfield's a non-conforming use which places restrictions on expansions and changes to the mill. Council wants to support Stanfield's continued operation and allow them to expand or alter their facility as required. In order to permit expansions and alterations beyond what is permitted for a non-conforming use, Council will specifically identify Stanfield's Ltd. as a permitted use in the General Commercial (C4) Zone.

**Policy C-54**

It shall be a policy of Council to identify Stanfield's Ltd. as an existing use in the General Commercial (C4) Zone and Council may consider expansions of this use onto adjacent properties by development agreement. When considering such an application Council shall have regard for the evaluative criteria for development agreements as outlined in Part 10: Implementation of this Strategy.

**5.4.10 Commercial Buffer**

*Commercial Development abutting residential areas to provide suitable buffering*

The concept of buffering abutting dissimilar land uses can be a complex consideration given that there are a variety of conditions created which invite different solutions, the amount of land available, whether the land is publicly or privately owned, the topography of the land as it relates to the uses, etc. The necessary space for buffering may come through the subdivision process which conveys property to the municipality and through regulation where a certain portion of the properties which abut dissimilar uses may be regulated to provide buffering.

Council intends to encourage the application of both approaches through the development approval process for subdivision and subsequent development. It is the wish of Council that, through the application of both techniques and with a degree of flexibility in application of these techniques, effective separation of two dissimilar land uses can be successfully achieved.

**Policy C-55**

It shall be a policy of Council to, when approving subdivision for General Commercial (C4) Zone uses, accept recreation land dedication that will contribute to providing a buffer between lands zoned for dissimilar land uses.

**Policy C-56**

It shall be a policy of Council to require that highway commercial properties which abut non highway commercially zoned land provide a buffer along the abutting property boundaries subject to performance standards outlined in the Land Use By-law and which may involve:

- a) land area as unobstructed open space;
- b) landscaped areas of land;
- c) built up areas of land (berm);
- d) fences;
- e) or a combination of these.

## 5.5 Adult Entertainment

The Nova Scotia Liquor Control Board has the authority to regulate the nature of entertainment permitted in licensed drinking establishments. The Town has the authority to regulate land uses to ensure that uses are controlled in such a way that land uses do not conflict within one another and that land development takes place in an orderly and rational manner that serves the long-term interests of the Town.

Adult entertainment uses are characterized by the nature of the entertainment they offer. The entertainment is not incidental to the serving of alcohol, it is central to the establishment's market position. The adult entertainment use is, therefore, separately and specifically defined in the Land Use By-Law.

Adult entertainment uses present unique concerns in terms of their place in the Town's overall land use mix. Of particular concern is the integrity of the Urban Regional Core and the residential zones within the Town. The Town has devoted much time and planning effort to promoting a revitalization of the Urban Regional Core as a coherent mix of residential, institutional and supporting commercial uses. The Urban Regional Core is characterized by a generally harmonious mixture of residential type use, churches, civic and public buildings, and (primarily) retail commercial uses. Adult entertainment uses are a poor fit with these types of uses in terms of visual impact, traffic, hours of operation, and the general spill-over of patrons. Accordingly, adult entertainment uses should be specifically zoned and regulated to control their impact upon other uses with which they would be apparently incompatible.

### **Policy C-57**

Therefore, it shall be a policy of Council to establish an Adult Entertainment (C5) Zone within the General Commercial or Industrial designations on the Future Land Use Map.

### **Policy C-58**

Therefore it shall be a policy of Council to consider rezonings to the Adult Entertainment (C5) Zone within the General Commercial and Industrial land use designations on the Future Land Use Map provided that, in addition to all relevant zoning requirements and performance standards, the area to be rezoned has frontage on a Collector or Arterial Street as identified on the Transportation Map found in Part 10: Infrastructure of this Strategy.

### **Policy C-59**

Therefore it shall be the policy of Council to consider, in applications under Policy C-58, in addition to all relevant zoning requirements and performance standards, the compatibility in all respects of the proposed use with the existing uses in the surrounding neighbourhood.

**Policy C-60**

It shall be a policy of Council to establish minimum lot sizes, frontage requirements, setback requirements, special signage/advertising restrictions, abutting yard requirements, minimum separation distances from incompatible land uses, and height restrictions for the Adult Entertainment (C5) Zone.

## 5.6 Intermunicipal Planning Strategy

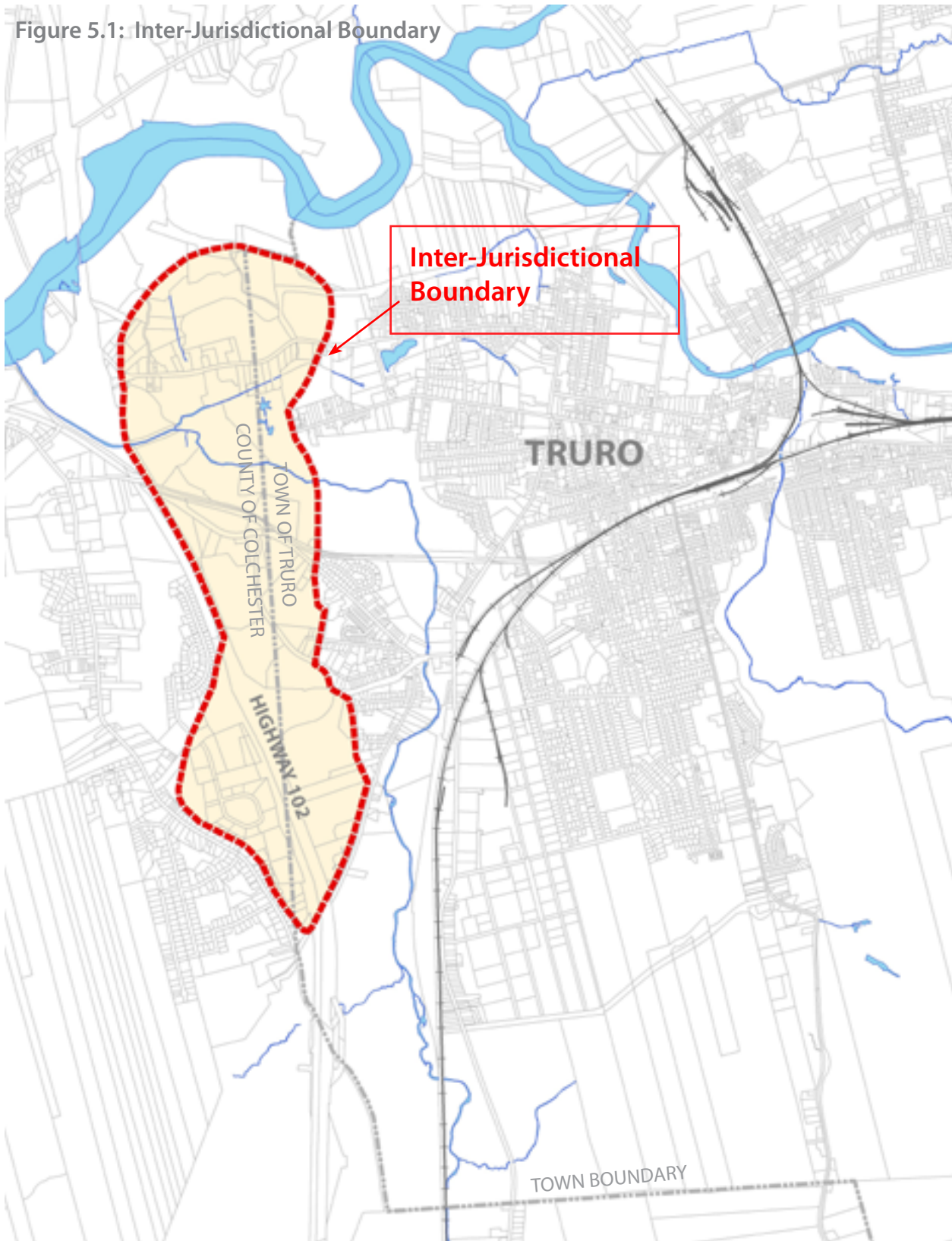
In January 2000 the Town of Truro and the County of Colchester adopted the *Truro-Colchester Inter-Municipal Planning Strategy on Inter-Jurisdictional Properties*. This plan is intended to resolve issues with regard to land use and development standards for properties which cross over municipal boundaries. This plan is intended to deal specifically with commercial and light industrial uses which involve the Town and the County with respect to provision of municipal services or development approvals. It is Council's intent to fulfill its obligations under the Inter-Municipal Planning Strategy and work with the County on applications requiring planning approvals within the Inter-Jurisdictional Boundary as shown on Figure 5.1.

*Regional cooperation  
on commercial  
development along the  
Highway 102 corridor*

**Policy C-61**

It shall be a policy of Council to honour its obligations under the Truro-Colchester Inter-Municipal Planning Strategy on Interjurisdictional Properties and work with the County on applications requiring planning approvals within the Inter-Jurisdictional Boundary as shown on Figure 5.1.

Figure 5.1: Inter-Jurisdictional Boundary



# 6 • Industrial Policies



## 6.1 Background

*Truro is centrally located on the Atlantic region's transportation network and central to the Moncton - Halifax growth corridor.*

### 6.1.1 Industrial Development in Truro

Truro's central location on the province's railway and highway networks together with the Town's role as an agricultural service centre have helped the Town become an important industrial centre. Prior to the 1960's this industrial development was located throughout Town with large manufacturers and warehousing located in the heart of the community. To some extent this continues to this day but most industrial activity has relocated to the Truro Industrial Park. The Park was established in 1962 and was initially managed by the now dissolved Truro Industrial Commission. Today the Park is home to over 50 businesses including a wide variety of uses such as manufacturing, processing, and warehousing, with the largest employers in textiles and plastics. Over the years, the success of Truro's industrial sector has contributed to a sense of security and stability for both the Town and industry alike.



### 6.1.2 Issues

The only significant planning issues related to industrial development stem from the proximity of some long time industrial uses to residential areas and the Downtown. Of particular concern is the noise and dust and general visual blight created by a large scrap metal yard located in the centre of Town. This use and the few other remaining industrial uses in the Downtown are effectively grandfathered and unless these uses cease to operate, the Town is unable to address this issue, at least in terms of planning regulations.

There are currently lots available for new industrial development in the Industrial Park and additional lands have been set aside for future expansion. The Park's success has meant that almost all recent industrial growth in Truro has taken place in the Park away from potentially incompatible land uses and new businesses. Even some long established uses such as Scotsburn Dairy have relocated to the industrial park from its old downtown location. Existing industrial development outside of the park such as Stanfield's Ltd. continues and in most cases is supported and accommodated by the Town, but there have

been no major expansions of these uses in recent years. As a result, there are very few issues with respect to new industrial development and land use conflicts with other types of development.

The success of the Industrial Park has created another issue related to planning for future industrial development and expansion of the Park. A January 2008 Industrial Park Expansion Plan includes plans to extend business and industrial onto an area of more than 200 hectares (500 acres) to the south and east of the existing park. The Town has already acquired approximately 140 hectares (345 acres) to date for this purpose. Council is prepared to support setting aside a significant portion of this land for industrial development but there is also a desire and a demand for future residential development of these lands as well. Council has approved a proposed land use plan for this area which includes a balance between residential and industrial development.

### 6.1.3 Approach

The Truro Industrial Park is now managed by the Truro Industrial Development Society and this group, together with the Colchester Regional Development Agency, have commissioned a study on improving the Industrial Park's image. The recommendations of this Study mostly related to landscaping and signage. The 2004 Planning Documents also placed a great deal of emphasis on open space and less intensive development. The former plan required large front and side yard setbacks, limited lot coverage to 75%, and restricted building heights to just under 12 metres (40 feet). This emphasis on green space is admirable but it is not necessarily consistent with Council's desire to be flexible in its approach to new industrial development proposals and its desire to allow existing industrial uses to expand. These planning documents will take a more balanced approach to regulating development in the park by establishing landscaping requirements but also allowing industrial users the flexibility they require and recognizing that the purpose of an industrial park is primarily to accommodate industrial development.





## 6.2 Industrial Objectives

### 6.2.1 Encourage New Industrial Development

Industrial development is an essential part of the local economy that provides employment, demand for services and it is an important source of tax revenue for the Town. In order for Truro to remain economically sustainable the Town must support its existing industries and encourage new industrial development.

#### Policy M-1

It shall be a policy of Council to encourage the establishment of sustainable industries within the Town; particularly in the Truro Industrial Park.

### 6.2.2 Improve the Appearance of the Industrial Park

One of the factors in attracting industries to an Industrial Park is the overall level of aesthetics. An attractive and well-designed industrial area reflects positively on the corporate images of occupying businesses. Improvements to landscaping and signage along with provision of sidewalks, curb and gutter along streets in the park are integral to projecting a quality and successful image. These improvements will also encourage more pedestrian traffic and provide an opportunity for Park employees to walk to work. This strategy thus intends to ensure that the Industrial Park undergoes an upgrading of its services and aesthetic standards, and that any future expansion of the park will meet these standards from the onset.

#### Policy M-2

It shall be a policy of Council to improve the appearance of streets in the Industrial Park by providing curb and gutter, and sidewalks where appropriate.

#### Policy M-3

It shall be a policy of Council to undertake a tree planting program on existing and future streets in the Industrial Park.

#### Policy M-4

It shall be a policy of Council to develop a minimum standard of landscaping in the Land Use By-law for all future development in the Industrial Park; and encourage existing developments to upgrade their sites to this standard.

### 6.2.3 Balance Aesthetics and Industrial Development

The Colchester Regional Development Agency and the Truro Industrial Development Society recently had a beautification study completed for the Truro Industrial Park. The recommendations of the study included placing more emphasis on green space, trees, and landscaped swales along streets instead of curb and gutter. This greener approach to park design has some merit but it is important to remember that the Industrial Park is intended to accommodate industrial users in an environment that allows for their continued growth and expansion. Council will have landscaping and tree planting requirements in place but these will be balanced with the need to allow industries to expand and grow while remaining within the park and within Truro. It is also important that serviced land in the park be used efficiently and that streets, sewer, water and other services are not needlessly extended in order to achieve large lot sizes with large expanses of green space.

*Landscaping and aesthetic concerns will be taken into consideration but it is recognized that the Industrial Park should focus on accommodating industrial growth*

#### **Policy M-5**

It shall be a policy of Council to balance landscaping and other aesthetic considerations with the need to allow industries within the Industrial Park to grow and expand.

#### **Policy M-6**

It shall be a policy of Council to balance landscaping and other aesthetic considerations with the need to encourage more efficient use of land and services within the Park by permitting intensive development in terms of lot coverage and building height.

### 6.2.4 Minimize Impact on Neighbouring Land Uses

Industrial land uses occasionally abut potentially incompatible residential, institutional and recreational land uses which can be negatively impacted by noise, lighting, dust, odour, and other land use characteristics associated with industrial uses. To ensure that land use conflicts with neighbouring non-industrial uses are avoided, industrial lands will be separated from abutting non-industrial designated areas by a landscaped area that will serve as a visual as well as an acoustic separation. The Town will take steps to provide buffer strips in existing developed areas of the Industrial Park where industrial uses abut uses in other land use designations. In future phases of the Industrial Park, the Industrial Development Society will provide adequate buffer strips where required through the subdivision process. These buffers will remain the responsibility of the Society to maintain.

#### **Policy M-7**

It shall be a policy of Council to require the provision of a buffer strip where industrial uses abut non-industrial designations on the Future Land Use Map. Such buffer strips shall be designed to be both visual and acoustic in nature.

#### **Policy M-8**

It shall be a policy of Council to encourage the Truro Industrial Development Society to work with industries in the Industrial Park in order to provide adequate buffer strips in already developed areas.

### 6.2.5 Provide Lands for the Expansion of the Industrial Park

The Town of Truro recognizes that the ongoing growth and expansion of our industrial tax base is key to the long term financial viability of the Town. Industrial development not only creates more jobs for the local economy but it also increases the Municipality's tax base. The Town's existing business park is nearly full and for several years the Town has been looking at opening up 207 hectares (511 acres) of land South of William Barnhill Drive to allow for new industrial development. The Town has acquired about 80% of these lands for this purpose.

While the Town has been busy planning for the expansion of the industrial park, residential development along Young Street has begun to encroach on lands earmarked for future industrial growth. Demand for industrial development has been slow compared to residential development and the Town is faced with deciding between accommodating immediate demand for new residential growth or reserving land for future industrial use. Allowing residential development to take place now will bring new residents, it will expand the Town's tax base, and it will have an immediate economic benefit. Reserving this land for industrial uses, however, may prove to be a greater economic benefit to the Town in the long term. To help in the decision making process, the Town hired Colliers International to complete a Real Estate Market Analysis of the lands south of William Barnhill Drive. The purpose of this study, which was completed in January 2012, was to determine which would have the greatest economic benefit to the Town; reserving these lands for future industrial growth or opening them up to immediate residential development.

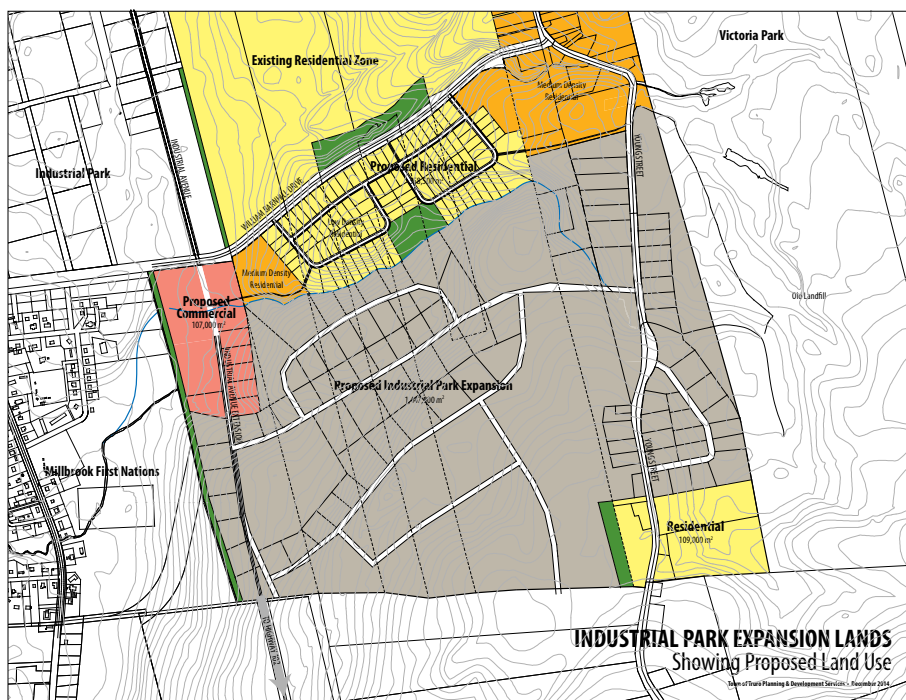
The Colliers study recommended that the most appropriate land use for the lands South of William Barnhill Drive would be a mix of residential and industrial uses. The recommended mix would consist of a residential component of not less than 30% and an industrial component of not less than 60%. This mix would ensure adequate supply of

industrial land to satisfy demand for between 60 and 70 years. It will also allow for a residential component and the associated short term economic benefits.

In 2012, Town Staff took another look at the proposed industrial park expansion plans. A revised proposal was developed based on the land use mix proposed by the 2012 Colliers Study. The plan was updated again in late 2013 based on feedback from area residents. The resulting plan, which is shown below, is based on the 2005 plan by the Town's Engineering and Public Works Department. A key feature of this plan is the use of the site's natural topography to create a division between the proposed land uses.

*Lands South of William Barnhill will accommodate a mixture of lands uses but also allow for the future expansion of the Truro Industrial Park*

*Need for a new access road and interchange on Highway 102 to facilitate expansion of the Truro Industrial Park*



### **Policy M-9**

It shall be a policy of Council to adopt the 2014 “Industrial Park Expansion Lands” plan prepared by Town Staff as the basis for future development of lands south of William Barnhill Drive.

### **6.2.6 Restrict Development of Obnoxious Uses**

The Town wishes to promote “clean” industries. However, most industrial development carries with it the potential to have a negative impact upon the natural environment, other land uses in our community, and abutting industrial uses. This strategy intends to regulate industries which have the potential to generate negative environmental or aesthetic impacts. Council is aware that there are technologies and design techniques that industries can use which reduce or eliminate negative characteristics. Council is prepared to consider a potentially obnoxious use if it can be demonstrated that the proposal includes the application of a technology that has been proven to mitigate or eliminate the offensive aspect of the industrial use.

### **Policy M-10**

It shall be a policy of Council to prohibit the development of uses that are considered obnoxious by reason of noise, dust, odour, vibration, smoke or other emission.

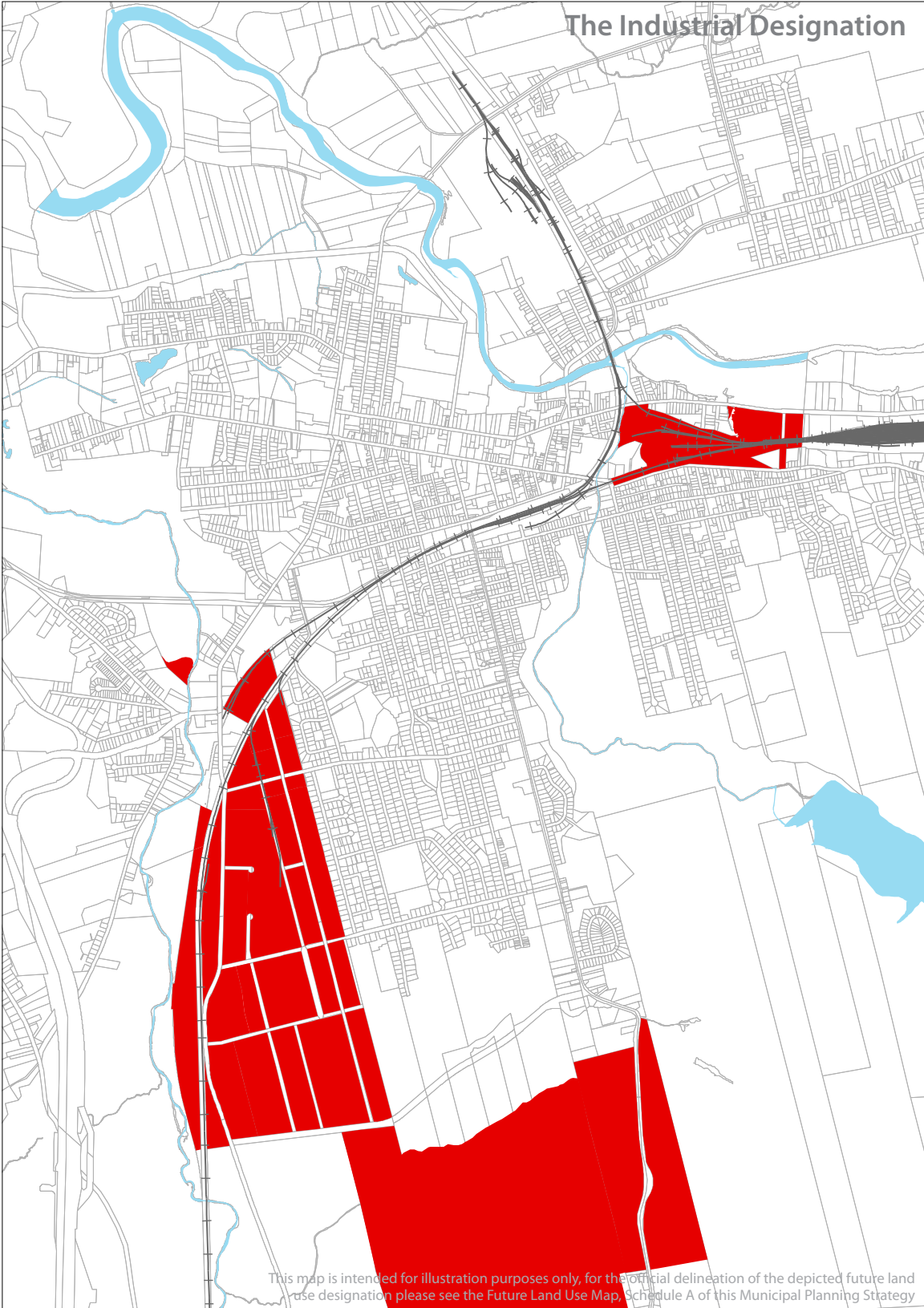
### **Policy M-11**

It shall be a policy of Council to consider an industry which would not otherwise be permitted by reason of its negative characteristics as in Policy M-10 above, by development agreement only. Council shall consider, with special attention, the application of technologies and design techniques which will mitigate or eliminate the offensive nature of the operation in question, in addition to criteria outlined in the Implementation Chapter of this strategy.

## **6.3 Industrial Designation**

### **6.3.1 The Industrial Designation**

By their nature, industrial land uses are incompatible with other uses, generally because of their needs relative to municipal services and roads, and just as often due to their environmental and aesthetic impacts, particularly in relation to residential uses. Industrial uses are then best concentrated in areas where their impacts may be mitigated by tailoring services and exercising land use controls. By designating areas for industrial use on the Future Land Use Map, the goals of promoting industrial growth and protecting other land uses are best achieved.



### **Policy M-12**

It shall be a policy of Council to establish the Industrial Designation on the Town's Future Land Use Map. This designation is intended to apply to the existing Truro Industrial Park and lands south of William Barnhill Drive that have identified as industrial and commercial on the 2012 "Industrial Park Expansion Lands" plan prepared by Town Staff. This designation will also apply to the railway lands off Prince Street.

### **6.3.2 Industrial (M1) Zone**

The establishment of an industrial zone within the Industrial Future Land Use Designation will permit industrial uses to develop in the Town without negatively affecting, or being affected by, other uses and will help to ensure that new development is of a high standard. This zone is intended to permit only industrial uses or uses which are clearly accessory to the main use. This will prevent incompatible uses from establishing within industrial areas, and will ensure that the Town's industrial land base is fully utilized.

### **Policy M-13**

It shall be a policy of Council to establish the Industrial Zone (M1) and apply it to lands within the Industrial Designation excluding existing residential uses and smaller industrial uses along Willow Street. The M1 Zone will permit a range of industrial, business, and commercial uses and uses clearly accessory to the principal use.

### **Policy M-14**

It shall be a policy of Council to establish minimum lot sizes, frontage requirements, setback requirements, and height restrictions for the Industrial (M1) Zone to ensure that development occurs in an orderly manner that accommodates a broad range of industrial, commercial, and business uses.

### **6.3.3 Non-Industrial Uses in the Industrial (M1) Zone**

It is advisable to limit the range of uses in an industrial zone in order to ensure that other types of land uses do not establish themselves in areas intended for future industrial development. This will help to ensure that future industrial development does not face opposition from established commercial, institutional or other types of land uses that may view new industrial uses as potentially incompatible. It is Council's intention that the Town's industrial areas be preserved primarily for industrial uses and uses accessory to permitted industrial uses.

Council, however, recognizes that employees working in the park may demand recreational and commercial services near their places of work and that there should be some consideration for accommodating these uses. Accordingly, Council wishes to accommodate a limited range of commercial and recreation uses within the Industrial (M1) Zone where they are satisfied that the proposed use is a good fit that will not negatively impact on the future development of the Town's industrial base. To ensure that potential incompatibility issues are addressed, certain commercial and recreational uses will be considered by development agreement.

**Policy M-15**

In the Industrial (M1) Zone, it shall be a policy of Council to consider General Commercial (C4) Zone uses that are not accessory to a permitted M1 Zone use by development agreement.

**Policy M-16**

In the Industrial (M1) Zone, it shall be a policy of Council to consider Recreation (P2) Zone uses by development agreement.

**Policy M-17**

When considering a development agreement application in accordance with Policy M-15 or M-16, it shall be a policy of Council to:

- a) review the proposal using the evaluative criteria for development agreements as outlined in Part 11: Implementation of this Strategy;
- b) consider future compatibility issues when considering a non-industrial use in the M1 Zone.

**6.3.4 Commercial Industrial (M2) Zone**

Where Willow Street passes through the Industrial Designation and past the Truro Industrial Park there exists a mixture of land uses that are not usually associated with industrial development. These uses include an older established residential area that is in decline and under pressure to be redeveloped as a commercial or industrial use. For over twenty years the Town has actively encouraged the redevelopment of this area by zoning it industrial and prohibiting any new residential development. Existing residential uses are permitted to continue but the Town's position has been that this area will eventually be redeveloped as the Truro Industrial Park expands.

Other uses along this road include several highway-commercial-type uses such as a grocery store, pet food store, and a funeral home. Willow Street is classified as an arterial road and carries traffic between Truro and the outlying communities of Millbrook, Hilden, and Brookfield as well as regional traffic. Busy arterial streets like Willow Street are often an attractive location for commercial and light industrial development wanting to take advantage of the visual exposure to passing motorists. It is Council's intention that development along Willow Street in the Industrial Designation should include a wide range of commercial uses in addition to traditional industrial park uses. Large commercial development proposals and commercial recreation uses will be permitted only by development agreement in order to ensure that potential negative land use impacts, immediate or anticipated, are addressed.

**Policy M-18**

It shall be a policy of Council to establish the Commercial Industrial (M2) Zone and apply it to lands along Willow Street within the Industrial Designation that are either existing residential uses, light industrial uses, or commercial uses. The M2 Zone will permit a mixture of General Commercial (C4) Uses and Industrial (M1) uses.

**Policy M-19**

It shall be a policy of Council to permit existing residential uses in the Commercial Industrial (M2) Zone subject to the requirements of the Two Unit Residential (R2) Zone.

**Policy M-20**

It shall be a policy of Council to establish minimum lot sizes, frontage requirements, setback requirements, and height restrictions for the Industrial (M2) Zone to ensure that development occurs in an orderly manner that accommodates a broad range of industrial, commercial, and business uses.

**Policy M-21**

In the Commercial Industrial (M2) Zone, it shall be a policy of Council to consider General Commercial (C4) Zone uses that have a commercial floor area in excess of 3251 m<sup>2</sup> (34,993 ft<sup>2</sup>) by development agreement.

**Policy M-22**

In the Commercial Industrial (M2) Zone, it shall be a policy of Council to consider Recreation (P2) Zone uses by development agreement.

**Policy M-23**

When considering a development agreement application in accordance with Policy M-21 or M-22, it shall be a policy of Council to review the proposal using the evaluative criteria for development agreements as outlined in Part 11: Implementation of this Strategy.

**6.3.5 Limitations on Development Abutting Residential Zones**

There is a recognized need to provide greater flexibility when it comes to the development of lots within the Industrial Park. Allowing for greater building heights and for uses to maximize site coverage may help the Truro Industrial Park to remain competitive with other industrial parks in the region. However, given the proximity of the Truro Industrial Park to residential development along Purdy Drive and the likelihood that future industrial development will also abut residential uses, it is prudent to provide some level of control over industrial development near residential zones. These additional land use controls are not intended to apply to industrial uses near existing residential uses that are zoned Industrial (M1).

**Policy M-24**

It shall be a policy of Council to limit maximum building heights and require additional yard and landscaping requirements where the Industrial (M1) Zone abuts a residential zone.

# 7 • Institutional Polices



*Truro is an important regional centre for health care, education, and corrections.*

*There has been significant investment in new institutional facilities in the Truro area over the past few years*

*The Town is concerned about the exodus of major public institutions such as the hospital and schools out of the downtown area.*

## 7.1 Background

### 7.1.1 Institutional Development in Truro

The Town of Truro is the regional centre for institutional services and facilities for Central Nova Scotia. As the regional urban center that is centrally located on major transportation routes, the Town is a natural location institutional services such as education facilities, hospitals, seniors care, correctional facilities, and places of worship. There has been significant investment in institutional facilities in Truro in recent years with the construction of a new junior high school, a new elementary school, a new regional hospital, a correctional facility, a secure treatment facility, and three new long term care or assisted living facilities.

### 7.1.2 Issues

Institutional uses such as hospitals and schools are typically developed by the province and are therefore normally exempt from any municipal planning approvals. As a result there is limited opportunity for the public to review these developments prior to construction. The Town's removal from this process distances it from any public input and it is easy to conclude that these uses are welcome additions to the neighbourhood and residents do not have any concerns. In reality the recent school and hospital projects have created concerns about traffic, stormwater management, and buffering but the Town has limited say in these developments and it is up to the Province to address these land use impacts.

In the 2004 Planning Documents, private institutional development proposals such as long term care facilities or community homes typically required Council's approval. Because these institutional uses are often located in residential areas they tend to generate some concern amongst neighbours about potential land use impacts. Concerns such as land use compatibility, traffic, parking, lighting, and inadequate buffering have all been cited by residential neighbours as significant issues. The development agreement process allows Council to address these concerns and the combination of an engaged public along with a well written and properly enforced agreement can usually ensure that institutional uses are accommodated within existing residential areas with little or no negative impact on neighbouring property owners.

The Town of Truro has a long history of prominent institutional uses being located in the downtown area. Council is concerned that new institutional projects, particularly those undertaken by the Province, are all destined for large vacant parcels of land on the periphery of the Town. The new junior high school, elementary school, and hospital are all located on

the edge of Town and these are all replacements for older facilities that were located in or near the downtown core. This exodus of institutional uses out of the central area will not assist the Town in its efforts to revitalize its downtown. The placement of schools on the edge of Town will lead to demand for housing in the that area and lead to sprawl. The Town has already seen evidence of this with the recent proposals to create in excess of 100 lots on vacant land in the vicinity of the new elementary school. If the schools and other facilities were to remain in the core area, the infrastructure is already in place to accommodate the new schools and families looking to locate near a school could invest in one of the many existing homes in the downtown area.

### 7.1.3 Approach

Most of the major institutional developments during the past few years have been Provincial or Federal government projects that are exempt from municipal approval. The approval processes and regulations dealing with institutional development in the 2004 Planning Documents have not, therefore, really been thoroughly tested. The few other institutional developments that the Town has entertained have all been accommodated under the previous regulations. There is no apparent need to revise the Town's approach to regulating institutional uses.



## 7.2 Institutional Objectives

### 7.2.1 Strengthen Role as a Regional Centre for Institutional Services

The Town provides infrastructure and the population base required for regional institutional uses. In turn, the presence of these regional facilities provides employment, boosts the commercial sector and attracts development in all other land use categories. It is therefore important that the Town continue to encourage and support institutional uses within its boundaries.

#### Policy I-1

It shall be a policy of Council to encourage the continued presence and growth of institutional Uses within the Town of Truro.

#### Policy I-2

It shall be a policy of Council to encourage institutional uses to locate or remain within the Downtown core.



**7.2.2 Reduce Land Use Conflicts with Abutting Uses**

A few of the larger existing institutional developments that were permitted by development agreement have unresolved and ongoing land use impact issues with abutting residential uses. This can be attributed to the lack of appropriate controls in the older development agreements to deal with elements like landscaping and lighting and the lack of ongoing enforcement of the terms of an agreement. Council wishes to ensure neighbouring residents that institutional uses will be appropriately regulated and these regulations will be enforced. By engaging the public in an informative and transparent application process and through ongoing review and enforcement, Council hopes to address any compatibility issues.

**Policy I-3**

It shall be a policy of Council to adopt a clear a transparent application and evaluation process to be used when considering institutional development proposals to ensure that potential land use conflicts are both understood and mitigated.

**7.2.3 Greater Role in Provincial Institutional Projects**

Most of the larger institutional projects within the Town, such as hospitals, schools, and correction facilities are constructed by either the provincial or federal governments and the Town has no ability to regulate these uses. Council would like to assume a greater role in these applications to ensure that issues such as traffic, stormwater drainage, and buffering are adequately addressed and that the Town’s residents are not negatively affected by these institutional projects.



**Policy I-4**

It shall be a policy of Council to seek greater involvement in the design and construction of institutional projects within the Town that are initiated by the provincial or federal governments.

## 7.3 Institutional Designation

### 7.3.1 The Institutional Designation

Institutional land uses have their own unique identifying characteristics. Schools, churches, colleges and hospitals are all necessary institutional uses which operate under more varied circumstances than other land uses. Such facilities should conform to specific standards established to ensure their compatibility with surrounding uses. Council intends to achieve this by establishing a separate land use designation and appropriate land use controls.

#### Policy I-5

It shall be a policy of Council to establish the Institutional Designation on the Town's Future Land Use Map. This designation is intended to apply to all existing and proposed major institutional land uses outside of the Downtown Commercial Designation.

### 7.3.2 Institutional (P3) Zone

While institutional uses are generally desirable uses and should be permitted in a wide range of possible locations, specific standards should be established within the Land Use By-law to ensure that any impact on adjacent uses are minimized. These requirements should include generous visual and acoustic buffering of structures and parking areas where a proposed institutional use abuts an existing or future residential area.

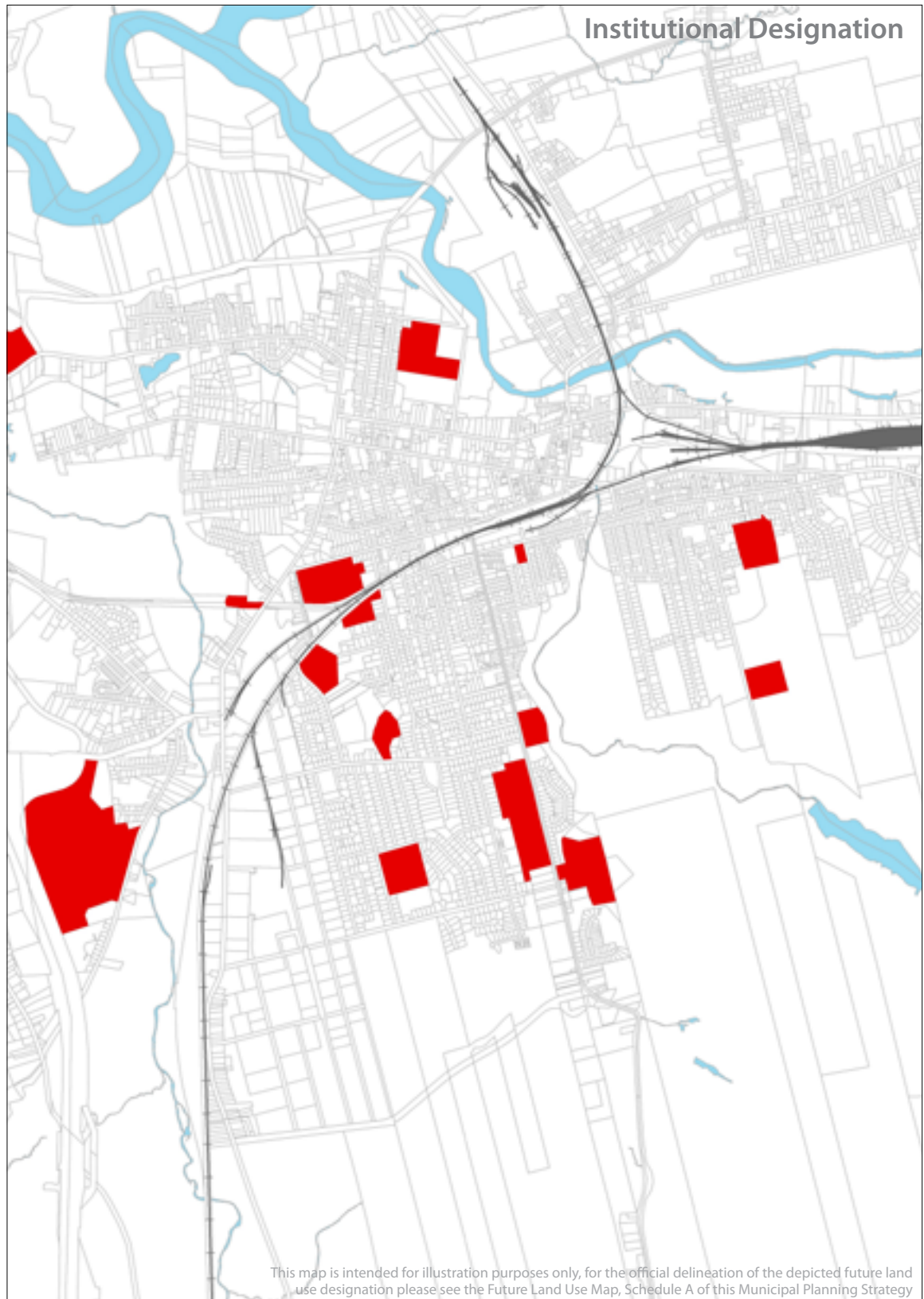
#### Policy I-6

It shall be a policy of Council to establish the Institutional (P3) Zone and apply it to lands within the Institutional Designation outside of the Downtown Commercial Designation. The P3 Zone will permit a range of institutional uses such as education, health care, corrections, religious, and government. The P3 Zone will also permit commercial and other uses clearly accessory to the principal use.



#### Policy I-7

It shall be a policy of Council to establish minimum lot sizes, frontage requirements, setback requirements, and height restrictions for the Institutional (P3) Zone to generally recognize existing development and to ensure that new development occurs in an orderly manner that does not create land use conflicts with abutting uses.



### **Policy I-8**

It shall be a policy of Council to require proposed institutional uses to provide adequate visual and acoustic buffering where such uses abut a residential zone permitting intensive development in terms of lot coverage and building height.

## **7.4 Institutional Uses in other Designations**

### **7.4.1 Institutional Uses in Other Land Use Designations**

Institutional uses are generally desirable throughout a community and frequently need to be situated within a residential neighbourhood or within a downtown commercial area. With proper consideration given to buffering requirements, road access and other standards, these uses may locate in any other designation on the Future Land Use Map.

### **Policy I-9**

It shall be a policy of Council to permit lands within all land use designations to rezone to the Institutional (P3) Zone with the exception of lands within the Limited Residential and Downtown Residential Designations.

### **Policy I-10**

When considering applications to rezone lands to the Institutional (P3) Zone in accordance with Policy I-9, it shall be a policy of Council to:

- a) require that the proposal be reviewed using the evaluative criteria for rezonings as outlined in Part 11: Implementation of this Strategy; and
- b) require that the applicant submit a detailed site plan drawn to scale that identifies the location of any parking, landscaping, lighting, and signage.

### **7.4.2 Neighbourhood Institutional (P4) Zone**

The Neighbourhood Institutional (P4) Zone is intended to be applied to existing institutional uses that currently exist in established residential areas. The P4 Zone will permit a range of institutional uses which are compatible with neighbouring residential uses. More intensive institutional uses such as correctional facilities, hospitals, long-term care facilities, and emergency services may be incompatible with established low density residential neighbourhoods and these uses will not be permitted in the P4 Zone or will be permitted only by development agreement.

Council also wants to permit lands within the Neighbourhood Institutional (P4) Zone to be reused or redeveloped as residential, thereby allowing these lands to become part of the surrounding established neighbourhood. The P4 Zone, therefore, will also permit a range of residential uses.

**Policy I-11**

It shall be a policy of Council to establish the Neighbourhood Institutional (P4) Zone and apply it to existing institutional uses that currently exist in established residential neighbourhoods.

**Policy I-12**

It shall be a policy of Council to permit low intensity institutional uses such as places of worship, commercial schools, community centres, day care centres and office and professional uses in the Neighbourhood Institutional (P4) Zone.

**Policy I-13**

It shall be a policy of Council to permit a range of low density residential uses in the Neighbourhood Institutional (P4) Zone.

**Policy I-14**

It shall be a policy of Council to establish minimum lot sizes, frontage requirements, setback requirements, and height restrictions for the Neighbourhood Institutional (P4) Zone in order to maintain the traditional residential character of the surrounding neighbourhood.

**7.4.3 Rezoning to the Neighbourhood Institutional (P4) Zone**

It is Council’s intention to allow new low intensity institutional uses within established residential areas in the General Residential Designation provided appropriate consideration is given to how the proposed use will fit into the surrounding neighbourhood. In some cases, a limited range of more intensive institutional uses may be considered but, in addition to a rezoning, will require a concurrent development agreement application.

**Policy I-15**

It shall be a policy of Council to permit lands within all land use designations to rezone to the Neighbourhood Institutional (P4) Zone with the exception of lands within the Limited Residential and Downtown Residential Designations.

**Policy I-16**

When considering applications to rezone lands to the Neighbourhood Institutional (P4) Zone in accordance with Policy I-14, it shall be a policy of Council to:

- a) require that the proposal be reviewed using the evaluative criteria for rezonings as outlined in Part 11: Implementation of this Strategy; and
- b) require that the applicant submit a detailed site plan drawn to scale that identifies the location of any parking, landscaping, lighting, and signage.

#### 7.4.4 More Intensive Uses in the Neighbourhood Institutional (P4) Zone

Where the potential for land use conflicts with surrounding residential uses is low, it is the intent of Council to have the option of considering a limited range of more intensive institutional uses by development agreement. In some cases this may include a concurrent rezoning to the Institutional (P4) Zone.

Council also wants to permit lands within the Neighbourhood Institutional (P4) Zone to be reused or redeveloped as residential, thereby allowing these lands to become part of the surrounding established neighbourhood. Accordingly, Council may consider multiple unit residential development proposals by development agreement in the P4 Zone.

##### **Policy I-17**

It shall be a policy of Council to permit a limited range of more intensive institutional uses and Multiple Unit Residential proposals by development agreement in the Neighbourhood Institutional (P4) Zone.

##### **Policy I-18**

When considering development agreement applications pursuant to Policy I-17, it shall be a policy of Council to require the following:

- a) that the proposal be reviewed using the evaluative criteria for development agreements as outlined in Part 11: Implementation of this Strategy;
- b) that the proposal be compatible with adjacent uses in terms of height, bulk, scale, and lot coverage;
- c) that the proposal be compatible with adjacent uses in terms of architectural design, including roof pitch, roof type, materials, and fenestration;
- d) that the proposal does not detract from an established or developing streetscape by significantly varying from the typical height and setback of abutting structures or by having a building that is oriented away from the street; and
- e) that the parking area be suitably landscaped or fenced and situated where it will not be readily visible from neighbouring properties and the public right-of-way.

#### 7.4.5 Institutional Uses in Limited or Downtown Residential Zones

Institutional uses are not permitted as-of-right in the Single Unit Residential (R1), Two Unit Residential (R2), Mixed Use Residential (R6), and Heritage Residential (R7) Zones and there is no provision to rezone lands in these zones to the Institutional (P3) Zone. There are many institutional uses already in existence in all of these residential zones and most of these uses are generally compatible with the surrounding residential neighbourhoods. New institutional uses are likely to be an appropriate addition to a residential area but care must be taken to ensure that these uses do not have a negative impact on the integrity of the neighbourhood. Council wants to accommodate new institutional uses in the R1, R2, R6, and R7 Zones but wants to consider these by development agreement in order to address any potential land use issues. The circumstances associated with each proposal can best be resolved through the development agreement process which examines developments for such things as site constraints, environmental or landscaping conditions,

parking, signage, buffering, siting of the main or accessory structures, etc. This allows for special attention to the ‘fit’ of the development and can be most responsive to the streetscape, environmental setting and/or abutting and adjacent residential structures. Expansions to existing institutional uses in the R1, R2, R6, or R7 Zones or that involve land within these zones will also be considered by development agreement.

#### **Policy I-19**

It shall be a policy of Council to consider institutional uses in the Single Unit Residential (R1), Two Unit Residential (R2), Mixed Use Residential (R6), and Heritage Residential (R7) Zones by development agreement only.



#### **Policy I-20**

When considering institutional development agreement applications pursuant to Policy I-12, it shall be a policy of Council to require the following:

- a) that the proposal be reviewed using the evaluative criteria for development agreements as outlined in Part 11: Implementation of this Strategy;
- b) that the proposal be compatible with adjacent uses in terms of height, bulk, scale, and lot coverage;
- c) that the proposal be compatible with adjacent uses in terms of architectural design, including roof pitch, roof type, materials, and fenestration;
- d) that the proposal does not detract from an established or developing streetscape by significantly varying from the typical height and setback of abutting structures or by having a building that is oriented away from the street; and
- e) that the parking area be suitably landscaped or fenced and situated where it will not be readily visible from neighbouring properties and the public right-of-way.

#### **7.4.6 Institutional Uses in Commercial Zones**

Institutional uses such as libraries and government offices typically locate within the downtown area. Some other types of institutional uses such as fraternal halls or private clubs often prefer to locate within a commercial or downtown area. Institutional uses are also generally less intensive than commercial development and pose few land use compatibility issues with commercial development. Certain institutional uses should, therefore, be permitted to locate within the Commercial zones and be subject to the requirements of those zones.

### **Policy I-21**

It shall be a policy of Council to permit institutional uses in all Commercial zones, provided that such uses conform to the requirements of the zone in which they are located.

## **7.5 Other Uses in Institutional Zones**

### **7.5.1 Temporary Commercial Uses in Institutional Zones**

There are occasions where it may be desirable to have occasional commercial uses on property zoned institutional. Flea markets, fairs, concerts, plays, craft sales and farmers markets are some possible examples of occasional uses which may be of benefit to a community group, school group or non-profit organization, or serve to bring people into the urban core area.

### **Policy I-22**

It shall be a policy of Council to permit the temporary or occasional commercial uses of property zoned institutional.

# 8 • Parks & Open Space



## 8.1 Background

### 8.1.1 The Importance of Parks & Open Space

Parks and open spaces and the recreational opportunities they provide are a vital component of our communities, environments, promotion of artistic and cultural expression, leisure activities, educational pursuits, and economy. Parks and open spaces within the Town of Truro are essential in providing a healthy quality of life.

Creating parks, open spaces, and opportunities for recreation are important to promoting and maintaining a healthy population as well as attracting new residents. The availability of accessible recreational opportunities is a key component in assessing any community's overall "quality of life". Most individuals, businesses and industries look for these elements before deciding whether or not to make their home or invest in a particular community. The personal, social, economic and environmental benefits of recreation are the essence of a healthy community.

### 8.1.2 Parks and Open Space in Truro

Truro has a diverse selection of parks, trails and recreation facilities which allow for passive outdoor recreation as well as active participation in sport, recreation and leisure activities. One of Truro's greatest assets is Victoria Park, a 160 hectare (400 acre) natural woodland park which is located in the center of Town. The Park's natural beauty and its many amenities, including the regions' only outdoor pool, attract many visitors from outside of the Town. The Town also features a developing trail system, a number of playing fields, an off-leash park, a skate park, and several other parks. Truro, and Victoria Park in particular, is an important regional destination for outdoor recreation.

### 8.1.3 Issues

The Town's recreation and open space needs are well served by Victoria Park and the other existing facilities. However, there are some identified needs within the Town when it comes to provision of adequate recreational opportunities. The public consultation component of the 2006 *Downtown Master Plan*, and the more recent work done as part of the *Truro, Have Your Say* survey and the *Parks and Recreation Strategic Plan* all identified areas where the provision of parks and recreation in Truro can be improved.

Identified issues included: the lack of a civic plaza/town square in the downtown area; gaps in the regions trail system; limited access to the riverfront; lack of riverfront park, shortage of

neighbourhood parks/playgrounds, and a need to secure suitable and adequate outdoor recreation space as part of new development. Not all of these issues fall within the normal purview of land use planning policy. However, the planning approval process does occasionally present opportunities where public open spaces can be incorporated into new development proposals. This provides the Town with an opportunity to make sure that new residential subdivisions, new apartment buildings, new institutional uses and other types of development contribute to a Town-wide system of parks and open space. The planning approval process may also make it possible to achieve specific objectives such as incorporating a riverfront park or a trail connection into a development proposal.

In order for the planning approval process to assist in the Town's efforts to address the recreational needs of the community, it is essential that the Town develop an open space master plan that identifies where parks and trail connections are needed and where they should be developed. Once adopted by Council, an open space master plan could be used to ensure that new development helps to achieve the plan's objectives.



The quality of the Town's parks and open spaces is held in high regard. The impact that the surrounding buildings can have on the quality of an open space, especially smaller spaces, is often overlooked. While this has not been a contentious issue in Truro, there is a need to ensure that new development around the periphery of a park or open space does not detract from ability of park users to enjoy the space. The types of negative impacts that a new building may have on an open space include excessive height that obstructs sunlight access or detracts from a natural setting, inadequate buffering and tree retention, poor relationship between the building and the open space, traffic, and noise. As development occurs around the periphery of the Town's parks and open spaces, these issues should be considered as part of the development approval process. This will help to ensure that the Town's parks and open spaces remain enjoyable places to visit.

## 8.2 Parks & Open Space Objectives

### 8.2.1 Undertake a Parks and Open Space Master Plan

A survey conducted as part of the 2009 *Parks and Recreation Strategic Plan* found that 65% of Town residents felt that there was a need for more Neighbourhood Parks and 75% felt there was a need for more Multi-use Community Parks. A key recommendation of the 2006 *Downtown Master Plan* identified the need for a formal civic square/plaza in the downtown area to serve as a community focal point where large crowds can gather for major events such as the Remembrance Day ceremony or the tree lighting during the holiday season. The *Truro, Have Your Say* survey also identified the need for a downtown civic square. In addition, this survey found that many residents want public access to the riverfront and want to see a riverfront park developed at the site of the old public works garages.

It is evident that the residents of Truro think that more parks and open space are needed but none of the surveys done to date included any investigation into how this need could be addressed. An open space master plan is needed to look at the needs of the community, not only based on surveys but include a look at demographics, proximity to existing recreational opportunities, and identify gaps in our existing system of parks, open spaces, and trails. This process will identify where and what type of parks and open spaces are needed. This information can then be used to create a plan that will identify future objectives for park and trail development. This plan can be used as part of the planning approval process to identify opportunities where new development proposals can be instrumental in Town's efforts to address the recreational needs of the community. Once adopted by Council, an open space master plan could be used to ensure that new development helps to achieve the plan's objectives as a condition of approval.



#### Policy P-1

It shall be a policy of Council to undertake a Open Space Master Plan that inventories existing recreation facilities, assesses community needs based on demographics and access to existing facilities, identifies gaps in the existing trails and open space network, and evaluates identified projects such as a riverfront park and downtown civic square. The Open Space Master Plan will, based on all this background information, include a plan for future parks and open space development that are prioritized based on community needs.

### 8.2.2 Update the Town's Future Recreation Map

The Town's Recreation Plan is attached to this Strategy as Schedule C. This map is based on ideas and concepts for new parks and open space development that have been discussed at an informal level both internally and within the community over the past twenty years. This map should be updated as part of an open space master plan process. Projects recommended by a new open space master plan should be depicted on the map and form part of this Strategy.

#### Policy P-2

It shall be a policy of Council to update the Town's Recreation Plan as part of the Open Space Master Plan initiative described in Policy P-1.

#### Policy P-3

It shall be a policy of Council to use the Recreation Plan as a policy statement that will guide Council when evaluating development proposals and negotiating planning approvals where the proposed development may have an impact on the implementation of projects identified on the Future Recreation Map.

#### Policy P-4

It shall be a policy of Council to only consider those development proposals that are either consistent with or do not hinder the implementation of objectives and projects identified on the Town's Recreation Plan.



### 8.2.3 Develop Public Access to the Riverfront

The Salmon River is an underappreciated natural amenity that runs through the middle of Truro and Bible Hill. Despite its proximity to the Downtown, there is little evidence of the River's presence since it has been effectively cut off from the Town by dykes, marshland, and by industrial development along the banks of the river. The recent demolition of the former public works buildings on the riverfront presents an opportunity for the Town to open up the river to public access. Utilizing the entire site for parkland may not be prudent since this parcel is a valuable piece of real estate is located on a busy street in a commercial area. Council is, however, determined that the demand for public access to the riverfront be incorporated into any redevelopment of this site. Council will also approach private land owners along the river in an effort to secure access across their properties with the intention of developing a riverfront trail connection between Walker Street and Marshland Drive.

#### Policy P-5

It shall be a policy of Council to consider the need to develop public access to the Salmon River as part of any redevelopment proposal for the site of the former public works garages on Walker and Bayview Streets.

**Policy P-6**

It shall be a policy of Council to work with private landowners along the riverfront to secure public access across their lands for the purposes of developing a riverfront trail.

**8.2.4 Develop a Downtown Civic Square**

A key recommendation of the 2006 *Downtown Master Plan* was the creation of a civic plaza or square to act as a focal point for the community. The desire for a civic space was also evident in the results of the *Truro, Have Your Say* public participation campaign. Historically, Victoria Square acted as Truro’s town square but the nature of this space and the surrounding buildings have left it unsuitable for large public gatherings. Current concepts for the development of a Civic Square involve a formalized gathering space in the civic block and anticipate the removal of the current library. This site is already used for major public gatherings but the space was never properly designed to serve this purpose.

A downtown square would provide a formal venue for major public gatherings such as the Remembrance Day ceremonies and the tree lighting during the holiday season. The space would also serve as a potential location for festivals and events, temporary outdoor ice rinks, and as a gathering point to draw people into the downtown.



**Policy P-7**

It shall be a policy of Council to develop a civic square in the downtown area to serve as a public gathering space for the community.

**Policy P-8**

It shall be a policy of Council to ensure that development around the current library location anticipates its eventual removal and takes into consideration the need to frame the open space and feature main entrances, windows, and activities that are oriented towards the open space.

**8.2.5 Support Parks, Recreation & Culture Strategic Plan**

The Town of Truro undertook a strategic planning exercise for the Department of Parks, Recreation and Culture in early 2008. The resulting *Parks and Recreation Strategic Plan* was completed in 2009. Many of the recommendations of the *Strategic Plan* are not within the normal scope of land use planning policy but there are a few recommendations that should be considered when reviewing large development proposals, particularly with respect to developing trail linkages and the promotion of active and healthy lifestyles.

**Policy P-9**

It shall be a policy of Council to take into consideration the recommendations of the Parks & Recreation Strategic Plan, where applicable, when reviewing development proposals.

### 8.2.6 Recreation Opportunities for New Development

During the *Truro, Have Your Say* public participation campaign, concern was expressed regarding the provision of adequate outdoor amenity space in relation to new residential development. To ensure that sufficient amenity space suitable for recreational use is provided as part of any development proposal, the Town requires that all new development either include amenity space or, in some circumstances, provide improvements or cash in lieu of land. It is Council's intention that parkland and outdoor amenity space required pursuant to this objective be suitable for use by the residents of a development for outdoor recreation purposes.

New subdivisions are required to provide a parkland dedication as part of the subdivision approval process. It is not Council's intention that lands left over as part of a subdivision, lands at the back of lots with poor access and visibility, wet areas, or steep slopes make up the parkland dedication. Alternatively, Council may consider all or a portion of the parkland dedication in the form of a cash payment equal to the appraised value of the area of land that would be otherwise be dedicated. Council may also count the value of recreational equipment or other improvements to the public recreation undertaken by the developer towards any parkland dedication or cash-in-lieu contribution. Cash-in-lieu of parkland dedication is to be used to improve, maintain, and expand recreational facilities throughout Truro. It is Council's intention that the Parks, Recreation, and Culture Committee be consulted when considering the suitability of lands or improvements as a parkland dedication contribution.

New multiple unit residential developments are required to provide residents with outdoor amenity space as part of any development proposal. Outdoor amenity space required in conjunction with any development shall consist of usable space that is dedicated for active or passive recreation use. The definition of amenity space shall limit eligible space to areas designed and intended for recreation use and not include front yards or other landscaped areas that have limited recreational potential.



In certain areas of Town it may not be economically viable to require that new developments set aside large areas of land at grade for recreation purposes. This is particularly true in the downtown area where lot sizes are small and land values are quite high. Given that the Town is actively seeking to attract multiple unit residential development to the downtown area, it is important that the amenity space provisions allow for some flexibility. Specifically, the Land Use By-law should allow the option of providing such space in the form of internal recreation facilities, such as exercise rooms, pools or balconies rather than outdoor amenity space at grade. It is Council's intention that the Parks, Recreation, and Culture Committee be consulted when considering the suitability of amenity space included in any development proposal.

**Policy P-10**

It shall be a policy of Council to coordinate recreation land dedication or land purchase for recreational use to meet the objectives of the Recreation Plan and to consult the Parks, Recreation, and Culture Committee when identifying desirable areas for development as parkland.

**Policy P-11**

It shall be a policy of Council to require that all subdivision approval applications require parkland dedication. Council, in consultation with the Parks, Recreation, and Culture Committee, may require that parkland dedication include one or a combination of the following:

- a) an area of land suitable for active or passive recreation purposes in that it is publicly accessible, visible, and does not consist of lands that are wet or feature excessive slopes to the extent that their recreational use is limited;
- b) the cash value of lands that would normally be required as parkland dedication; or
- c) the cash value of lands that would normally be required as parkland dedication in the form an equivalent cash value in improvements to parks and open space either within the development or within the community that include items such as recreation equipment or trail development.

**Policy P-12**

It shall be a policy of Council to require that any new multiple unit residential development include provision for recreation and amenity space. The Land Use By-law shall allow for the provision of such space either externally or internally to the building, and that such space may consist of common or individual unit space.

**Policy P-13**

It shall be a policy of Council to consult the Parks, Recreation, and Culture Committee when considering the suitability of amenity space included in any development proposal.

**Policy P-14**

It shall be a policy of Council to require that outdoor amenity space consist of usable space that is dedicated for active or passive recreation use and not include areas that have limited recreational potential.

**8.2.7 View Plane Preservation**

There are a few locations in the Town that offer spectacular views of the Salmon and North River Valleys, Cobequid Bay, and the Bay of Fundy. On a clear day the view from one vantage point on Wood Street extends down the bay to Five Islands, a distance of about 60 kilometres. It is Council's intention that new development not block these views and that these vistas be preserved.

### Policy P-15

It shall be a policy of Council to identify key vantage points within the community that offer views of the Salmon River Valley and the Cobequid Mountains on the Recreation Plan.

### Policy P-16

It shall be a policy of Council to consider view plane preservation as part of any development proposal requiring a development agreement or rezoning.

### 8.2.8 Enhance Parks and Open Space

The Town's outdoor recreational facilities, parks and open spaces are an important resource that provides recreational opportunities for the Town's residents. Visitors from around the region and beyond are attracted to Truro's parks and open spaces and the presence of these regional facilities provides employment, boosts the commercial sector and attracts development in all other land use categories. It is therefore important that the Town continue to encourage, support, and enhance its parks and open spaces. Accordingly, new development should incorporate design considerations that complement and enhance neighbouring parks and open spaces.



### Policy P-17

It shall be a policy of Council have regard for the following when considering development applications that abut or are situated within the vicinity of an existing or planned park or open space:

- a) development abutting a neighbourhood park or square such as Victoria Square should complement the open space by framing the open space and having main entrances, windows, and activity oriented towards the open space; and
- b) development abutting a community or neighbourhood park such as Victoria Park or Kiwanis Park should complement the open space by maintaining the park's natural setting with appropriate buffers and building heights.

## 8.3 Parks and Open Space Designation

### 8.3.1 The Parks and Open Space Designation

Parks and open spaces are integral to the quality of life a community has to offer and Council recognizes that special land use controls need to be put in place to ensure that these areas remain available for the recreational needs of the community. To regulate the types of land use activity that can take place in the Town's parks and open spaces, Council has created the Parks and Open Space Designation that shall apply to the Town's larger parks, open spaces, sports fields, and private recreation such as the Truro Golf Club.



### **Policy P-18**

It shall be a policy of Council to establish the Parks and Open Space Designation on the Town's Future Land Use Map.

### **Policy P-19**

It shall be a policy of Council to establish the Parks and Open Space Designation and apply it to all existing and proposed parks and open spaces in the Town including private recreational uses such as the Truro Golf Club. Smaller neighbourhood parks have not been included in this designation since land use designations are intended to apply to large generalized areas of land.

### **8.3.2 Parks and Open Space (P1) Zone**

The establishment of a broad recreation zone will more fully stress the importance and value of such land use by clearly setting it apart. Permitted uses in the Parks and Open Space Zone (P1) will consist of a range of passive, active and cultural activities. This zone will be applied only to publicly-held lands which are to be reserved as open space or used for recreational use.

The Town operated a municipal campground in Victoria Park up until the early 1970s and there is some support within the community for the Town to once again operate a campground. Accordingly, Council wants to be able to consider proposals to operate a new municipal campground in the Park. To accommodate this possibility, the P1 Zone lists municipal campgrounds as a permitted use.

Because of the positive impacts associated with parks and open space uses, rezonings to the P1 Zone are to be permitted within any of the land use designations on the Future Land Use Map.

### **Policy P-20**

It shall be a policy of Council to establish a Parks and Open Space (P1) Zone and apply it to all publicly owned parks and open spaces in existence or identified as part of the Recreation Plan. The P1 Zone will permit a range of open space uses such as parks, community gardens, and cemeteries as well as recreation uses such as playgrounds, sports fields, playing courts, recreation facilities, and private recreation uses where specifically permitted by Council. The P1 Zone will also permit municipal campgrounds.

### **Policy P-21**

It shall be a policy of Council to establish minimum frontage requirements, setback requirements, and height restrictions for the Parks and Open Space (P1) Zone to accommodate the diverse range of recreation uses, accommodate their different land use characteristics, and allow the Town to accommodate a wide range of development scenarios when it comes to developing publicly held land for recreational purposes.

**Policy P-22**

It shall be a policy of Council to permit rezonings to the Parks and Open Space (P1) in any future land use designation.

**8.3.3 Commercial Recreation (P2) Zone**

There are properties in Town that offer many of the aesthetic benefits of a park or open space but are privately owned and used for commercial recreational purposes such as the golf course. The Commercial Recreation (P2) Zone recognizes the private commercial nature of these facilities but also recognizes that these lands make up a significant part of the green space available in our community. There is an expectation by the community that these privately held green spaces will remain as open space and contribute to the beauty of the Town.

**Policy P-23**

It shall be a policy of Council to establish a Commercial Recreation (P2) Zone and apply it to commercially owned parks and open spaces. The Recreation (P2) Zone will permit private recreation and open space uses including golf courses, amusement parks, recreation facilities, sports fields, playing courts, and recreation facilities.

**Policy P-24**

It shall be a policy of Council to establish minimum lot area requirements, frontage requirements, setback requirements, and height restrictions for the Recreation (P2) Zone to generally recognize existing development and to ensure that new development occurs in an orderly manner that does not create land use conflicts with abutting uses.



# 9 • Environmental Management



## 9.1 Background

### 9.1.1 Environmental Management

This part of the Community Plan will focus on striking a balance between the physical environment and the Town's other objectives with respect to new development and growth. This part will not directly focus on issues such as climate change, sustainable development, or greenhouse gas emissions which are commonly associated with any discussion related to the 'environment'. Environmental management is a more specific topic that relates to the direct relationship that exists between development and the physical environment.

### 9.1.2 Issues

Every community is influenced by its physical setting. Features such as rivers, hills, and wetlands are significant barriers that shape the way a community is laid out while natural resources such as good quality farmland can have an impact on a communities prosperity. Truro is no exception, and the Town has been heavily influenced throughout its history by the flood prone Salmon River, the steep slopes of the surrounding hills and the tidal waters of the Minas Basin.

Truro's location at head of the Minas Basin and at the mouth of the Salmon River have been key to its success as a regional centre and transportation hub and its physical setting had lots to offer early inhabitants. Its location at the head of the Minas Basin ensured that major transportation routes connecting Halifax and southern Nova Scotia to the rest of North America would travel through the area. The salt marshes along the shores of the Basin and the flat lands of the Salmon River Valley offered rich farmland and this also encouraged growth in the region.

Although the Town's physical setting offers many benefits, it also poses a few significant constraints to development. The Salmon and North Rivers are both susceptible to flooding and the shores of the Minas Basin are at risk of coastal flooding during storm surge events. The steeply sloping terrain to the south of Town and the steep ravines along Lepper Brook and McClures Brook are also significant barriers that have shaped the way the Town has developed. These natural hazards were not always avoided and development pressure led to extensive development within the floodplain and along the edges of the ravines. Development on steep slopes and along the edges of the ravines are also susceptible to erosion which, in addition to being a hazard to development, is also potentially damaging to the water quality of the nearby rivers and streams.

## 9.2 Environmental Management Objectives

### 9.2.1 Limit Risk of Flood Damage

The Town of Truro is located in the upper tidal region of the Cobequid Bay. The high tides of the Bay of Fundy combined with the presence of the Salmon and North River systems has created a dynamic river system that poses a significant challenge to surrounding communities. Low lying areas adjacent to the Salmon and North Rivers are susceptible to floods during heavy rainfall events and rapid thaws in the spring. The latter is especially true when the ice begins to break up on the river and create ice dams. Also at risk are the low lying areas around the mouth of the Salmon River. These areas are protected from the waters of the Bay of Fundy by a system of dykes which are designed to hold back ocean waters during normal high tides. However, a high tide which coincides with a major low pressure system and accompanying storm surge would result to significant coastal flooding which would affect large areas of Truro. Council is aware of the risks associated with coastal and freshwater flooding and is mindful of the potential that this risk will only increase with sea level rise and climate change.

Traditionally, development in the flood plain and dyke lands was limited and consisted mostly of agricultural structures, homes and small businesses. This development pattern that persisted for two hundred years underwent a dramatic transformation during the late 1960's and early 1970's with the establishment of the 100 series provincial highway system and the development of an interchange at Robie Street. This and the subsequent Twinning of the 102 Highway provided excellent exposure to lands along the Robie Street entrance to the Town and soon the area became an important highway commercial stop for the travelling public with service stations; malls, fast food restaurants and motel developments.



The success of the Robie Street commercial area has led to extensive development within flood risk areas. Planning documents in the Town of Truro over the last three decades have attempted to address the relationship between new development and flooding conditions; however, the lack of accurate flood prediction models until the mid 1980's made the development of policy and regulations difficult. This, combined with the seemingly intermittent occurrence of flooding and limited amount of flood damage, did not create an urgent need to develop comprehensive policy and regulations in this regard.

*The Town of Truro and neighbouring Colchester County have experienced significant growth within the floodplain due to commercial development associated with Exit 14 on Highway 102*

Since the early 1900's there have been no less than a dozen studies that have examined components of the river system and flooding. These have been generally specific to certain issues and offered little help to formulate a comprehensive overview of the nature and characteristics of flooding patterns. It was not until the Canada - Nova Scotia Flood Damage Reduction Program in mid 1980's when computer modeling assisted in the development of uniform construction standards and ultimately the designation of five flood risk areas in the Province of Nova Scotia, one of which included the Salmon and North Rivers. This designation and the resulting federal - provincial agreement respecting flood damage relief pressured municipal governments to recognize the serious nature of flooding and the necessity for basic development standards. The outcome of this work raised awareness of two main principles; first that development must be prohibited in areas that flooded at a relative frequency of once every twenty years, and; second that buildings must be flood proofed in areas flooding at a frequency of once every one hundred years. These have become the standard mapped risk assessments used to establish development controls in designated flood risk areas within the Province.

#### **Policy E-1**

It shall be a policy of Council to recognize the principles, development standards and mapping established under the 1988 Canada - Nova Scotia Flood Damage Reduction Program and, where appropriate, incorporate these into municipal planning policy and regulations.

#### **9.2.2 Comply with Provincial Interest Statement Regarding Flood Risk Areas**

Until 1999, the regulation of flood risk areas had been a municipal responsibility and had generally only occurred in areas where land use planning had resulted in the adoption of official planning documents. The Town of Truro has had prescribed standards for flood plain development since 1976 through its Municipal Development Plan. Similar provisions came into effect in Colchester County in 1994 with adoption of the consolidated Central Colchester Municipal Planning Strategy which set out similar development standards for flood risk areas throughout the entire Salmon and North River flood plains.

Enactment of the Municipal Government Act in 1999 established Statements of Provincial Interest, on a variety of planning issues one of which is concerned with the five designated flood plains in Nova Scotia. The purpose of this is to protect public safety and property and to reduce the requirement for flood control works and flood damage restoration in established flood plains. This statement is intended to express a formal provincial position on development in flood risk areas and it also binds all municipalities to address flood risk issues through their planning documents.

#### **Policy E-2**

It shall be a policy of Council to create policy and regulations concerning development in flood risk areas in a manner that is consistent with the objectives and principles expressed under the corresponding Statements of Provincial Interest Regarding Flood Risk.

### 9.2.3 Identify Flood Risk Areas

For land use planning purposes, the flood plain comprises of two main regions; first the area that floods at a relative frequency of 1:20 years, which is referred to as the a ‘flood way’, and; second, the area that floods at a relative frequency 1:100 years, known as the a ‘flood way fringe’. Together these form the Salmon and North River Flood Plain illustrated on the well recognized orange coloured flood maps prepared from the 1988 Flood Damage Reduction Program. The flood plain became officially designated in March of the same year with an agreement signed between the federal and provincial governments. This effectively removed any provincial or federal responsibility to pay flood damage relief claims for new development that did not meet the recommended flood proofing standards.

Although the Flood Damage Reduction Program no longer exists, the Provincial Statement of Interest concerning Flood Risk Areas has incorporated, by reference, all mapping and flood proofing standards created under the Flood Damage Reduction Program.

#### Policy E-3

It shall be a policy of Council to accept the delineations of the 1:20 Flood Plain and 1:100 Flood Plain as determined by the 1988 Flood Damage Reduction Program except where amended in accordance with this Strategy.

### 9.2.4 Accommodate Development in Flood Risk Areas

There is continued demand for development within some flood risk areas and it is Council’s intention that this development be accommodated in a controlled manner. Council is prepared to approve further development in flood risk areas provided that it can be effectively flood-proofed and provided that it does not contribute to flooding elsewhere within the floodplain.

The Town has decided to adopt a balanced cut and fill approach to regulating development within flood risk areas. While the cut and fill concept for flood plain management is unique to the region, the Provincial Statement of Interest broadly contemplates such an application of non-traditional development techniques in flood risk areas when it states that such approaches “...may be permitted provided a hydro- technical study, carried out by a qualified person, shows that the proposed development will not contribute to upstream or downstream flooding or result in a change to flood flow patterns.” The Land Use By-law will contain specific conditions and standards to ensure that this objective is accomplished.

*The Town recognizes there is a demand for ongoing development within the floodplain and is prepared to accept new development provided it is flood proofed*

#### Policy E-4

It shall be a policy of Council to accommodate limited development within the 1:20 and 1:100 where the proposed development can be flood proofed and not contribute to upstream or downstream flooding or result in a change to flood flow patterns.

**Policy E-5**

It shall be a policy of Council to accommodate limited development and alterations of topography within the 1:20 and 1:100 flood plains where it can be demonstrated that the proposal will not contribute to upstream or downstream flooding or result in a change to flood flow patterns.

Certain types of land uses are not suitably located in areas where there exists a risk of flooding. Development in many parts of Truro has encroached on the flood plain but luckily many of these uses do not present serious safety or environmental issues. In spite of this good fortune, Council does not wish to promote development inappropriate to areas susceptible to periodic flooding. Locating hospitals, senior citizen housing, homes for special care and similar types of uses in flood risk areas could threaten the safety of individuals occupying such institutions if evacuation is necessary. Other uses such as the warehousing or production of hazardous materials may increase the risks of environmental contamination during a period of flooding. For these reasons, the Land Use By-law will only permit these types of land uses in areas not at risk of flooding.

**Policy E-6**

It shall be a policy of Council to not permit the establishment of institutional land uses, such as hospitals, senior citizen housing, special care facilities, and other activities that have a prevailing safety consideration in areas that are exposed to flood risk.

**Policy E-7**

It shall be a policy of Council to protect environmental quality in all flood plain areas by not allowing any land use activity that poses a heightened potential of contaminating the Salmon and North River Flood Plains during a flood event.

**9.2.5 Ongoing Flood Monitoring**

The Salmon River has frequently been referred to as one of the most studied flood plains in Canada. While this may be true, it is unfortunate that little has been done to organize and implement a flood monitoring program to compile data for future analysis. Too often, a large amount of effort is directed towards collecting flood event information for each study that has been completed on the river system. This obviously creates additional costs and makes it difficult to acquire accurate historic data. Council intends to promote and support any initiative aimed at improving the quality of flood related data for future reference.

**Policy E-8**

It shall be a policy of Council to consider participating in any flood monitoring initiatives designed to record flood event characteristics and pursuing partnerships with the County of Colchester, the Province of Nova Scotia, Government of Canada and any other interest group that has a stake in flood related issues.

### 9.2.6 Maintenance of Dykes

The Nova Scotia Department of Agriculture and Fisheries has the responsibility of maintaining approximately 17 km of dykes and several aboiteaus in the lower Salmon River flood plain. Part of this dyking system occurs extends along the southern boundary of the Salmon River from Stanfields to Highway #102 and beyond. Farmers, residents, businesses, institutions and other property owners have grown to rely on this dyking system for protection against flood damage. From time to time, this type of infrastructure requires maintenance and improvement so that it may continue to function properly and offer an added measure of security that residents have come to depend on.



#### Policy E-9

It shall be a policy of Council to generally support dyke maintenance and improvement programs carried out by or under the supervision of the Nova Scotia Department of Agriculture and Fisheries.

*The Town recognizes the need to maintain an effective system of dykes*

### 9.2.7 Storm Water Management

Climate change is expected to result in more frequent and intense storm events such as those that led to the flooding in the Truro region in September 2012. This has highlighted the need for the Town to review its approach to stormwater management. While the Town's response will largely focus on improvements to stormwater infrastructure at the community and regional level, Council also recognizes that implementing new stormwater management practices for individual properties and developments can help minimize the impact that development will have on the Town's stormwater drainage system. Council, therefore, is interested in implementing small-scale stormwater management measures through the Town's Land Use By-law.

Many jurisdictions have developed stormwater management provisions based on a larger scale watershed management plan. At this point there is no watershed management plan in place for any area of the Town. It is likely that the Town of Truro and the County of Colchester will undertake a comprehensive management plan for the Salmon River Watershed as part of their response to the local flooding problem. Controlling stormwater upstream is expected to play a large part in dealing with the flooding issue in the Truro area. Low Impact Development (LID) concepts -- particularly those that are aimed at maximizing stormwater retention and infiltration -- will form an integral part of any watershed management plan. The following amendments, which are based on LID principles, are expected to compliment any subsequent Watershed Management Plan.

**Policy E-10**

It shall be a policy of Council to encourage development that either maintains or enhances the pre-development hydrologic regime through innovative site design and engineering techniques aimed at infiltrating, filtering, evaporating, harvesting and retaining runoff, as well as preventing pollution.

**Policy E-11**

It shall be a policy of Council to adopt performance standards for each land use zone that specifies a maximum percentage for impervious surface. Development that exceeds the maximum percentage of impervious surface will be permitted, up to a specified limit, where development implements on-site stormwater retention and maximizes infiltration by incorporating design elements such as:

- a) permeable pavement;
- b) infiltration trenches/chambers and bio-retention;
- c) rainwater harvesting systems in building design;
- d) green roofs;
- e) roof drains directed to permeable areas with stormwater infiltration measures in place; and
- f) utilizing open drainage such as swales.

**Policy E-12**

It shall be a policy of Council to develop a *Stormwater Management Design Manual* for property owners and developers that will describe and provide detailed design specifications for recommended stormwater management techniques.

**Policy E-13**

It shall be a policy of Council to encourage the use of existing natural drainage systems where possible.

**Policy E-14**

It shall be a policy of Council to, where requested by the Town Engineer, require that a grading and stormwater drainage plan be submitted as part of any new multiple lot subdivision or large development.

**Policy E-15**

It shall be a policy of Council to create an education program for property owners, managers and their consultants on how to implement, monitor, and maintain stormwater management practices on private property.

### 9.2.8 Preserve Natural Drainage Systems to Minimize Erosion

The lands in the southern section of Town are dramatically sloped resulting in a variety of drainage issues. The soils in this area are less permeable and surface water runoff is high even in the natural state of the environment. Continued urban development in these areas will result in an increase of surface water runoff. Drainage becomes a serious matter and surface water runoff must be dealt with in a satisfactory manner so problems such as flooding basements, overloading storm water systems and erosion, do not occur.

The two most common methods to deal with surface water runoff in urbanized areas are development of a storm sewer system consisting of curbs, gutter, catch basins and underground pipes; and/or utilizing natural runoff ravines which can be maintained or upgraded to deal with higher peak flows.

Underground storm sewer systems are costly both in terms of capital expenditure and maintenance. They may only be realistically designed to capture more frequent peak storm events expected runoff which is then carried to the closest convenient natural drain. This complex system is only as efficient as it is complete, and is dependent on natural drainage channels to form a part of the complete system. The concept of underground storm sewers controlling all of surface water runoff is not practical.

It is important that natural runoff ravines become an integral element in controlling surface water runoff and therefore these natural features provides an important municipal service for stormwater management. Drainage ravines occurred naturally over time peak flow controls and if left intact and not overloaded can manage stormwater in the most cost effective way, when compared to other drainage infrastructure usually created in urbanized areas. It should be noted however that the flow dynamics of these ravines are not geared to urban development and the sudden peak flow conditions to which often occurs from development. Therefore, care must be taken when considering the use of natural runoff ravines, and maintenance of these ravines becomes a fundamental component of storm water management.

#### **Policy E-16**

It shall be a policy of Council to preserve the many natural drainage ravines that are found on the hillside to the south of Town and ensure that these ravines continue to handle stormwater flows and function as a natural part of the Town's overall drainage system.

### 9.2.9 Limit Development on Steep Slopes

Another important environmental consideration is excessive slope. Slopes in excess of 30 per cent create problems for urban development. The hazards that steep slopes present are dangerous to both public and private properties alike. The degree and speed of surface water runoff, the erosion and resulting sedimentation transfer, and the potential for slumping or sliding of top soils can become monumental problems, and result in continued cost and aggravation. In consideration of municipal roads and services, maintenance costs and public safety, slope retention and related conditions represent an environmental constraint to development and will therefore need to be regulated in this regard.

**Policy E-17**

It shall be a policy of Council to limit development on steep slopes in an effort to prevent erosion and slope failure.

**9.2.10 Protect and Enhance the Town’s Water Supply**

The Town of Truro has been using the Lepper Brook watershed as its water supply since 1875. Today the watershed provides water to the Town as well as large parts of Colchester County. A safe, plentiful, and reliable source of water is important to ensure the health of the community and to ensure continued growth. A principal objective of the Town of Truro, therefore, is to protect the water quality within the Lepper Brook Watershed. Approximately 90 percent of the 1,880 ha (4646 acre) watershed lies within the Town boundary and is covered by the Town’s Municipal Planning Strategy and Land Use By-law. Land use regulations have been an important tool in ensuring watershed protection and strict controls are in place to ensure that development in the watershed is limited. The Town is also in the process of finalizing a Source Water Protection Plan which will balance the need to protect water quality with the interests of other stakeholders within the watershed.

**Policy E-18**

It shall be a policy of Council to regulate land use within the Lepper Brook Watershed and ensure that existing and new development does not have a negative impact on water quality.

**Policy E-19**

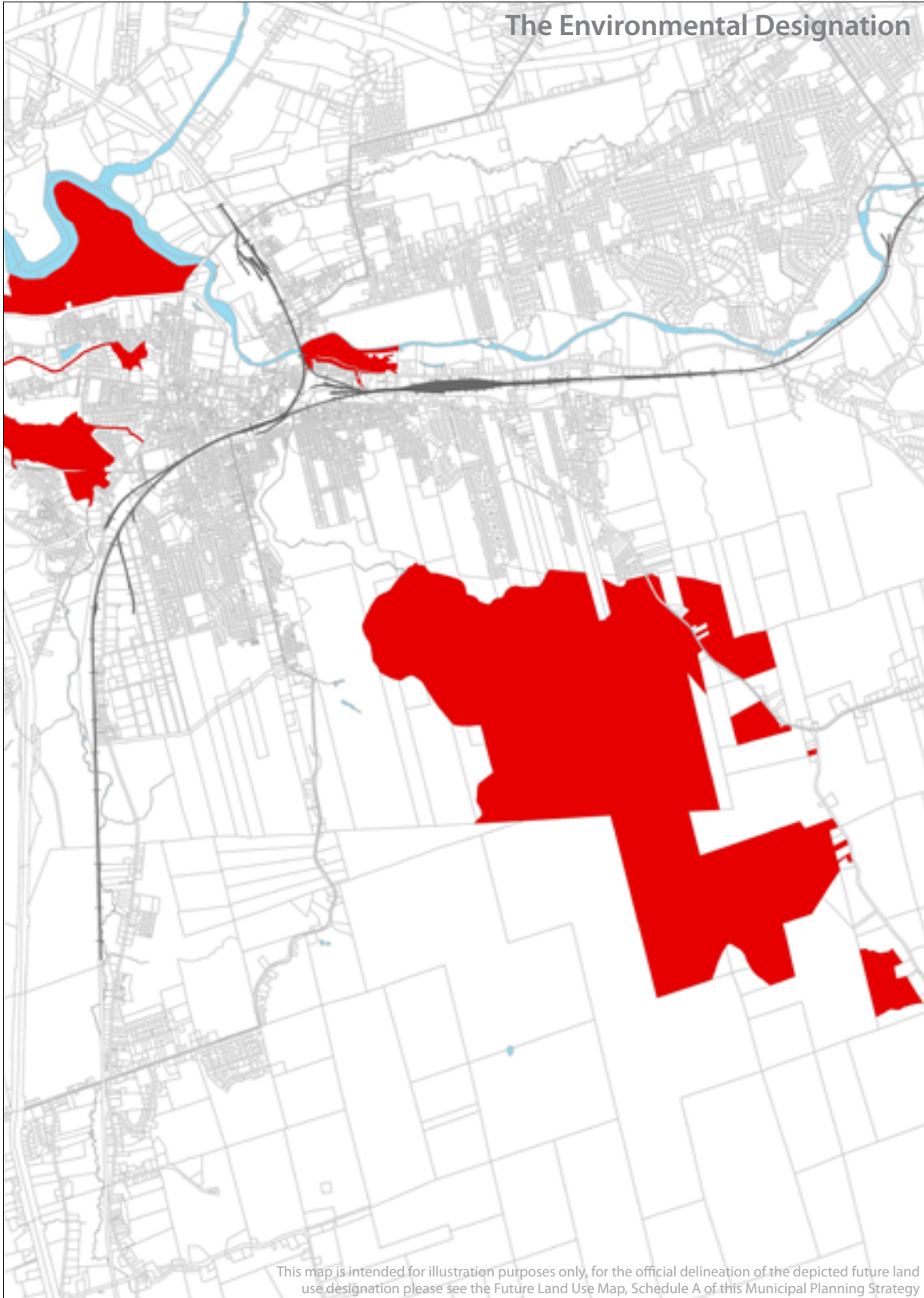
It shall be a policy of Council to support the goals and objectives of the Source Water Protection Plan (SWPP) and amend the Municipal Planning Strategy and Land Use By-law as required to be consistent with the SWPP.

**9.3 Environmental Designation**

**9.3.1 The Environmental Designation**

The Environmental Designation has been created to recognize that there are areas of Town that are unsuitable for development and that policy and regulations need to be put into place to ensure that development in these areas is limited. These areas would include portions of the floodplain that are susceptible to frequent flooding or that are an integral part of a flood water drainage system. Other areas that are unsuitable for development would include steep slopes and ravines where there is a risk of increased erosion or slope failure should they be developed. Town owned portions of the Lepper Brook Watershed are also included in the Environmental Designation to ensure that the Town’s commitment to a safe and reliable supply of drinking water is supported by policies that limit development within the Watershed. Lands within the watershed that are not Town owned are not included in the Environmental Designation, but these lands are subject to land use restrictions designed to protect the watershed and these can be found in Part 4: Residential Policies of this plan.

## The Environmental Designation



**Policy E-20**

It shall be a policy of Council to establish the Environmental Designation on the Town's Future Land Use Map and apply it to lands where development is restricted due to environmental characteristics which naturally limit the use of the land. This includes lands within the floodplain that are not included in another designation and Town owned lands within the Lepper Brook watershed.

**9.3.2 The Environmental Reserve (E1) Zone**

The Environmental Reserve (E1) Zone is intended to apply to lands within the Environmental Designation that have excessive slopes or that are a drainage ravine. The E1 Zone will permit a limited range of recreation uses as well as public works and utilities. No permanent structures, except for public works, are permitted within the E1 Zone. Council recognizes that the boundaries of the E1 Zone have not been delineated based on detailed survey and contour information and that there should be an opportunity to refine the zone boundaries as appropriate should more accurate information become available.

**Policy E-21**

It shall be a policy of Council to establish the Environmental Reserve (E1) Zone and apply it to areas which are integral to natural storm water drainage, such as runoff ravines and streams. The E1 Zone shall also apply to areas of excessive slope and lands near watercourses or wetlands. This shall include lands having a slope in excess of 30% or lands within 15m of a watercourse or delineated wetland.

**Policy E-22**

Within the Environmental Reserve (E1) Zone, it shall be a policy of Council to permit a limited range of uses such as passive recreational uses and public works projects.

**Policy E-23**

It shall be a policy of Council to preserve the natural setting that is typical of the Environmental Reserve (E1) Zone through minimum lot sizes, frontage requirements, setback requirements, and height restrictions.

**Policy E-24**

It shall be a policy of Council to consider development of lands within the Environmental Reserve (E1) Zone if it can be demonstrated that the lands do not have a slope in excess of 30% or that the lands are not within 15m of a watercourse. Development permitted under this clause shall conform to the requirements of the zone immediately abutting the area within the E1 Zone that is to be developed.

**Policy E-25**

It shall be a policy of Council to prohibit infilling and excavation without a development permit and encourage replanting of denuded slopes within the Environmental Reserve (E1) Zone.

### 9.3.3 Development within the Floodplain

The 1:20 and 1:100 flood risk elevations for the Salmon River were delineated in the 1988 Flood Damage Reduction Program. Large portions of the Robie Street area, Ford Street, Park Street, as well as the areas around the Colchester Legion Stadium and Stanfields were found to be within flood risk areas. These areas have been extensively developed and there continues to be interest in developing these areas today. Given the extent of development in these areas and the success of the Robie Street commercial area, it is very difficult for Council to restrict development within flood risk areas. The County of Colchester and the Town undertook a floodplain management study in 1997 which, in part, was intended to set out a regulatory framework that would accommodate development within the flood risk areas. This study resulted in a series of regulations that are designed to allow development in the certain areas of the floodplain provided it is flood proofed and does not cause increased flood levels elsewhere in the floodplain. The findings of this study form the basis for the following policies and accompanying regulations in the Land Use By-law.

### 9.3.4 The Floodplain (E2) Zone

The Floodplain (E2) represents areas below the 1:20 flood elevation that function as the primary drainage ways for flood waters. It is critical that their function be maintained and in some cases improved to ensure water can freely flow into the Cobequid Basin. These areas are at the highest risk of flooding and structural development of any kind is not permitted. Recreational activities and land cultivation in some areas are among the only types of uses suited to such areas.

#### Policy E-26

It shall be a policy of Council to establish the Floodplain (E2) Zone and apply it to areas of the Salmon River Floodplain that are the primary drainage ways for flood waters and to lands in the vicinity of East Queen Street where ice damming has historically caused extensive flooding.

#### Policy E-27

It shall be a policy of Council to maintain and enhance flood dynamics as well as minimize new flood damage to property by prohibiting permanent structural development in the Floodplain (E2) Zone and set out specific requirements in the Land Use By-law to regulate topographical alterations.

### 9.3.5 The Floodway (E3) Overlay

The 1997 Floodplain Management Study identified certain areas of land below the 1:20 flood elevation that are not essential to the efficient drainage of waters during a flood nor are they regularly flooded when an ice dam forms in the Salmon River. It was concluded that the development of these lands is possible provided flood water storage capacity is not displaced and provided all buildings are flood proofed. While these lands are at risk of flooding, it is possible that these lands may be developed without affecting the dynamics of the floodplain and, with proper flood proofing measures, minimal risk of flood damage.

To identify areas within the 1:20 floodway that may be suitable for development, the Floodway (E3) Overlay has been created and applied to the Town's Land Use By-law Zoning Map. With an overlay in place, a property is still subject to all the regulations and requirements that would apply to the underlying zone, but there is an additional level of regulations associated with the overlay. A property that has an E3 Overlay will still be subject to the underlying zone, but there will be additional requirements related to flood proofing, alteration of topography, and certain uses will be prohibited.

**Policy E-28**

It shall be a policy of Council to establish the Floodway (E3) Overlay and apply it to lands having a 1:20 year flood frequency as determined by the 1988 Flood Damage Reduction Program.

**Policy E-29**

It shall be a policy of Council to, for lands within the Floodway (E3) Overlay, apply the regulations and requirements of the underlying zone to any development.

**Policy E-30**

It shall be a policy of Council to permit alterations of topography in the Floodway (E3) Overlay using a cut and fill procedure where all fill material comes from within the same hydrologic region of the floodplain and otherwise complies with the cut and fill provisions in the Town of Truro's Land Use By-law.

**Policy E-31**

It shall be a policy of Council to allow development in the Floodway (E3) Overlay provided that all main structures are flood proofed in accordance with the policies of this strategy and implementing Land Use By-law.

**9.3.6 The Floodway Fringe (E4) Overlay**

Most of the Robie Street commercial area and other developed sections of the Salmon River floodplain lie within the 1:100 floodway. These areas flood less frequently than the 1:20 floodway and offer greater opportunity for development. The 1997 Floodplain Management Study recommended that the 1:100 floodway could be developed provided any structures are flood proofed and provided that any alteration of topography uses a balanced cut and fill procedure. Also, because adding small amounts of fill to this portion of the floodplain will not displace significant volumes of floodwater storage capacity, fill from outside of the floodplain is permitted in the 1:100 floodway. However, this fill may only be used for flood proofing purposes; all other alterations of topography will be required to balance cut and fill and the fill material must come from the same area of the floodplain.

The 1:100 floodway is identified as the Floodway Fringe (E4) Overlay on the Land Use By-law Zoning Map. The E4 Overlay functions in the same manner as the E3 Overlay where the zone requirements and permitted uses of the underlying zone apply to any development.

**Policy E-32**

It shall be a policy of Council to establish the Floodway Fringe (E4) Overlay and apply it to lands having a 1:100 year flood frequency as determined by the 1988 Flood Damage Reduction Program.

**Policy E-33**

It shall be a policy of Council to, for lands within the Floodway Fringe (E4) Overlay, apply the regulations and requirements of the underlying zone to any development.

**Policy E-34**

It shall be a policy of Council to permit alterations of topography in the Floodway Fringe (E4) Overlay using a cut and fill procedure prescribed by this strategy and accompanying provisions in the Town of Truro's Land Use By-law.

**Policy E-35**

It shall be a policy of Council to permit the addition of fill material from outside of the floodplain provided it is only used for flood proofing purposes in accordance with the Land Use By-law flood proofing requirements.

**Policy E-36**

It shall be a policy of Council to allow development in the Floodway (E3) Overlay provided that all main structures are flood proofed in accordance with the policies of this strategy and implementing Land Use By-law.

**9.3.7 Hydrologic Regions**

A key conclusion of the 1997 Floodplain Management Study was that flood water storage may move within a given area of the floodplain, but there must be no net loss of flood water storage capacity. While minor additions of fill are permitted within the 1:100 floodway for flood proofing purposes, all other fill must come from within the floodplain. However, the floodplain is a large geographic area with many different tributaries and channels that can experience localized flooding and the addition of fill from one area to another may create a loss in flood water storage capacity on a local level. While this would have no impact on the total volume of flood water storage for the whole floodplain, it may have a significant impact in a localized area. To address this, the Floodplain Management Study divided the floodplain up into separate regions wherein cut and fill would have to be balanced.

**Policy E-37**

It shall be a policy of Council to divide the floodplain up into hydrologic regions wherein cut and fill will have to be balanced to ensure that flood water storage is conserved within that region.

### 9.3.8 Flood Proofing Standards

The Flood Damage Reduction Program recommended that flood proofing be carried out by raising buildings above the calculated 1:100 year flood elevation. The technique involves depositing fill in the area being built upon to a point where any opening into the building is sufficiently raised to an elevation above the predicted 1:100 year flood event. The fill would extend out around the perimeter of the building a distance of approximately 3.0 m to provide an ice shield that would protect the premises from damage while the balance of the site would remain at existing elevations. It is important to recognize that in the 1988 Flood Damage Reduction Agreement between the Federal and Provincial Governments, the 1:100 year flood elevation was used as the minimum standard for any new construction in flood risk areas; anything less than this would not qualify for flood damage relief payments in the event of destruction.

#### Policy E-38

Therefore it shall be a policy of Council to require that any main structure permitted in an area exposed to flood risk be flood proofed to an elevation that exceeds the 1:100 year flood frequency indicated on mapping prepared under the Canada - Nova Scotia Flood Damage Reduction Program.

#### Policy E-39

It shall be a policy of Council to develop standards in the Land Use By-law that set out specific requirements for the infilling of land for flood proofing purposes and limit the amount of infilling to an area immediately around the structure as a means of conserving flood storage.

### 9.3.9 The Watershed (E5) Zone

The Town of Truro has worked hard toward continuously and pro-actively ensuring that the integrity of the water supply is protected. The Lepper Brook Watershed is a large area that includes many different land owners and includes lands that are outside of the Town boundary. There are many challenges facing the Town in its efforts to ensure that the watershed is protected. These include jurisdiction, private ownership, and lack of effective land use controls. To overcome these issues the Town has been actively purchasing lands within the watershed and around 43 percent is now owned by the Town. Where the Town owns the property and where this property is within Town limits, there are no land ownership issues or jurisdictional challenges to overcome. In these instances land use controls are an effective means of limiting potential uses that may have an adverse impact on water quality. The inclusion of this portion of the watershed in the Environmental Designation is a clear indication that the Town intends to carefully regulate development in this area and forms the basis for the establishment of the Watershed (E5) Zone. This zone, like the other Environmental Zones, limits land use activities in an effort to protect the natural environment or preserve natural processes.

While the portion of the watershed that is within the Town and owned by the Town is protected by the application of the Watershed (E5) Zone, it is necessary to protect the balance of the watershed through a combination of land use controls over private lands and inter-municipal cooperation with Colchester County. The Town is in the process of finalizing the process of having the Lepper Brook Watershed provincially designated as a municipal water supply area. This will allow some control over activities or development that may impair water quality within the designated area, including lands beyond the Town boundary or under private ownership.

The establishment of a Watershed (E5) Zone which is to be applied to all public lands within the watershed will clearly protect this vital resource. Permitted uses are to be strictly limited in order to minimize any impacts that may possibly occur. However, the public interest is not protected by absolute restrictions. For instance, approved forest management practices and compatible recreational uses of these lands are to be considered positive uses which assist in maintaining and monitoring a healthy environment.

**Policy E-40**

It shall be a policy of Council to establish the Watershed (E5) Zone and apply it to all publicly owned lands within the Lepper Brook Watershed.

**Policy E-41**

Within the Watershed (E5) Zone it shall be a policy of Council to permit approved forest management, compatible public recreational uses, and public works and utilities.

**Policy E-42**

It shall be a policy of Council to establish minimum lot sizes, frontage requirements, setback requirements, and height restrictions for the Watershed (E5) Zone.

**Policy E-43**

It shall be a policy of Council to continue to ensure Lepper Brook Watershed's water quality is protected through direct land ownership by the Town, land use controls on private lands, working toward Provincial designation of a Municipal Water Supply Area and through the general administration of this strategy.

# 10 • Infrastructure



## 10.1 Background

### 10.1.1 Municipal Infrastructure

Transportation, water, sanitary sewer, and stormwater systems form the backbone of any community. This infrastructure provides the essential services that enable a Town to function. The provision of these services is directly linked to how the Town develops while the quality of these services is a factor in the attraction of new development to the Town.

While the availability and capacity of municipal infrastructure is a key consideration in development and land use decisions, the day-to-day operations and maintenance of this infrastructure is not generally a land use planning issue. The Town's Engineering and Public Works Department have their own policies and procedures and strategic planning initiatives. It is not within the scope of this document to repeat this information here. This Part will deal with issues related to the provision of municipal infrastructure that impact land use planning decisions, such as securing future transportation routes. This Part will also deal with the impacts that land use decisions may have on municipal infrastructure, such as development within the watershed. Absent from this Part will be any thorough discussion about the need for sustainable infrastructure and more efficient use of services. These are central tenets of this Community Plan but these issues have already been addressed in other sections in relation to specific types of development.

## 10.2 The Transportation Network

The transportation network has developed to its present configuration due in large part to the fact that the Town is a major hub or focal point in the provincial transportation network. The presence of major roads, highways, and rail lines leading to other areas forms the core of this system on which more locally oriented roads are based. The construction of Highway 102 in the 1970's relieved a large portion of the traffic burden on the Town's street system by removing most of the through traffic. However, the Town and surrounding area have experienced substantial residential, commercial and industrial growth which has again placed a strain on the capacity of the local road system.

### 10.2.1 Issues

To address these growing traffic problems, the Town in 1988 commissioned the Traffic Management Study. This Study comprehensively analysed the road system of Truro and the surrounding area in terms of capacity, travel patterns, projected future growth and solutions to congestion. As part of this Study, a computer model was developed which is capable of forecasting future traffic volumes and patterns under a wide variety of scenarios. This modelling process, along with cost comparisons, was the basis on which the recommendations in the Study were made. The final report of this Study was received by Town Council in March 1990. In 2005 the Town commissioned another study, the Downtown Truro Traffic Management Study, in order to evaluate traffic volumes in the Downtown area and to identify needed improvements. The Town's Traffic Authority and Planning Staff have also been actively involved in a regional transportation committee which has representation from the County of Colchester as well as the Provincial Department of Transportation and Infrastructure Renewal. The recommendations contained within these studies and identified regional projects form the basis of policies in this Chapter.

### 10.2.2 Transportation Mapping

A Transportation Map that illustrates planned improvements to the regional transportation network is included in this Part. Also included in this Part is a Street Classification Map which set out the Town's road classifications. Both of these maps are intended to form part of the Municipal Planning Strategy.

#### Policy IN-1

It shall be a policy of Council to maintain a Transportation Map as part of this Plan which will form a part of the Future Land Use Map.

#### Policy IN-2

It shall be a policy of Council to adopt a road classification scheme which will designate all existing and future streets in the Town as either arterial, collector, local industrial, local collector or local streets.

#### Policy IN-3

It shall be a policy of Council to maintain a Street Classification Map as part of this Plan which will indicate the classification of all existing streets.

### 10.2.3 Street Classification Hierarchy

It is recognized that in any transportation network each road provides a certain level of service to local and regional traffic and pedestrians. For planning purposes, it is important to develop a proper classification hierarchy and apply it to both the existing and future street system in order to ensure that rational and efficient service is provided. Accordingly, the Town has adopted a three-tiered roadway system of arterial, collector and local streets. Appropriate use, access, and design criteria will be developed and applied to all existing and future streets. This road network is to be shown on the Transportation Map and is to be interpreted as part of the Future Land Use Map. A primary function of this map is to

guide the future location of certain types of development according to its anticipated future land use and trip generation. The Town's Subdivision By-law is intended to recognize this classification hierarchy and will contain construction specifications for each type of street.

#### **10.2.4 Local Streets**

Local streets are minor streets which are intended to serve a limited number of users, typically only traffic with destinations or origins on the local street. Their primary purpose is to provide access from predominantly residential areas onto collector roads, and accordingly should have the lowest traffic volumes. Design criteria will reflect this function by requiring only a 15 metre right-of-way, with sidewalks not necessarily required. Exceptions to certain criteria may occur only under a Comprehensive Development District approach as discussed in the Residential Chapter.

#### **10.2.5 Local Collector Streets**

Local Collector Streets were conceived as streets intended to function as a local street but which have, as the result of new street construction and new development, come to convey traffic with origins and destinations not limited to the street itself. Because much of Truro's street network was established prior to any transportation planning, many Local Streets now function as Local Collectors. This is often the case because these streets provide a convenient route where no alternative collector route was planned or exists. This is particularly true in the downtown residential areas.

#### **10.2.6 Local Industrial Streets**

Like Local Collector Streets, Local Industrial Streets were designed to carry local traffic and provide access to lots within the industrial park. These streets were never intended to convey thru-traffic. The streets in the industrial park were laid out in a grid pattern with no clear hierarchy of streets. The result is that all streets are just as likely to carry thru-traffic. These streets are also intended to handle larger vehicles and require special design considerations to accommodate turning movements.

#### **10.2.7 Collector Streets**

The purpose of collector roads is to gather traffic as it comes off local streets and direct it to travel destination areas or ideally onto an arterial. The right-of-way is wider than a local, at 18.3 m, and the spacing of intersections along the road is to be further apart. Private access to collectors is to be limited in order to avoid potential conflicts.

#### **10.2.8 Arterial Streets**

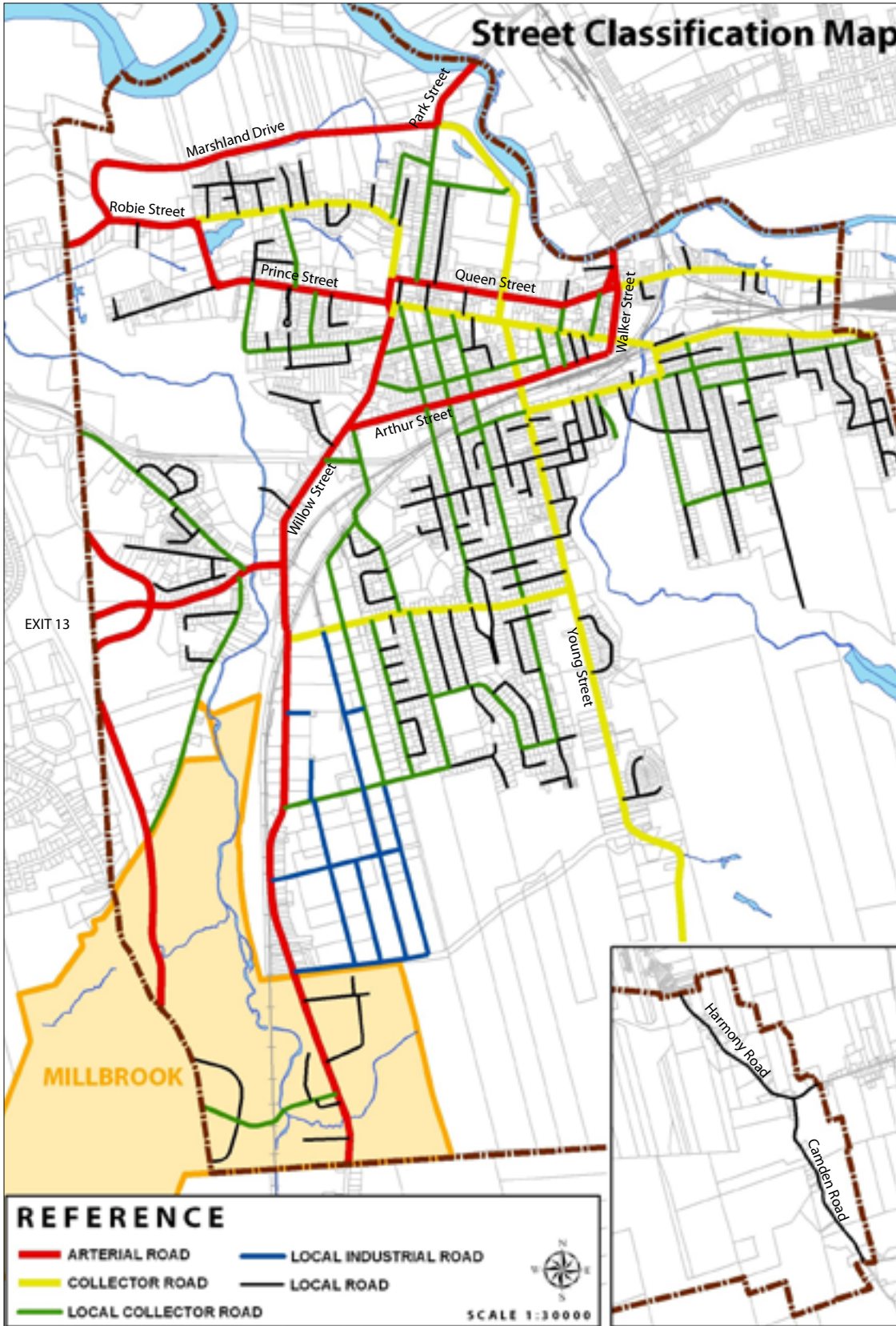
The function of an arterial road is to expedite the flow of through traffic in the Town, with as few intersections and turns as possible.

#### **Policy IN-4**

It shall be a policy of Council to use the Transportation Map and road classification criteria in determining the location of future developments.

#### **Policy IN-5**

It shall be a policy of Council to upgrade, wherever possible, existing local streets in the Town to meet the design standards as determined by the Town's Traffic Authority.



**Policy IN-6**

It shall be a policy of Council to, on new collector streets:

- a) require a minimum 18.3 metre right-of-way;
- b) limit on-street parking;
- c) consider developing regulations to limit private access to the street;
- d) develop regulations for larger lots and setbacks;
- e) provide turning lanes at all intersections; and
- f) limit distances between intersections.

**Policy IN-7**

It shall be a policy of Council to upgrade wherever possible existing collector streets in the Town to the standards set out under Policy IN-6.

**Policy IN-8**

It shall be a policy of Council to on new arterial streets:

- a) require a minimum 30.5 metre right-of-way;
- b) prohibit on street parking;
- c) develop regulations which limit private driveway access to local or collector streets unless such access is physically not possible;
- d) permit only major signalized intersections with turn-only lanes;
- e) limit distances between intersections, and not permit local streets to intersect; and
- f) not consider properties abutting the right-of-way as having frontage.

**Policy IN-9**

It shall be a policy of Council to upgrade wherever possible existing arterial streets to the standards set out under Policy IN-8.

**10.2.9 Regional Transportation Planning and Coordination**

The street system in the Town is not self-contained. Although the system is a key node in the regions transportation network, other roads and highways outside of Truro are integral to the street networks overall level of function.

This Part contains some policies that recommend road projects outside of the Town which are intended to improve the overall level of service. It is important then, that all such projects are fully coordinated with the Provincial Department of Transportation and Public Works in Colchester County in order to ensure that proper connections and alignments are constructed. This department is responsible for all roads outside of the Town in Colchester County. The Colchester County Development Officer should be encouraged to secure the proper rights-of-way for various roads that are to extend outside of the Town as part of this regional effort.

### **Policy IN-10**

It shall be a policy of Council to work with the Provincial Department of Transportation and Public Works and any other relevant body in order to ensure that proper road connections and alignments are developed and maintained.

#### **10.2.10 Acquisition of New Street Rights-of-Way**

Through the subdivision process the Town acquires the rights-of-way for new streets within the Town. The Subdivision By-law requires that local streets are built to a set standard and turned over to the Town by developers. The Town, however, will be responsible for the construction of new collector and arterial streets on rights-of-way deeded to it. These new roads will form the basis of later local street networks, and will help spur growth and development within the Town. It is important during the subdivision process to acquire rights-of-way that will properly complement the overall transportation system within the Town.

### **Policy IN-11**

It shall be a policy of Council to require the Development Officer to coordinate appropriate right-of-way reserves for arterial and collector street construction through the subdivision approval process.

## **10.3 Transportation Projects**

### **10.3.1 Transportation Planning**

The Town of Truro lacks a current and comprehensive Traffic Management Plan that approaches traffic issues from a regional perspective. Planning Staff, in consultation with the Town's Traffic Authority and the Regional Transportation Committee, have developed a list of transportation projects that have been identified as potential solutions to the region's traffic issues. Many of these projects directly impact the Town and have land use planning implications related to securing future right-of-ways and potential land use conflicts. These potential transportation infrastructure projects are listed here in order of priority and illustrated on the Town's Transportation Map. These projects warrant further study prior to implementation and it is Council's desire to undertake a regional transportation study in cooperation with Colchester County to properly assess and identify priorities.

### **Policy IN-12**

It shall be a policy of Council to, in conjunction with Colchester County and the Department of Transportation and Infrastructure Renewal, to undertake a regional transportation plan to develop a list of priority infrastructure projects in the Truro Region.



TOWN OF TRURO  
Transportation Map

**Short Term Projects**

- 1 **Millbrook - Truro South Interchange and Industrial Avenue Connector**  
New interchange provides new access to Millbrook and improved access to Truro's Industrial Park and Hilden.
- 2 **Young & Lorne Street Alignment at Prince Street**  
Provides uninterrupted flow of traffic between Young and Marshland Drive.
- 3 **James Street & Lower Truro Road Intersection Improvements**  
Intersection improvements to improve traffic flow and safety.
- 4 **William Barnhill Drive Extension - Phase 1**  
Provides new access to downtown and east end from Highway 102 and Industrial park via the Millbrook - Truro South Interchange and Industrial Avenue Connector.

**Medium Term Projects**

- 5 **Willow Street Corridor Improvements**  
Changes to the Willow Street/McClures Mills Connector intersection and the Willow Street/Arthur Street intersection to improve flow of traffic into the downtown.
- 6 **East-West Connector**  
New street construction in conjunction with Willow Street Corridor improvements that will include grade separated railway crossings and provide connections to Charles/Brunswick Street and to Industrial Avenue to improve access to east end and downtown.
- 7 **Walker Street extension to Brunswick**  
Level rail crossing to improve connection between downtown and east end.
- 8 **Marshland Drive Extension to Highway 102**  
Continuation of Marshland drive to connect to Highway 102 and Exit 14, alleviating traffic congestion on Robie Street and providing improved access to downtown from Highway 102.

9 **Wade Road Extension**

Provides connection between two commercial areas and acts as a service road which should help keep local traffic off Highway 102.

**Long Term Projects**

- 10 **William Barnhill Extension - Phase 2**  
Continuation of William Barnhill across Lepper Brook Dam to provide connection to Wood Street and the East End.
- 11 **Elm (Willow) Street Alignment with Park Street**  
Provide connection to the Willow Street corridor through to the Park Street Bridge to provide uninterrupted flow of north-south traffic.
- 12 **Ring Road/Bible Hill Connector**  
Continuation of William Barnhill to complete a bypass/ring road around Truro to provide better access to Salmon River and Valley. Includes Salmon River Bridge and new Bible Hill connector interchange on Highway 104.

### 10.3.2 Short Term Projects

a) Millbrook Road/Highway 102 Interchange

In the southwest portion of the Town is the Millbrook First Nation community. Although this area is exempt from municipal authority, the Town intends to work closely with the Band Council on matters of land use wherever possible. The Band Council has recently constructed “Treaty Connector” a full highway interchange from Highway 102. This interchange is intended to support an arterial road which will extend east, intersecting at grade with Willow Street, and intersecting with an extension of Industrial Avenue. In the longer term, this road will then extend into the future Industrial Park near the present landfill site, and will there intersect with Young Street and the extension of William Barnhill Drive.

This proposal will be of benefit to the Town as well as to the Millbrook First Nation, in that it will greatly enhance access to the southern portion of the Town, particularly the Industrial Park. In its later extension, it will also serve to open up more lands for development by the private sector. The Town is supportive of this proposal, and will work with the appropriate Provincial and Federal authorities to ensure its implementation.

#### **Policy IN-13**

It shall be a policy of Council to work with the Millbrook First Nation Band Council, the Provincial Department of Transportation and Public Works, and the Federal Department of Indian and Northern Affairs in order to implement the proposed new Highway 102 interchange and arterial road proposal.

b) Young Street & Lorne Street

The Downtown Truro Traffic Management Study recommended that the Town pursue several intersection improvements in the downtown area. A key area identified for improvements was the need to align Young Street and Lorne Street to allow for northbound traffic on Young Street to continue on Lorne. This improvement would alleviate traffic on local collector streets in the downtown residential areas and generally improve traffic circulation in the downtown.

#### **Policy IN-14**

It shall be a policy of Council to undertake improvements to the intersections of Young and Prince Street and Lorne and Prince Street to allow northbound traffic on Young to continue northbound on Lorne Street.

c) James Street and Lower Truro Road

With recent development activity in the vicinity of Exit 13 on Highway 102, traffic has been increasing along McClures Mills Road. There is an identified need to make improvements to the James Street and McClures Mills intersection and the Lower Truro Road McClures Mills intersection.

**Policy IN-15**

It shall be a policy of Council to undertake improvements to the James Street and McClures Mills intersection and the Lower Truro Road McClures Mills intersection in order to ensure the safe and efficient movement of traffic.

d) William Barnhill Drive Extension, Phase I

The Transportation Study discusses the benefits of creating a major arterial ring road which will encircle the Town and Bible Hill. This proposed road will start at William Barnhill Drive east to Young Street, continuing northeast across the dam at the Town reservoir, exiting the Town, crossing the Salmon River, looping around Bible Hill and re-entering the Town at the present Park Street Bridge. Phase one of the William Barnhill extension is to consist of extending the road to Young Street. This project, in conjunction with the Millbrook/South Truro Interchange will provide an alternate route into the downtown area via Young Street

The purpose of such an undertaking is twofold. The completion of this road would create an attractive route to traffic which wishes to bypass the Town. The diversion of this traffic would relieve excess traffic from other streets in the northern portion of the Town. This road will also serve to open up large parcels of presently unserved lands and will act as a catalyst for development in this area. This road is to be an arterial which will form the basis for a network of minor streets. The extension of William Barnhill Road across the Lepper Brook Dam and on into the County are long term projects.

**Policy IN-16**

It shall be a policy of Council to extend William Barnhill Drive from Willow Street to Young Street; constructing it initially as a two-lane limited access arterial.

**Policy IN-17**

It shall be a policy of Council to encourage the Provincial Department of Transportation and Public Works and the County of Colchester to work toward securing rights-of-way for the future ring road.

**10.3.3 Medium Term Projects**

a) Willow Street Corridor Improvements

Willow Street is a important arterial street that provides access to the downtown from Highway 103 via McClures Mills Connector and Exit 13. Development in the vicinity of Exit 13 promises to increase traffic volumes along this corridor. The present configuration of the road network is problematic in that it does not allow for the uninterrupted flow of traffic into the downtown area from Highway 102. Council wishes to explore changes to the flow of traffic in the vicinity of the Willow Street/McClures Mills Connector intersection and the Willow Street/Arthur Street intersection to improve flow of traffic into the downtown. Council also wishes to consider utilizing portions of the current hospital lands for future street improvements once the hospital moves to its new location near Exit 13.

### **Policy IN-18**

It shall be a policy of Council to develop a plan for street and intersection improvements along the route from Exit 13 on Highway 102 to the Downtown via McClures Mills Connector and Willow Street. Planning should include potential street development on former rail right-of-ways and on lands vacated by the hospital when it relocates to Exit 13. The purpose of these improvements shall be to improve connections between the Downtown and Highway 102 along the Willow Street corridor.

#### b) East-West Connector

The greatest opportunity for relieving traffic congestion and improving vehicular circulation in the Town exists in the proposal to upgrade existing streets and making new connections to create an improved east west corridor through the Town. These street improvements will improve traffic flow through the Town while at the same time reduce traffic from downtown local street grid and place the through traffic on a route which will quickly and efficiently direct it to major destinations and through the centre of the business district of downtown.

It is envisioned that a new east-west corridor could be created using former rail lines, existing streets, and lands that may become available once the hospital moves to its new location at Exit 13. Detailed design for this project has not been undertaken and must be considered in conjunction with other improvements in the area including a potential grade separated rail crossing at Industrial Avenue and a potential extension of Charles Street under the railway. This work should be planned in conjunction with any improvements to the Willow Street corridor.

### **Policy IN-19**

It shall be a policy of Council to develop a west to east connector between Exit 13 of Highway 102 and the east end of Truro utilizing existing streets, railway right-of-way, and lands that may become available once the hospital moves to its new location.

#### c) Walker Street Extension to Brunswick

In order to develop an complete east-west connection through the downtown area via Charles and Brunswick Street and ultimately provide access through to Bible Hill, the development of a connection across the railway tracks to connect Walker Street to Brunswick Street is required.

### **Policy IN-20**

It shall be a policy of Council to develop a level railway crossing at the east of the Esplanade to extend Walker Street through to Brunswick Street as part of any East-West Corridor improvements.

d) Marshland Drive Extension to Highway 102

For Marshland Drive to fully serve its function as a major arterial for the northern portions of the Town, it must be extended to link with the new collector highway parallel to Highway 102. Over half of this length is outside of the Town limits, so cooperation with the Province will be required.

**Policy R-21**

It shall be a policy of Council to extend Marshland Drive to Tidal Bore Road.

e) Wade Road Extension

The development of a street to connect Wade Road to Robie Street and an extended Marshland Drive would provide a connection between the regions two commercial areas and acts as a service road which would help to keep local traffic off of Highway 102 and potentially alleviate some traffic on Willow and Robie Streets.

**Policy IN-22**

It shall be a policy of Council to extend Wade Road to connect to Robie Street and to an extended Marshland Drive.

**10.3.4 Long Term Projects**

a) William Barnhill Drive Extension, Phase II

Continuation of William Barnhill across Lepper Brook Dam to provide connection to Wood Street and the East End. The first phase of William Barnhill Drive is to be extended to a realigned Young Street in the immediate and short term periods. The second phase requires the continuation of this road from Young Street to Wood Street via the dam at the Town reservoir.

**Policy IN-23**

It shall be a policy of Council to extend William Barnhill Drive from Young Street east to Wood Street via the Lepper Brook Reservoir, subject to an environmental assessment.

b) Elm (Willow) Street Alignment with Park Street

Willow and Young Streets are the only two north-south arterial streets within the Town. With the upgrading of Willow Street in its more southern reaches and the construction of a new intersection at Prince Street, it will be capable of handling higher volumes of traffic and can more adequately function as a carrier and distributor of traffic. However, a link with Marshland Drive in the north is required if Willow is to function properly as an arterial. Accordingly, it is to be extended to join with Marshland Drive via Court Street and Elm Street at the existing Park Street intersection. This will provide a full north-south link from the southern to the northern boundaries of the Town.

### **Policy IN-24**

It shall be a policy of Council to extend Willow Street to Marshland Drive via Court and Elm Streets.

#### c) Ring Road/Bible Hill Connector

Continuation of William Barnhill to complete a by-pass/ring road around Truro to provide better access to Salmon River and Valley. Includes Salmon River Bridge and new Bible Hill connector interchange on Highway 104. The long-term plan for William Barnhill Drive is to have it extend from Wood Street across the Salmon River and loop around Bible Hill. The scale of this project is of a large magnitude and may be completely feasible only in the long run or if population increases faster than expected. This phase will serve to open up more lands for residential development.

### **Policy IN-25**

It shall be a policy of Council to extend William Barnhill Drive from Wood Street to the east Town boundary and potential align with a new Bible Hill connector and Salmon River Bridge.

## **10.4 Water Supply and Distribution**

The importance of high quality drinking water to sustain our communities has become an issue all across our country. The focus on water has increased the level of interest in our stewardship approach to the provision of safe drinking water. Currently, the Town supplies its entire population with high quality water, and is capable of providing this service to a much larger area.

The Town's water supply uses a multiple barrier approach to ensure delivery of safe and high quality water. The multiple barrier approach is a system of checks and balances from the watershed to the consumer's tap. This holistic approach is considered the best practice within the water utility profession to ensure public health protection. The multiple barriers include source protection, optimization of the treatment process, sound distribution system management, cross connection control and continuous monitoring and testing.

### **10.4.1 Protection of the Watershed**

The primary source of the Town's water supply is the reservoir fed by Lepper Brook. These resources are vital to the Town and will continue to be protected. In 1984 the Town annexed most of the Lepper Brook Watershed. This annexation helped the Town to ensure the future protection of these lands by bringing them under direct planning control. By-law controls should continue to be responsibly maintained on those privately-held lands in the watershed, while public lands should be actively managed in such a way as to minimize surface runoff and contamination and maintain a healthy natural environment.

There are six municipal wells that historically were used to supplement the reservoir fed by the Lepper Brook. These wells have not been used since 1991, and are no longer needed as a potable water source due to the creation of the Victoria Park Water Treatment Plant. The Town may explore alternate uses of these wells in the future.

Should future demand increase past the capacity of the Lepper Brook Watershed, the most likely alternative would be the Chiganois River Watershed located to the west in the County of Colchester.

This watershed is presently under little pressure from development and has good water quality. The Town should encourage the County and the Province to take steps to preserve this resource for the future benefit of the entire region.

The Town has a Source Water Protection Advisory Committee and is in the final stages of adopting a source Water Protection Plan for the Lepper Brook Watershed. Part 9 of this Municipal Planning Strategy sets out the Town's Environmental Management policies and includes a section on regulating land use in order to protect water quality within the Lepper Brook watershed.

#### **Policy IN-26**

It shall be a policy of Council to develop and adopt a source water protection plan for the Lepper Brook Watershed.

## **10.5 Sewage and Sewage Treatment**

### **10.5.1 Central Colchester Wastewater Treatment Facility**

In January of 1996 Central Colchester Wastewater Treatment Facility was completed. It is a secondary treatment facility. The facility treats raw municipal wastewater for over 25,000 people, along with the associated commercial and industrial establishments before entering the Salmon River and Cobequid Estuary. The foresight and vision of the participating municipalities has served to protect a sensitive natural environment and provide a legacy of responsible environmental leadership for future generations.

The multi phased project commenced with a sanitary trunk sewer extending along the Salmon River from the upper most community of Valley, through the Salmon River, Bible Hill, the Town of Truro and into the Lower Truro area. The trunk sewer, some 10 km in length, intercepts all existing raw wastewater outfalls along its length and is capable of conveying all municipal wastewater from the next fifty years to a single location for treatment. The lift station is designed to include continuous flow measurement and incorporates a stand-by power generator for emergency conditions. The building housing mechanical equipment has been carefully designed to create a non-industrial look, as it will be the only structure allowed on the flood plain side of Marshland Drive.

The Wastewater Treatment Facility itself is located on an elevated geological feature known as Savage's Island in an area subject to periodic flooding. The facility has been sited safely above the 100 year flood elevation, and at such an elevation the final pumping of wastewater allows flow by gravity through the facility discharging effluent to the receiving waters of the Cobequid Estuary.

This project has been tremendously successful, and stands today as one of the best examples of multi-level government cooperation. The conclusion is a cost effective treatment process that is a beneficial investment on the part of the residents and ratepayers of the participating municipalities.

#### **Policy IN-27**

It shall be a policy of Council to upgrade or maintain the sewer system in such a way as to maintain or increase the productivity of the Central Colchester Wastewater Treatment Facility.

#### **10.5.2 Industrial Users of Sewer System**

Industries that use and discharge large quantities of waste water may occasionally overload the system. Also, certain industries may discharge various contaminants which may adversely affect the system and/or the environment. The Town may require certain types of industries, or those that have large discharge volumes, to provide their own pre-treatment or retention/holding facilities so as to mitigate possible impacts. Please refer to the Industrial Chapter of this strategy for a full explanation of any related policies.

#### **Policy IN-28**

It shall be a policy of Council to evaluate on a continuing basis existing and proposed industrial development so as to protect the integrity of both the natural environment and the sanitary sewer system for future treatment. Pre-treatment requirements for certain industries will be considered.

## **10.6 Storm Water Management**

Storm waters normally flow through drainage systems including rivers, creeks, lakes, ponds, marshes and other natural features. In naturalized or undeveloped areas, there is generally little notice of any impacts on these drainage systems, but in developed areas it has become increasingly apparent that significant environmental and economic costs can arise as a result of changes in these natural systems. The process of urbanization leads to increased areas of imperviousness creating an increase in surface water and the speed at which it flows resulting in erosion, sedimentation of watercourses and flooding. Please refer to the Environmental Chapter containing the Environmental Constraints Map indicating the unique natural constraints of the Truro Area. This map illustrates the full extent of the Salmon River flood plain, drainage ravines and steep slopes, all water bodies and water courses.

Nature's way of accommodating the movement of excess water is through natural streams, valleys, swales, roadways and manmade channels and ponds. The Town's hard infrastructure designed for water drainage is comprised of swales, street gutters, catch basins, and storm sewers. Together these components of the drainage system function to

handle runoff from storms. Streets behave as components as they transport runoff in excess of the storm sewer capacity. Flood waters will find some route through the urban area to reach the lowest point of land; therefore, it is fundamental that all of the infrastructure components are designed and constructed with natural processes in mind and to mitigate the risk of personal injury and property damage due to flooding.

**Policy IN-29**

It shall be a policy of Council to develop and implement a comprehensive Storm Water Management Plan for the Town of Truro.

**Policy IN-30**

It shall be a policy of Council to develop and implement performance standards in the Land Use By-law for the use of natural drainage systems for storm water management purposes.

**10.6.1 Storm Sewers**

The provision of a full storm sewer system that is separate from the sanitary system is an integral part of any municipality’s servicing responsibilities. Such a system quickly drains off excess surface water and helps prevent erosion and flooding.

The Town’s Subdivision By-law currently ensures that new development has adequate storm sewer services. However, there may be areas of the Town that are not fully serviced in this manner. Since the last Municipal Planning Strategy considerable improvements have been made, but there are still streets that do not have separate storm and wastewater sewers. This is something that is expected to be completed in the short term. Accordingly, the Town should continue to ensure that storm sewers are adequately provided throughout the Town for new developments. Further discussion of drainage issues is found in the Environment Part of this strategy.

The Town has made great progress in the removal of combined sewer overflows. Combined sewer overflows place undue stress on sanitary sewer capacity, especially during heavy precipitation and times of peak use. The Town will continue to work toward installing separate storm water and sanitary sewer piping in the older areas of Town.

**Policy IN-31**

It shall be a policy of Council to ensure that all developed areas of the Town are serviced with proper storm sewer infrastructure in order to ensure proper surface runoff control.

**Policy IN-32**

It shall be a policy of Council to identify areas of excessive surface runoff infiltration into the sanitary sewer system, and take steps to correct the situation.

### 10.6.2 Storm Water Management and Erosion Control

In a 1997 EDM study entitled The Truro Area Flood Plain Management Program areas of flood risk were detailed, and the two fundamentally different types of flooding were described. These flood types were referred to as Salmon River floods and Storm Water floods. The difference between these two types of flooding is the source of the flood water. Salmon River floods occur when water in the Salmon River has risen up over the dykes. The source of the flooding is flood water coming from the River. Storm Water floods occur when surface water from the surrounding land is unable to reach the Salmon River.

#### Policy IN-33

It shall be a policy of Council to require all new developments to control the effects of erosion and sedimentation in accordance with Nova Scotia Department of Environment and Labour regulations.

#### Policy IN-34

It shall be a policy of Council to require all new construction that is subject to a development agreement, to submit a Storm Water Management Plans for the development, either as a condition of approval or for Council's consideration as part of a development agreement application.

## 10.7 Solid Waste Management

Solid Waste management is a growing concern across North America. In response to the potential problem, Colchester County and its surrounding municipalities worked together to establish the Colchester Balefill Facility. A combination of recycling, composting and household refuse collection provide the most complete solid waste management program in the Province of Nova Scotia. In addition, the County of Colchester will soon introduce a household hazardous waste management recovery component to the program.

### 10.7.1 Colchester Balefill Facility

The Facility was opened July of 1995 and successfully incorporated the latest technology and environmental management controls to create one of the cleanest facilities in Canada. As a result, five open pit dumps were closed, with all refuse now processed at the new facility. One of those five pits included the Town's sanitary landfill that was located at the south end of Young Street.

The disposal site at the Balefill Facility has a designed capacity of 3.5 million cubic metres of garbage, or a 35 year life span. All garbage is compressed and baled prior to disposal. With additional diversion of materials from the waste stream through reduction, composting and recycling, the lifespan of the facility will increase dramatically. Supporting the waste reduction initiative is a comprehensive public education system that promotes safe and efficient waste disposal. By ensuring that the citizens are aware of the different parts of the system, public involvement will be increased.

**Policy IN-35**

Therefore it shall be a policy of Council to continue to work with the Municipality of the County of Colchester with respect to the capital costs, operation and maintenance of the Colchester Bafefill Facility.

**10.7.2 Reducing and Recycling**

The production of garbage by society is continually increasing and placing pressure on the abilities of both municipal landfills and the natural environment to cope. It is in the best interests of all to reduce the waste flow, and to recycle as much as possible. The Province of Nova Scotia created the Solid Waste Management Strategy which mandated a 50 per cent reduction of solid waste by the year 2000 based on 1986 volumes. Municipalities now take a leading role, with the assistance of other levels of government, to work towards alleviating solid waste problems.

Currently within the Town there is a four stream program for residences of less than four units where recycling is mandatory and pick up is provided by the Town via a tendered private company. The recycling component includes education programs aimed at reducing waste production, encouragement of recycling by supporting the public and business, and a full-scale municipal recycling program.

**Policy IN-36**

It shall be a policy of Council to encourage and assist citizens, community groups and businesses to develop their own waste reduction and recycling programs.

**10.7.3 Rehabilitation of Truro’s Sanitary Landfill**

The Town’s former landfill site has been closed since 1994, and at that time the Town created an approved Closure Plan in conjunction with the Nova Scotia Department of Environment and Labour.

The plan was created by Dillon Consulting with closure activities having been carried out by the Town, and ground water monitoring done by Dillon Consulting. The object of the Closure Plan was to seal the surface to keep water from passing through the capped areas causing leachate pollution. In accordance with the Closure Plan, the site has been capped and reforestation has begun. Methane vents are operational. Methane levels and possible ground water contaminant movement are checked on a regular basis. To date, ground water monitoring has confirmed no contaminant movement in the ground water, and ground water quality from the site has improved since the site closure.

The future best use of the site cannot adequately be determined at this point. However, a portion of the site may be required for a future east-west arterial road. Some possible uses which could be considered are a golf course, trails systems, nature area, waste transfer station, or a mixture of such uses. A study should be undertaken in order to determine the most appropriate use.

### **Policy IN-37**

It shall be a policy of Council to initiate a study of the landfill site in order to determine its best future use.

## **10.8 Street/Utility Provision and Standards**

### **10.8.1 Street and Infrastructure Construction**

The provision of full curb/gutter and sidewalks fulfills several purposes. The clear delineation of a street helps the flow of traffic, particularly on collector and arterial streets. Storm water is carried more quickly to catch-basins, and snow plows are aided with winter snow removal. Sidewalks give pedestrians and school children a safe walking area. Finally, all three contribute to the ‘finished’ appearance of a community.

Such full street services are an expensive capital cost to a development and there can be differences in the level of service which may be desired subject to street configuration, site conditions or marketing approaches. For these reasons, Council has considered the advantages of full street service as compared to distributing such cost over time. While the ultimate objective of the Town is to see the development of its infrastructure and secondary street and sewer to the maximum level, it is more a question of how and when those services will come into being.

Recent changes to the Local Improvements By-law altered the provisions for providing primary and secondary services in areas of new construction. These services are now created at the cost of the developer, with the exception of sidewalks which the Town contributes 50 per cent. The By-law is intended to recognize and allow for different distribution of cost by street classification hierarchy as there are varying responsibilities for provision of such streets.

### **Policy IN-38**

It shall be a policy of Council to review rates in the Local Improvements By-law on a regular basis.

### **Policy IN-39**

It shall be a policy of Council to require in the Local Improvements By-law that developers install at their own expense all subgrading and installation of all primary and secondary services in new subdivisions; and deed these services and street rights-of-way to the Town after completion.

Historically, the Town has undertaken street and service construction using its own staff and equipment resources at the expense of the developer. This approach allows for full subdivision approval without the street actually being constructed beforehand. Lots created may be sold in advance in the knowledge that the Town will build the services with funds already received from the developer. The Town receives the deeds to the rights-of-

way and services. This approach is effective where subdivision is occurring only on a level which will not strain the Town's resources or require expansions to these resources. Larger developments, however, suffer from this approach because of delays in construction which inhibits lot sales and development. This is not satisfactory to the developer who loses a great deal of time and has limited control over the pace of development in the subdivision.

The Town's Local Improvements By-law does provide for the developer to construct the required infrastructure to set standards, and deed them to the Town prior to final subdivision approval. This practice is seldom used in Truro, although it is common in most other municipalities. The use of this approach allows the developer to contract out this work at a pace which meets their own requirements, schedule and resources. The Town is then responsible for the setting of standards and for the inspection of services during construction to ensure that these quality standards are met before taking ownership of the final product. The Subdivision By-law allows for three options for roads construction. The Developer may enter into an agreement to have the Town build the road, the Developer may build the road themselves prior to subdivision approval or the Developer may post a bond to build the road and then get approval before the road is in a finished state. In any event, all new public roads are to be approved by the Town Engineer as per the Municipal Government Act.

The Subdivision By-law clearly indicates how the construction of new streets and infrastructure are to be undertaken, and which party is responsible for what degree of services. This is helpful so that land owners and developers who may wish to subdivide their lands may reasonably calculate what costs they would incur to service their lands.

**Policy IN-40**

It shall be a policy of Council to require in the Local Improvements By-law that the construction of streets and infrastructure in new subdivisions be undertaken by the developer.

**Policy IN-41**

It shall be a policy of Council to establish in the Local Improvements By-law provisions and costs of services in existing Town street rights-of-way in order to determine costs to service lands on existing public rights-of-way.

**10.8.2 Street Upgrading**

There are some areas in the Town without curb, gutter or sidewalks. This contributes to an 'unfinished' appearance, higher maintenance costs and is of detriment to the desired successful image of the Town.

The Engineering Department maintains an inventory of streets which require upgrading. Priorities are set and work planned and carried out dependent upon budgetary constraints, workload, availability of contractors, and the like.

### **Policy IN-42**

It shall be a policy of Council to maintain an inventory of all streets in the Town, and develop a long range plan and capital timetable for upgrading of these streets with the provision of concrete curbs, gutters and sidewalks.

### **10.8.3 Underground Utilities**

The provision of above ground electrical, telephone and natural gas utility lines has several disadvantages. Long stretches of cables attached to utility poles are generally unattractive and detract from the overall appearance of a streetscape. During storms, these services are frequently disrupted due to broken lines.

If trees are planted along a street, they must be severely pruned in order to prevent their interference with the lines. Maintenance costs are higher because of the need to constantly repair and replace poles and wires. If such services were provided underground, streets would generally be more attractive, there would be fewer interruptions of service and maintenance costs would be decreased. Ideally, the only visibly evident utility would be street lights.

Accordingly, the Town will work toward ensuring that utilities are installed underground in new developments. Where possible, they should also be put underground in existing developed areas, particularly in the Industrial Park and the downtown. This would best be done during major street repairs or sidewalk installation. The Town will work toward this goal with the appropriate utility companies.

### **Policy IN-43**

It shall be a policy of Council to encourage the installation of all utility wires, lines and cables below ground in new developments, and in existing developed areas wherever possible.

# 11 • Implementation



*This Part of the Plan describes how the town handles development and amendment applications*

## 11.1 Introduction

This Chapter describes how the policies and procedures contained within this Municipal Planning Strategy are carried out by Town Council. It lays out the procedures and application requirements for the different types of planning applications such as development agreements, rezonings, variances, and by-law amendments. This section also explains how amendments to this strategy are to be carried out.

## 11.2 Implementation Objectives

### 11.2.1 Clear and Consistent Process

Town Council values input from the public, the developer, and Town Staff when considering planning applications. In order to ensure that the planning application process has the benefit of input from each of these groups it is essential to consistently adhere to a clear process where all parties have an understood role that allows their voices to be heard. A confusing planning application process that is not implemented consistently will tend to frustrate attempts by developers and the public to have their say in the process.

#### **Policy IM-1**

It shall be a policy of Council to develop and consistently follow clear application processes for all planning applications.

### 11.2.2 Effective Process

Council wants to ensure that all planning applications are thoroughly reviewed using an evaluation process that is designed to identify potential land use issues and provide a means by which these issues can be addressed. This process must also include a public participation component to uncover any land use issues not identified during the Town's internal evaluation process.

Development applications will be reviewed using detailed evaluative criteria designed to assess how a proposed land use will impact the surrounding community. The evaluative criteria will assess details such as lighting, noise, hours of operation, loss of privacy, and architectural compatibility. Council will take into consideration these impacts when they review a potential development application and rely upon planning staff to provide a

detailed assessment of all land use impacts. Council will also assess potential development proposals based on possible issues related to matters such as servicing, traffic, fire protection, policing, building code compliance, heritage preservation, and recreation. Council will rely upon professional advice from the various agencies, committees, departments, and individuals who are qualified to speak to these issues. Prior to making a decision on a development application, Council will have considered input from all parties, including the public and the developer, and have considered any suggested solutions to potential problems or land use issues. Council will make a decision on a development application based on all this information and incorporate any changes necessary to mitigate any identified land use issues.

#### **Policy IM-2**

It shall be a policy of Council to implement development application processes that identify potential land use issues and provide a means by which these issues can be addressed.

#### **11.2.3 Efficient Process**

While new development and growth are integral to the long term economic sustainability of the Town of Truro, it is also important that appropriate development controls are in place to ensure that development occurs in an orderly manner that benefits the Town. Although a well planned community is a priority, Council also wants to ensure that the development control process is as streamlined as possible and that decisions on development applications happen in a timely manner.

#### **Policy IM-3**

It shall be a policy of Council to adopt efficient development application processes that emphasize the development community's desire for quick decisions on development proposals while upholding Council's primary goal of a well planned and livable community.

#### **11.2.4 Fair Process**

In order to ensure that the planning process is publicly regarded as an effective forum for the evaluation of development proposals and for implementing the Town's planning policies, it is essential that the planning process is applied in a fair and consistent manner. Failure to adopt a common approach to handle development applications or a failure to hold all proposals to the same standards will undermine the integrity of the Town's planning process. In order to ensure that everyone feels that the Town's planning process works and that their input matters, it is essential that all proposals are treated in a consistent manner and that specific proposals or developers are not singled out or given special treatment.

**Policy IM-4**

It shall be a policy of Council to implement the development application process in a fair and consistent manner.

**11.2.5 Informed and Engaged Public**

Involving affected residents and other stakeholders in the development process is key to ensuring the best possible development for the community as a whole. Council recognizes that a truly effective planning process engages and informs all interested parties and provides a forum where all planning issues can be considered and resolved.

**Policy IM-5**

It shall be a policy of Council to implement development application processes that engage and inform all interested parties and provide a forum where all planning issues can be considered and resolved.

**Policy IM-6**

It shall be a policy of Council to implement a public participation program that is designed to inform nearby property owners and other stakeholders of development applications within the community and provide interested parties with an opportunity to have their opinions or concerns considered as part of the application process.

**11.2.6 Appropriate Approval Processes**

There are instances where new development proposals fit quite seamlessly into the community and there is little potential for land use conflicts. Rather than subject this type of development to an elaborate application and evaluation process that consumes time and resources, it is Council's intention that development control, such as rezonings and development agreements, only be used where there the potential for land use conflicts is significant. Instead of a lengthy approval process, the Land Use By-law will anticipate this type of development and have zone requirements in place to ensure the proposed use is compatible with surrounding development. This will help to ensure that fairly innocuous development scenarios, such as a dwelling converted for office and professional offices uses in downtown residential areas or commercial uses in an industrial park are handled appropriately in a timely and efficient manner.

**Policy IM-7**

It shall be a policy of Council to rely upon more rigorous development controls such as rezonings and development agreements where the potential for land use conflicts is significant and adopt regulations in the Land Use By-law to accommodate less contentious development scenarios as-of-right.

## 11.3 The Municipal Government Act

### 11.3.1 The Role of the Municipal Government Act

The Municipal Government Act (MGA) is the Provincial Legislation that sets out the regulations that govern planning and development in Nova Scotia. The MGA describes the various methods of development control available to Nova Scotian municipalities for regulating development and land use decisions within their jurisdiction.

*The Municipal Government Act is the Provincial Legislation that governs planning and development in Nova Scotia*

### 11.3.2 Application Processes

The Municipal Government Act (MGA) also sets out the process for adopting Municipal Planning Strategies and Land Use By-laws, and the process for amending these documents or for the different types of development control such as development agreements, variances, or site plan approval. The process requirements include minimum public participation and advertising requirements. All of the Town of Truro's planning procedures comply with the minimum process requirements set out in the MGA although the Town does augment the process by adding additional public participation requirements.

### 11.3.3 Appeal Process

Most types of planning applications are subject to appeal to the Nova Scotia Utility and Review Board (NSUARB). The exceptions are variance requests and site plan approval applications which are appealable to Town Council and Municipal Planning Strategy Amendments which are not subject to appeal. The Municipal Government Act (MGA) sets out the appeal procedures associated with the different types of applications.

### 11.3.4 Types of Development Control

The Municipal Government Act (MGA) identifies the various types of development control techniques available to municipalities to regulate and plan for development within their jurisdictions. These include rezonings, development agreements, and site plan approval. The Town of Truro relies upon rezonings and development agreements for the implementation of its planning policies. Site plan approval is a relatively new process that relies entirely upon the development officer to evaluate development proposals based on their compliance with an predetermined set of objectives that are written out in the planning documents. The benefit of site plan approval is that it does not require a public hearing or a lengthy approval process. The Town will continue to evaluate site plan approval as regulatory option.

## 11.4 Municipal Planning Strategy

### 11.4.1 Role of the Municipal Planning Strategy

The Municipal Planning Strategy (MPS) is the primary policy document which provides a framework for planning and development decisions in the Town. The policies within the MPS are intended to guide the development and management of the Town and to establish policies which address problems and opportunities concerning the development of land. The MPS policies are meant to provide a framework for the environmental, social, and economic development of the Town. Also, the MPS specifies the programs and actions necessary for implementing the policies of the municipal planning strategy such as: the adoption of a Land Use By-law; setting out the policies that govern development

*The Municipal Planning Strategy is a policy document adopted by the Town that guides planning and development decisions*

control techniques; setting out public participation requirements; and setting out the procedures and application requirements for development agreements, rezonings and other amendment applications.

#### 11.4.2 Municipal Planning Strategy Amendments

The Town’s Municipal Planning Strategy (MPS) is intended to guide development within the community. The goals outlined in the MPS are meant to work in conjunction with each other and the document is intended to be implemented as a whole. Achieving the goals outlined in the MPS may not be possible if the document is subject to repeated changes. This is not to say that the MPS cannot be changed and there are circumstances when amendments to the MPS may be warranted or required. Council shall only consider amending the plan when it can be demonstrated to Council’s satisfaction that the current planning policies need to be reevaluated.

*Municipal Planning Strategy amendments shall only be permitted in certain limited situations and these amendments are not subject to appeal to the Nova Scotia Utility and Review Board*

#### Policy IM-8

It shall be a policy of Council to consider amendments to the Municipal Planning Strategy when:

- a) there is an apparent need to change policy due to changing circumstances;
- b) additional information is identified or studies have been undertaken which identify the need for change that should be incorporated into the strategy or which recommend an amendment to the strategy; or
- c) a Provincial Policy change requires a change in policy by the Town.

#### 11.4.3 Amendment Process

The procedure for amending the Municipal Planning Strategy is the same as the procedure for adopting a Municipal Planning Strategy. Council must pass an amendment by majority vote after holding a properly advertised public hearing as set out in the Municipal Government Act. Any objections received from the public at this meeting must be heard and considered by Council. The amendment is then subject to a review of Provincial interest and possibly to an approval of the Minister Service Nova Scotia and Municipal Relations. There is no appeal procedure for Municipal Planning Strategy amendments.

#### 11.4.4 Amendment not Initiated by the Town

A member of the public or a developer may make application for an amendment to the Municipal Planning Strategy (MPS). Council will only consider amendment requests when it can be demonstrated that the request satisfies one of the prerequisites outlined in Policy IM-8. When a Municipal Planning Strategy amendment is requested by a citizen or developer, the Town shall not be required to undertake any required background research and studies. In such a case, the applicant may be required to provide sufficient reason and information in order to support the amendment.

An application to amend the Municipal Planning Strategy must be submitted to the Town in writing and include a description of the proposed amendment along with an explanation of how the proposed amendment satisfies Policy IM-8. All amendment applications must also include payment of an advertising deposit to cover the costs of any required public participation notification.

### **Policy IM-9**

It shall be a policy of Council to require the applicant to submit sufficient information and argument in support of any proposed Municipal Planning Strategy amendment.

#### **11.4.5 Future Land Use Map Amendment**

There are circumstances under which a rezoning may not be considered at all because it would clearly contradict or ignore a policy or policies in the strategy. For such a rezoning to occur, the Future Land Use Map must also be amended either before the rezoning or concurrently. A future land use map amendment is subject to Policies IM-8 and IM-9 and Council must be satisfied that there is a demonstrated need to reevaluate the future land use map.

### **Policy IM-10**

It shall be a policy of Council to, subject to Policies IM-8 and IM-9, consider amending the Future Land Use Map by changing a parcel's future land use designation in order to permit a proposed rezoning. The proposed map amendment and rezoning may be considered concurrently.

#### **11.4.6 Municipal Planning Strategy Amendment Not Required**

Ideally, a rezoning application is supported by the underlying future land use designation. However, some rezoning applications are not supported by the underlying future land use designation and may not be possible without an amendment to the Future Land Use Map.

Amending the future land use map by changing the future land use designation of a property in order to permit a rezoning to a zone supported by the new designation is not always the best option. Changing the future land use of a property within the Limited Residential Designation to the General Residential or Commercial Designation, for instance, may seem like a reasonable request but this change will open up additional development options. Even if the proposed rezoning is to one of the less intensive zones permitted by these designations and the proposal involves a fairly innocuous land use there is still the potential for future headaches since the General Residential Designation and Commercial Designations also permit more intensive zones which in turn permit more intensive uses. In these instances it may not be appropriate to amend the Future Land Use Map by changing the future land use designation of the property. Alternatively, it may be a better option to rezone the property without changing the underlying future land use designation.

It is Council's intention that this rezoning option only be applied to lands that abut the designation that supports the zone being requested. It is also Council's intention that this provision not apply in all situations and that certain zones not be eligible for consideration. In other instances, where the proposed land use has the potential to generate conflicts with neighbouring uses, it is more appropriate that these proposals be considered by development agreement. This option will give Council the ability to mitigate any compatibility issues.

*Some development proposals or rezonings may not comply with the Municipal Planning Strategy (MPS) but they do not necessarily require an MPS amendment.*

**Policy IM-11**

It shall be a policy of Council to consider applications to amend the Land Use By-law Zoning Map and rezone lands abutting a given designation on the Future Land Use Map to a zone supported by that designation, without requiring a Municipal Planning Strategy amendment, provided such an application is consistent with other polices in this Strategy.

**Policy IM-12**

It shall be a policy of Council to consider development proposals that would qualify for rezoning under Policy IM-11 by development agreement where the proposed development is for a Downtown Commercial (C1), Limited Commercial (C2), General Commercial (C4) Zone use in a Limited Residential or Downtown Residential Future Land Use Designation. When considering such proposals Council shall have regard for land use transition issues and the integrity of established neighbourhoods in addition to the development agreement evaluative criteria in this Part.

**Policy IM-13**

It shall be a policy of Council to not apply Policies IM-11 or IM-12 where the proposed rezoning or development agreement would:

- a) permit the development of lands within an Environmental or Recreation Future Land Use Designation;
- b) permit the development of Industrial (M1) or Commercial Industrial (M2) Zone use within a Residential Future Land Use Designation; or
- c) permit the development of a Commercial Adult (C5) Zone use.

**11.4.7 Municipal Planning Strategy Review**

When Council deems it appropriate, the Municipal Planning Strategy (MPS) shall be reviewed to ensure that the plan is up-to-date and addresses current development issues within the Town.

**Policy IM-14**

It shall be a policy of Council to review the Municipal Planning Strategy when warranted by changing circumstances within the community.

**11.5 Land Use By-law**

**11.5.1 Role of the Land Use By-law**

The Land Use By-law is the principal mechanism by which land use policies in the Municipal Planning Strategy are implemented. It sets out zones, permitted uses and development standards which reflect the policies of the Municipal Planning Strategy. The Zoning Map which forms part of the By-law graphically indicates the zones within the community, each of which has specific written development criteria associated with it. The Land Use By-law is administered by the Development Officer who grants development permits under its regulations.

*The Land Use By-law contains the regulations designed to implement the policies found in the Municipal Planning Strategy*

### 11.5.2 Land Use By-law Amendments

There are two basic types of Land Use By-law amendments: text amendments and map amendments or rezonings. Text amendments involve changes to the actual wording of the land use by-law and this can include: changes to specific requirements such as height limits or minimum setbacks; changes to the list of permitted uses in a zone; changes to the definition of a particular land use; or changes to the wording of a particular clause. Map amendments, or rezonings, involve changing the zoning of a property. Text amendments typically affect clauses and requirements that deal with the entire town and may or may not be directly linked to a specific development proposal. Rezoning are site specific and usually involve a specific development proposal.

The Municipal Government Act (MGA) sets out the basic procedure for amendments to a Land Use By-law. The Town is able to augment the process set out in the MGA and is free to add additional public participation or notification requirements provided the minimum requirements are met. In the MGA, both map amendments and text amendments are subject to the same procedural requirements. The Town, however, wishes to deal with map amendments with a greater degree of scrutiny since these amendments are site specific and typically accompanied by a development proposal. Accordingly, these Planning Documents set out a more detailed evaluation process for map amendments.

### 11.5.3 Text Amendments

A text amendment to the Land Use By-law (LUB) does not involve the rezoning of a property and are typically limited to changes to a particular zone's requirements in order to modify either the site requirements or permitted uses. This amendment affects all properties in that zone. It may be done as an administrative change, or be done at the request of an applicant who wishes to change the zone in order to accommodate a use or site configuration not originally contemplated. No amendment to the Town's Municipal Planning Strategy (MPS) will be required as long as the proposed changes are in keeping with the MPS policies. Provided there is no site specific element to the proposed amendments the evaluation of the proposal need not include any public participation requirements beyond those specified in the Municipal Government Act (MGA) and there is no need to evaluate the proposal using the evaluative for LUB amendments. Council's consideration of a LUB text amendment may be limited to an analysis of the land use planning implications and the conformance with other MPS policies. A text amendment application will require that a written request outlining the proposed amendment(s) and stating the reason for the request be submitted to the Town's Planning & Development Services Department. All amendment applications must also include payment of an advertising deposit to cover the costs of any required public notification.

*A text amendments to the Land Use By-law does not require a detailed public participation process beyond that required by the Municipal Government Act*

#### **Policy IM-15**

It shall be a policy of Council to evaluate text amendments to the Land Use By-law that are not site specific and that do not include a specific development proposal by considering the land use planning implications and conformance with other Municipal Planning Strategy policies. Public participation for these amendments shall be limited to the requirements set out in the Municipal Government Act for Land Use By-law Amendments.

#### 11.5.4 Rezoning

A rezoning or map amendment involves the rezoning of a particular property to another zone; usually in order to allow the property to develop to a more intensive use. This type of amendment may substantially alter the type of development and uses which may be permitted on that site. Because this type of amendment may involve a specific property and include a detailed development proposal, there is an opportunity for Council to assess the land use impacts of the proposed development as part of the rezoning application. Council will, therefore, undertake a detailed evaluation of the proposed development prior to making a decision concerning a rezoning application. This detailed assessment will require that the applicant submit a conceptual development plan and details with respect to servicing, stormwater drainage, traffic management, landscaping, and other design elements. To ensure that all potential land use impacts are considered, Council will adopt evaluative criteria that is specifically designed to assess rezoning applications.

#### 11.5.5 Rezoning Application Requirements

Council requires that a request to rezone a property must be submitted in writing to the Town's Planning & Development Services Department. The application must include a written description of any related development proposal along with detailed plans with respect to servicing, stormwater drainage, traffic management, landscaping, and other design elements. All amendment applications must also include payment of an advertising deposit to cover the costs of any required public participation notification including newspaper ads and mail outs. By requiring a detailed development proposal, Council, Staff, the Planning Advisory Committee and the public will be able to examine the application more precisely. Where such a proposal involves dimensional or aesthetic issues, it shall also include a professionally prepared graphic representation. Council is aware that there is no legal agreement binding the developer to a proposal submitted as part of rezoning application, but this exercise will help Council evaluate potential land use impacts related to the rezoning request.

#### Policy IM-16

It shall be a policy of Council to require the submission of a detailed proposal as part of any rezoning application or amendment application that affects a specific property or properties. Where such a proposal involves dimensional or aesthetic issues, it shall include both a written and a professionally prepared site plan and graphic representations that are drawn to scale. Such graphic proposal must clearly indicate the following;

- a) the location, area, and dimensions of the subject property;
- b) the proposed location, dimensions, height, and proposed use of all buildings;
- c) the means by which the site is to be serviced by sanitary and storm sewers, water, electrical service and other utilities;
- d) the location of any parking stalls, driveways, walkways, lighting, fencing, refuse containers, and snow storage;
- e) landscaping elements including existing and proposed shrubs and trees; and
- f) architectural features where such features are regulated by the planning document.

*Professionally prepared and detailed plans will be required as part of any rezoning application that includes a development proposal*

### 11.5.6 Evaluative Criteria for Rezoning

Council will evaluate rezoning applications and other site specific Land Use By-law Amendment applications using specific evaluation criteria. The full use of the criteria set out below will ensure that the amendment is in conformity with all policies of this Strategy and will help to ensure that any resulting development has a positive impact on the community. These criteria are to be considered in addition to any applicable criteria found elsewhere in this document and included in the enabling policy for a specific development application. Council recognizes that they have limited ability to require a developer to undertake any of the design elements included in a rezoning application. Nevertheless, Council considers it to be prudent to consider the potential land use implications as part of any rezoning application and assumes that developers will generally conform to their submitted proposal. Council is mindful that other development scenarios may be possible under a particular rezoning proposal and all eventualities will be considered as part of a rezoning application.

#### Policy IM-17

When considering a rezoning application or other Land Use By-law amendment application that includes a specific development proposal it shall be a policy of Council to have regard for the following matters:

- a) compatibility of the proposed land use with adjacent land uses;
- b) compatibility of the development with adjacent properties in terms of height, scale, lot coverage, density, and bulk;
- c) that the proposed development resolves any potential compatibility issues with nearby land uses resulting from lighting, signage, outdoor display, outdoor storage, traffic, vehicle headlights, and noise through appropriate site design, landscaping, buffering and fencing;
- d) the adequacy of sewer services, water services, waste management services and storm water management services;
- e) that the proposal contributes to an orderly and compact development pattern that makes efficient use of existing and new municipal infrastructure;
- f) the adequacy and proximity of schools;
- g) the adequacy and proximity of recreation and community facilities;
- h) the adequacy of the road network in, adjacent to, or leading to the development;
- i) the potential for erosion or for the contamination or sedimentation of watercourses;
- j) environmental impacts such as air and water pollution and soil contamination;
- k) previous uses of the site which may have caused soil or groundwater contamination;
- l) suitability of the site in terms of grades, soil and bedrock conditions, location of watercourses, marshes, swamps or bogs;
- m) the ability of emergency services to respond to an emergency at the location of the proposed development;
- n) that the proposal is in conformance with the intent of this strategy and with the requirements of all other Town By-laws and regulations; and
- o) the financial ability of the Town to absorb any costs relating to the amendment.

*These criteria are used to evaluate a rezoning application that includes a development proposal*

*Rezoning and other Land Use By-law Amendments not carried out in conjunction with a Municipal Planning Strategy amendment are not subject to appeal to the Nova Scotia Utility and Review Board*

**Policy IM-18**

While a rezoning application must be accompanied by a clear development proposal, there is no legal agreement which requires a landowner to conform to the proposal as presented. It shall be a policy of Council, therefore, to take into account the other potential development scenarios that may be permitted as a result of a proposed zone change when evaluating a rezoning application.

**11.5.7 Appeal Process**

The Municipal Government Act (MGA) sets out procedures for appealing a decision of Council regarding a Land Use By-law amendment. Land Use By-law amendments that are required as a result of a Municipal Planning Strategy (MPS) amendment or that are carried out in conjunction with an MPS amendment are not subject to appeal.

**11.6 Development Agreements**

**11.6.1 Development Agreements**

*Development Agreements give Council more discretion to regulate development and the ability to establish land use regulations that respond to the unique characteristics of different proposals and settings*

A development agreement is a binding legal agreement entered into between the Town and a property owner that are able to address very specific details regarding the design and use of a proposed development. Development agreements are a very useful planning tool since they allow Council to consider the unique opportunities and constraints facing each development proposal on a case-by-case basis. This is a significant advantage over rezonings which rely upon the standard zone requirements as set out in the Land Use By-law to regulate a proposed development. With a development agreement Council has the discretion to, as an example, increase a side yard where a proposal abuts a potentially incompatible land use or Council may reduce a yard requirement where any negative impact of the reduction has been mitigated. The use of these agreements gives Council the discretion needed to properly address the concerns of adjacent landowners, and provides the flexibility needed to ensure that new development compliments and enhances the community.

Another other benefit of a development agreement is that it is a legally binding contract and the developer is obligated to conform to the plans that form part of the agreement. A rezoning does not allow this level of development control and even though a detailed proposal may have been included as part of the rezoning application, Council has no ability to require a developer to implement that proposal and the Town’s control is limited to the basic zone requirements set out in the Land Use By-law.

Despite the numerous benefits to using development agreements a regulatory tool, when compared to a rezoning the development agreement process requires that developers spend more time and resources finalizing development plans prior to any approvals by the Town. Because of the level of detail incorporated into a development agreement, they tend to require more staff time to evaluate the proposal and more time to prepare a report and recommendation. Also, development agreements can be more cumbersome to administer because each agreement contains a different set of land use regulations.

### 11.6.2 Development Agreement Application Requirements

Council requires that a development agreement application must be submitted in writing to the Town's Planning & Development Services Department. The application shall be signed by the property owner or an agent of the property owner authorized to act on their behalf. The application must include a written description of any related development proposal along with professionally prepared detailed plans with respect to architectural design, servicing, stormwater drainage, traffic management, landscaping, and other design elements. All amendment applications must also include payment of an advertising deposit to cover the costs of any required public participation notification including newspaper ads and mail outs. By requiring a detailed development proposal, Council, Staff, the Planning Advisory Committee and the public will be able to examine the application more precisely. Council may decide that additional information is required to properly address issues such as traffic impact or architectural design. In these instances, Council may require that this information be submitted for Council's consideration prior to making a decision or require that the information be submitted as a condition of approval.

#### Policy IM-19

It shall be a policy of Council to require the submission of a detailed proposal as part of any development agreement application. The proposal shall include any information or materials required by Council in order to effectively evaluate the submission. The submission shall be accompanied by professionally prepared plans that effectively illustrate the proposal and include details such as, but not necessarily limited too, the following:

- a) the location, area, and dimensions of the subject property based on a survey or location certificate prepared by a licensed surveyor;
- b) elevation drawings of the proposed structure or structures;
- c) the proposed location, dimensions, height, and proposed use of all buildings;
- d) the means by which the site is to be serviced by sanitary and storm sewers, water, electrical service and other utilities;
- e) the proposed location and nature of any outdoor storage or display;
- f) the proposed location, design, and content of any signage;
- g) the proposed location and dimensions of any parking stalls, driveways, and walkways;
- h) the proposed location of any fencing, refuse containers, and snow storage;
- i) the proposed location and type of any exterior lighting;
- j) the proposed location of any outdoor amenity space;
- k) landscaping elements including the type and location of any existing and proposed trees or other vegetation;
- l) architectural features including type of materials;
- m) the location of any watercourses on or near the site;
- n) existing and proposed drainage patterns including any stormwater management measures;
- o) the delineation of any 1:20 and 1:100 flood elevations and a description of any proposed floodproofing measures; and
- p) any proposed phasing of the development.

*A development agreement application must include professionally prepared and detailed plans*

*Additional Information may be required prior to Council making a decision or required as a condition of approval.*

**Policy IM-20**

It shall be a policy of Council to require the submission of additional information to address issues such traffic impact, stormwater management, landscaping, servicing, heritage preservation, and impact on the streetscape where Council considers this information to be pertinent to the development process. This information may be required prior to Council’s approval or as a condition of approval and required prior to issuance of any development permit.

**Policy IM-21**

Where a structure proposed as part of a development agreement application raises concerns with respect to compliance with the National Building Code, it shall be a policy of Council to require that the applicant submit conceptual building plans for review by the Town’s Building Inspector.

**11.6.3 Evaluative Criteria for Development Agreements**

Council will evaluate development agreement applications using specific evaluation criteria. The full use of the criteria set out below will ensure that the resulting development is in conformity with all policies of this Strategy and will help to ensure that the proposal has a positive impact on the community. These criteria are to be considered in addition to any applicable criteria found elsewhere in this document and included in the enabling policy for a specific development application.

*Development Agreements will be evaluated using these criteria*

**Policy IM-22**

When considering a development agreement application it shall be a policy of Council to have regard for the following matters:

- a) compatibility of the proposed land use with adjacent land uses;
- b) compatibility of the development with adjacent properties in terms of height, scale, lot coverage, density, and bulk;
- c) compatibility of the development with adjacent properties in terms of lighting, signage, outdoor display, outdoor storage, traffic, vehicle headlights, and noise;
- d) the adequacy of sewer services, water services, waste management services and storm water management services;
- e) that the proposal contributes to an orderly and compact development pattern that makes efficient use of existing and new municipal infrastructure and services;
- f) the adequacy and proximity of schools;
- g) the adequacy and proximity of recreation and community facilities;
- h) the adequacy of the road network in, and adjacent to, or leading to the development;
- i) the potential for the contamination or sedimentation of watercourses or for erosion;
- j) environmental impacts such as air and water pollution and soil contamination;

*continued...*

- k) previous uses of the site which may have caused soil or groundwater contamination;
- l) suitability of the site in terms of grades, soil and bedrock conditions, location of watercourses, marshes, swamps or bogs;
- m) the application of sustainable and energy efficient design principles;
- n) the ability of emergency services to respond to an emergency at the location of the proposed development;
- o) that the proposal is in conformance with the intent of this strategy and with the requirements of Town By-laws and regulations other than the Land Use By-law; and
- p) the financial ability of the Town to absorb any costs relating to the amendment.

#### 11.6.4 Appeal Process

The Municipal Government Act (MGA) sets out procedures for appealing a decision of Council regarding a development agreement application.

## 11.7 Concurrent Applications

### 11.7.1 Applications May be Considered Concurrently

There are going to be instances where a development proposal will not be permitted under the current Municipal Planning Strategy (MPS) and Land Use By-law (LUB). This does not necessarily mean that there are no other options for proceeding with the proposal. In some cases an amendment to the MPS in accordance with Policy IM-8 is all that is required to allow a proposed development. In most cases, however, the MPS amendment only establishes the enabling policy which allows Council to consider the proposed development through a rezoning or development agreement application process.

A development proposal that requires both an amendment to the MPS and a rezoning or development agreement would require a lengthy approval process if they were handled separately, with the rezoning or development agreement application process commencing only after the enabling MPS policy is put into place. In order to ensure that these proposals are handled in a timely manner, it is desirable to process an MPS amendment and a related rezoning or development agreement concurrently. The public participation, advertising, hearings and reports could all include both the amendment and the rezoning or agreement. The only matter that must be handled separately would be the motion of Council to approve the rezoning or enter into an agreement; this would have to be delayed until after the Province has reviewed and accepted the proposed amendment. A development proposal that requires an MPS amendment to enable a rezoning that is required to allow consideration of a development agreement may also be considered concurrently.

*Where a development agreement or rezoning requires a Municipal Planning Strategy amendment, the applications may be processed at the same time.*

#### Policy IM-23

It shall be a policy of Council to consider an amendment to the Municipal Planning Strategy concurrently with a Land Use By-law amendment or development agreement application where the Municipal Planning Strategy amendment is required to enable the Land Use By-law amendment and/or development agreement application.

## 11.8 Submission Requirements

### 11.8.1 Advertising Deposit

The Town of Truro recognizes that there are significant costs associated with preparing plans and graphics as part of a development application and the Town does not want to add to the cost of submitting an application by charging an administration fee. This will help to ensure that the planning process is accessible to small businesses and individual property owners. There is, however, a significant cost involved in the Town's prescribed public participation process and the Town will require that the applicants submit an advertising deposit along with their application for costs associated with placing newspaper ads, postage for the mail survey, and registration of any development agreements. Upon conclusion of the application process or withdrawal of the application, any expenses not covered by the deposit will be charged by the applicant while any balance will be refunded.

*The Town of Truro does not charge an admin fee but there is a deposit required to cover the costs of undertaking a public participation program*

#### Policy IM-24

It shall be a policy of Council to require an advertising deposit be paid to the Town as part of any application to amend the Municipal Planning Strategy or Land Use By-law and any application to enter into a development agreement. The deposit will be applied to the costs of conducting a public participation program.

### 11.8.2 Plans

Where detailed plans are required in relation to a development application, all drawings shall conform to a standard format and level of quality that will allow for plans to be reproduced, scanned, and incorporated into presentation quality reports and digital presentations for Council, various committees, and any public meetings. Detailed engineering drawings such as stormwater management plans or servicing plans shall be submitted in a format that is acceptable to the Director of Engineering and Public Works.

#### Policy IM-25

Where site plans, floor plans, or elevation drawings are required in relation to a development application, it shall be a policy of Council to require that all plans conform to the following requirements:

- a) plans shall be of a professional quality;
- b) all text and numerals shall be clear and legible;
- c) plans shall be drawn or plotted to scale;
- d) plans shall have the scale indicated on the plan as a bar or graphical scale;
- e) paper copies of plans shall be drawn or plotted on paper no larger than 28 x 43 cm (11 x 17 inches);
- f) digital copies of plans shall be suitable for plotting on paper no larger than 28 x 43 cm (11 x 17 inches); and
- g) digital copies of plans shall be submitted in a digital format that can be opened and plotted by Planning & Development Services.

*Plans must either be submitted digitally or be of suitable quality and size in order to allow for them to be scanned and reproduced in digital format.*

### Policy IM-26

It shall be a policy of Council to require that all engineering drawings such as stormwater management plans or servicing plans required in conjunction with a development proposal shall be submitted in a format that is acceptable to the Director of Engineering and Public Works.

#### 11.8.3 Complete Application

In order for an application to be considered complete, it must include all the prescribed information, plans, and materials outlined in this Part along with a letter of application and payment of the required advertising deposit. An incomplete application will not be processed. The applicant will be notified in writing if an application is deemed to be incomplete.

### Policy IM-27

It shall be a policy of Council to only consider an application to be complete when all the prescribed information, plans, and materials required by Planning & Development Services have been received. An incomplete application will not be considered by Council.

## 11.9 Public Participation

### 11.9.1 Public Participation Requirements

The Town will process all applications for a development agreement or an amendment to the Town's Planning Documents in accordance with the public participation requirements set out in the Municipal Government Act (MGA). A municipality may, in addition to the public notification requirements described in the MGA, also require the notification of assessed owners that may be affected by a proposed development.

*The Town adheres to the Province's public participation requirements but has expanded upon the basic requirements*

### Policy IM-28

It shall be a policy of Council to follow the public participation program for development agreements and amendments to the Town's Planning Documents as set out in the Municipal Government Act.

### 11.9.2 The Public Participation Program

In 2005 the Town adopted a public participation program where property owners in the vicinity of a development proposal were to be sent notification of the proposed development along with a questionnaire and details concerning the public hearing. This process has been very successful at engaging the public in the planning process and provides Council and planning staff with a greater understanding of public concerns related to development within the community. Although initially conducted largely by mail, the public notification process was updated to make better



*Property owners will receive notification by mail of any development application within 150 metres of their property. A sign will be posted on the property to notify all residents and property owners of a development application and notice of the application will also be posted on the Town's Website.*

use of the Town's website to disseminate information about development applications. In addition to reducing the costs of the public participation program, the new approach was intended to involve all residents in the planning process, regardless of whether they owned or rented their property. This addressed a significant limitation of the earlier approach which relied on mailing lists that only included property owners.

In addition to the public information mail out, the Town's public participation program also includes posting of a sign or signs on the subject property.

**Policy IM-29**

In addition to the public process outlined in the Municipal Government Act, it shall be a policy of Council to require that all applications for a development agreement, Land Use By-law amendment, or Municipal Planning Strategy amendment that involve a specific property adhere to the following public participation program:

- a) the Town will provide, at the applicant's expense, a sign or signs that the applicant will be responsible for posting and maintaining on the subject property;
- b) the sign(s) shall be posted in a location that is within 3 metres (10 feet) of a public right-of-way and clearly visible from the public right-of-way;
- c) the sign(s) shall be posted within 3 weeks following the initial Planning Advisory Committee meeting regarding the application and remain in place until after the public hearing; and
- d) the sign(s) shall contain the following information:
  - i) the civic address of the subject property;
  - ii) the name of the applicant;
  - iii) a description of the proposed development and instructions on how to obtain more information regarding the application and how become involved in the planning process;;
- e) the Town will mail out a information package to all property owners within 150 metres (492 feet) of the proposed development that includes:
  - i) a description of the subject property,
  - ii) a brief description of the proposed development;
  - iii) the name of the applicant;
  - iv) the time, date, and location of any scheduled meeting concerning the proposed development; and
  - v) instructions on how to obtain more information regarding the application and how become involved in the planning process.
- f) the Town will place up-to-date reports and background information regarding the proposed development on the Town's website;
- g) the Town will set up an on-line development application survey that will provide affected residents with an opportunity to comment on the proposed development and to indicate if they support, oppose, or have no opinion on the proposal; and
- h) the Town will make available and deliver, by request, paper copies of any survey and background information.

### 11.9.3 The Public Participation Survey Results

The public participation survey responses concerning a proposed development or amendment are reviewed and tabulated by planning staff. The results are presented to Council at the relevant public hearing as part of the final staff report prepared by planning staff. Issues and concerns identified by the public may be taken into consideration by Council, Town Staff and the developer to improve any development proposal or mitigate potential conflicts.

The survey form includes a field for the name and address of the respondent but this information is only used to ensure that the respondent owns property within the prescribed mail out area and to ensure that multiple responses are only calculated where appropriate. Individual responses are confidential and are not to be made available to the public unless any information that can be used to identify the respondent has been removed.

#### **Policy IM-30**

It shall be a policy of Council to have Planning & Development Services Staff prepare a summary of the public participation survey results for their consideration at the public hearing.

#### **Policy IM-31**

It shall be a policy of Council to ensure that all individual survey responses remain confidential and to only release the responses to the public where all information that could be used to identify individual respondents has been redacted.

#### **Policy IM-32**

It shall be a policy of Council to allow comments and concerns expressed in the public participation survey to be used to identify and mitigate potential land use issues related to a proposed development.

*Survey results help to identify and mitigate potential land use conflicts prior to the public hearing*

### 11.9.4 Planning Reports to be Made Public

Staff reports and recommendations prepared by Planning & Development Services for Council or a Committee of Council are not public information until they are circulated to Council or the Committee of Council as part of an agenda package for the meeting at which the staff report and recommendation is to be presented. Copies of other information concerning a development proposal such as a site plan or servicing plans or other information included as part of a planning application are available to the public. Payment may be required to cover the cost of reproducing large plans.

#### **Policy IM-33**

It shall be a policy of Council to only allow the public release of Staff reports and recommendations prepared by Planning & Development Services for Council or a Committee of Council after they have been circulated to Councillors or Committee Members as part of an agenda package for the meeting or hearing at which the staff report and recommendation is to be presented.

### 11.9.5 Public Information Meeting

Occasionally the Town is faced with a development or amendment application where there is a great deal of public opposition or concern. There have been instances where these concerns are based on a lack of information or misinformation. In these situations it is often beneficial for the Town to hold an advertised public information meeting where the proposed development or amendment is discussed in detail and the public are given the opportunity to ask questions and voice their concerns. These information meetings are to be held in advance of the public hearing.

#### Policy IM-34

It shall be a policy of Council to consider scheduling an evening public hearing and to consider holding an advertised public information meeting where there is a great deal of public opposition or concern regarding a development proposal or amendment application. The cost of advertising these meetings shall be the responsibility of the applicant.

## 11.10 Subdivision By-law

### 11.10.1 Development Officer

The Municipal Government Act, Part 8, Section 243, provides for Council to appoint an individual who will administer the Land Use By-law and issue development permits under its regulations. This individual is also to administer the Subdivision By-law and approve subdivision plans which conform to its requirements.

#### Policy IM-35

It shall be a policy of Council to appoint a Development Officer who is to be responsible for the administration of the Land Use By-law and the Subdivision By-law, and will issue development permits and approve plans of subdivision subject to the Municipal Government Act.

### 11.10.2 Subdivision By-Law

The Subdivision By-law regulates the subdivision of land within the Town and is directly related to the Municipal Planning Strategy and Land Use By-law, which regulate the development and use of the land. The Subdivision By-law is thus an integral part of planning within the Town, and will be updated and maintained in order to keep it current with other municipal by-laws and conditions.

Part 8, Section 242 of the Municipal Government Act permits the Development Officer to relax standard Subdivision By-law requirements regarding lot dimensions and area on a limited scale if it is provided for in the Subdivision By-law. While this is generally not desirable, there may be occasional circumstances where such provisions could be relaxed with no ill-effect. The Town's Subdivision By-law makes provision for such relaxations.

**Policy IM-36**

It shall be a policy of Council to provide in the Subdivision By-law powers that the Development Officer may approve a plan of subdivision which shows a maximum of two lots which do not meet the minimum lot dimension or frontage requirements, provided that these dimensions are not less than 90 per cent of the required minimums and that the integrity of the Subdivision By-law is not compromised.