

FINAL STAFF REPORT

Prepared For:	Town Council
Submitted by:	Jason Fox, Director of Planning & Development
Date:	November 1, 2016
Subject:	Development Agreement application by Wolfville Court Holdings Limited to permit the development of a 6-unit, 3-storey residential building at 65 Walker Street.

Recommendation

Staff recommend that Council enter into a development agreement with Wolfville Court Holdings Limited to permit the development of a 6-unit, 3-storey residential building at 65 Walker Street.

Background

On August 18th, 2016, Wolfville Court Holdings Ltd. submitted an application to enter into a development agreement and thereby permit the development of a 3-storey, 6-unit residential building at 65 Walker Street.

Subject Properties

The subject property is 65 Walker Street, also identified as PID no. 20194494. This parcel is 578 m² (6240 ft²) in area and has 15.8 m (52 ft) of frontage on Walker Street. The property is currently underdeveloped and has been vacant since 2005 when the former dwelling on the property was demolished. The land is zoned Downtown Commercial (C1) and is situated in the Downtown Commercial Future Land Use Designation. A air photo of the property is shown to the right and a photo of the subject property taken from Walker Street is shown on the following page.

Development Proposal

Wolfville Court Holdings Ltd. is seeking approval to develop a 3-storey, 6-unit residential building on the subject land. The proposed building is approximately 15.8 x 9.1 metres (52 x 30 feet) and has a ground floor area of 144 m² (1560ft²). The proposed building is oriented towards Walker Street. A parking area is situated behind the building at the rear of the development. It is accessible via a single driveway located off Walker Street. The parking lot will have space for 6 vehicles. A conceptual site plan showing the proposed development is shown on the following page.

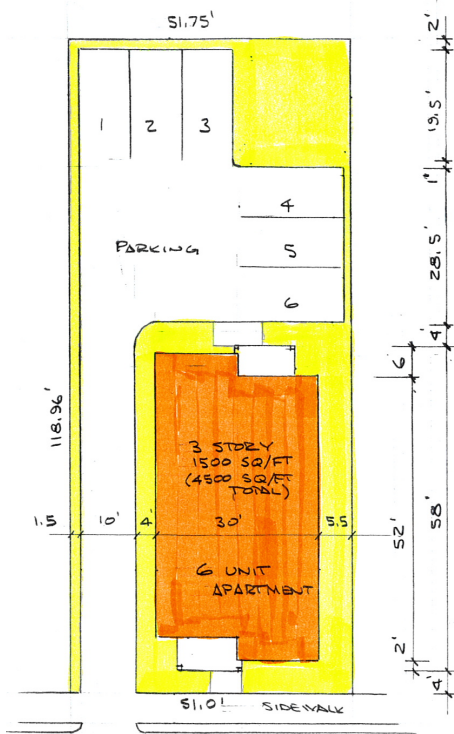


Air Photo showing the subject property and surrounding area



View of the subject property looking northeast from Walker Street

The applicant has submitted plans that show a 3-storey building, with two 1-bedroom dwelling units per floor. Each dwelling unit is nearly identical at 61.9 m² (667 ft²) per unit. The units feature balconies and 3 appliances. A shared washer and dryer are located in the basement, along with individual storage units.



Site plan of the Proposed Development



View of the proposed development from Walker Street

Analysis

The subject property is situated in the Downtown Commercial future land use designation and in accordance with Municipal Planning Strategy Policy C-19, Council may consider multiple unit residential proposals in the Downtown Commercial designation by development agreement. This application is being processed under the policies and evaluative criteria found in the Town's Municipal Planning Strategy and Land Use By-law. Full details of this review are attached to this report as Appendix A. The following is a description and discussion of the key issues and policy considerations identified as part of this review.

Sustainable Residential Development

The proposed development will result in the introduction of new residential units into the downtown core, increasing demand for goods and services in the area and thereby supporting local businesses and institutions. The proposal, therefore, is expected to have a positive impact on the Downtown. The proposal will also increase residential densities in an existing serviced area, thereby accommodating new residential development without having to expand municipal services and infrastructure.

Land Use Compatibility

The proposed residential use is not expected to create any compatibility issues with surrounding development but there is potential for the residents of the proposed development to raise objections about noise, traffic, and lighting associated with commercial uses on neighbouring properties. There is not, however, a valid concern related to compatibility. The downtown area is expected to accommodate a mixture of uses and prospective residents of this development should be aware that this is an urban location and anticipate the possibility that there may be potentially incompatible uses nearby.

Outdoor Amenity/Recreation Space

Staff have identified a potential concern related to the provision of adequate outdoor amenity space for the residents of the proposed development. The proposal has approximately 33% of the amenity space that would normally be required for a 6 unit residential development. Planning Staff, however, are of the opinion that the amount of amenity space is sufficient and typical of higher density downtown residential developments elsewhere. This is a downtown site and it is reasonable to consider a relaxation of the outdoor amenity space requirement given the number of nearby parks and recreational opportunities. Also, the Director of Parks, Recreation & Culture did not have any concerns about the provision of amenity space and he noted that residents of the proposed development will have easy access to outdoor recreational opportunities such as Victoria Park, Riverfront Park and the Civic Square.

Downtown Urban Design Requirements

The proposed development has been reviewed for compliance with the Town's Urban Design Standards. The Town's Urban Design Standards are intended to ensure that new development complements existing streetscapes and helps create attractive and welcoming pedestrian environments. To achieve this, the Standards encourage development that matches established patterns found on neighbouring buildings such as height, setbacks, size of windows, and floor elevations.

The proposal is situated in a mixed use area that features a mixture of commercial buildings and older 2 and 2½ storey dwellings that have been converted to multiple unit dwellings or commercial uses. Most of the older residential structures are built very close to the street with little or no front yard setback. These older dwellings are oriented to the street with several windows and primary entrances facing the street. The proposed three storey building is also situated very close to the street, it features windows and a main entrance facing the street, and it incorporates architectural details that complement the style of neighbouring dwellings. Planning Staff are satisfied that the proposed development conforms to the urban design standards set out in the Downtown Commercial (C1) Zone.

Design by Licensed Architect

The proposed building has not been designed by a licensed architect and the applicant is requesting that Council waive this requirement. In making this request, the applicant notes that the proposed design meets all of the Town's Urban Design Standards and the involvement of an architect will not offer any added benefit to the Town. Staff agree that the proposal conforms to the Town's Urban Design Standards and note that the design of the proposal has also been approved by the Town's Heritage Advisory Committee (HAC). Planning Staff, therefore, support the applicant's request and are recommending that Council consider waiving this requirement in this instance.

Review By Others

On September 12th, Planning Staff sent details of the proposed development to the Parks, Recreation & Culture Department, Fire Service, Police Service, Building Inspector, and the Engineering and Public Works Department with a request that they review the proposed development and provide any comments or concerns. At the time this report was written, responses had been received from the Police Chief and the Director of Parks Recreation & Culture. The Town Engineer/Traffic Authority responded verbally. There were no concerns expressed about this development.

Public Participation

The proposed development is being handled in accordance with the Town's development review process. On October 11th, notice of this application was mailed to the 48 property owners situated within 150 m (492 ft) of the subject property. This notice included a brief description of the application, notice of the public hearing, instructions on how to obtain more information, and instructions on how to access an on-line opinion survey. Details of the application have been posted on the Town's website under "current development applications" and a public notice sign was posted on the subject property on September 20th. The public hearing was also advertised in the Truro Daily News on October 22nd and 29th.

At the time this report was written there was one response to the online survey and the respondent was in favour of the proposed development.

Conclusion

Planning Staff have completed a review of Wolfville Court Holdings Limited's proposal to develop a 6-unit, 3-storey residential building at 65 Walker Street. Based on this review, Planning Staff find that this proposal is consistent with the Town's Planning Policies and that the proposed development will make a positive contribution to our community. Staff are therefore recommending that Council enter into a development agreement to permit the proposal as outlined in this report.

Respectfully Submitted



Jason H. Fox, MCIP, LPP
Director of Planning & Development

Appendix A

RELEVANT POLICY	STAFF COMMENTS
<p>Policy C-2</p> <p><i>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.</i></p>	<p>The proposed development will result in the introduction of new residential units into the downtown core, increasing demand for goods and services in the area and thereby supporting local businesses and institutions. The proposal is expected to enhance the adjacent streetscape, support activity on downtown streets, and help create a more comfortable pedestrian environment on Walker Street.</p>
<p>Policy C-8</p> <p><i>It shall be a policy of Council to permit a controlled mixture of land uses where the potential for land use conflicts is minimal.</i></p>	<p>The proposed development is a multiple unit residential development situated in a mixed use commercial and residential area in the downtown core. Tenants of the proposed development will have chosen to live within a downtown location and a degree of noise and activity normally associated with downtown living is to be expected. The introduction of residential units in this area is not expected to create any land use conflicts.</p>
<p>Policy C-10</p> <p><i>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.</i></p>	<p>This proposal was reviewed by the Heritage Advisory Committee at its regular meeting on October 11, 2016. The Committee concurred with the Staff Report prepared by the Director of Planning and are recommending that Council approve the proposed development. The Committee did not have any issues with the proposed development with respect to heritage preservation or enhancement.</p>
<p>Policy C-11</p> <p><i>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:</i></p> <ul style="list-style-type: none"> a) <i>the proposal's architectural design and its compatibility with heritage architectural styles found in the downtown area;</i> b) <i>the compatibility of the proposal with any abutting heritage properties in terms of its height, bulk, and scale;</i> 	<p>See comments under C-10 above</p> <p>See comments under C-10 above</p>

RELEVANT POLICY	STAFF COMMENTS
<p>c) <i>the impact of the proposal on any heritage streetscape;</i></p>	<p>See comments under C-10 above</p>
<p>d) <i>the location of any proposed parking areas and how well they are screened from neighbouring properties and from the street; and</i></p>	<p>See comments under C-10 above</p>
<p>e) <i>the suitability of any signage, lighting, fencing, or landscaping elements in terms of their impact on any abutting properties or streetscape.</i></p>	<p>See comments under C-10 above</p>
<p>Policy C-12</p> <p><i>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.</i></p>	<p>The proposed development has been reviewed for compliance with the Town's Urban Design Standards. The Town's Urban Design Standards are intended to ensure that new development complements existing streetscapes and helps create attractive and welcoming pedestrian environments. To achieve this, the Standards encourage development that matches established patterns found on neighbouring buildings such as height, setbacks, size of windows, and floor elevations.</p> <p>The proposal is situated in a mixed use area that features a mixture of commercial buildings and older 2 and 2½ storey dwellings that have been converted to multiple unit dwellings or commercial uses. Most of the older residential structures are built very close to the street with little or no front yard setback. These older dwellings are oriented to the street with several windows and primary entrances facing the street. The proposed three storey building is also situated very close to the street, it features windows and a main entrance facing the street, and it incorporates architectural details that complement the style of neighbouring dwellings.</p> <p>The proposed development conforms to the urban design standards set out in the Downtown Commercial (C1) Zone.</p>
<p>Policy C-13</p> <p><i>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.</i></p>	<p>The proposed building is appropriately oriented to the street and will contribute the creation of a pedestrian friendly environment on all abutting streets.</p>

RELEVANT POLICY	STAFF COMMENTS
<p>Policy C-19</p> <p><i>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.</i></p>	<p>The proposal consists of 6 residential units and is situated in the Downtown Commercial Designation. This is the enabling policy that allows Council to consider this application by development agreement.</p>
<p>Policy C-20</p> <p><i>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:</i></p> <p>a) <i>review the proposal using the evaluative criteria for development agreements as outlined in Part 11: Implementation of this Strategy;</i></p>	<p>This proposal has been evaluated using the evaluative criteria found in Part 11. Details of this evaluation are found below.</p>
<p>b) <i>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;</i></p>	<p>The applicant has submitted a site plan and elevation drawings of the proposed development. These plans are sufficient to illustrate how the proposal will impact abutting properties and the streetscape.</p>
<p>c) <i>require that the proposal be compatible with adjacent uses in terms of height, bulk, scale, and lot coverage;</i></p>	<p>The proposed 3-storey building is situated in an area that consists of 2 to 2½ storey converted dwellings along with some one storey commercial development. The proposal, although slightly higher than neighbouring dwellings, has roughly the same exterior dimensions, massing and scale as typical residential structures in this area of Walker Street. Staff do not anticipate any compatibility issues related to height, bulk, scale or lot coverage.</p>
<p>d) <i>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;</i></p>	<p>This area of Walker Street has experienced significant commercial redevelopment in the form of one storey buildings separated from the street by parking lots. This has resulted in a loss of the traditional streetscape, a portion of which still exists along Walker Street to the north of the subject property where the street is framed by 2 to 2½ storey residential structures situated at or near the street. This development is consistent with this traditional style of development and is expected to help reestablish the streetscape along this portion of Walker Street. The proposed buildings are appropriately oriented towards the street.</p>
<p>e) <i>require that the proposal be forwarded to the Town's Heritage Advisory Committee (HAC) for review and recommendation;</i></p>	<p>The proposal was reviewed by the Heritage Advisory Committee at their regular meeting on October 11th.</p>

RELEVANT POLICY	STAFF COMMENTS
<p>f) <i>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</i></p> <p>g) <i>require that the proposal include recreational open space suitable for use by residents of the development</i></p>	<p>A parking area for 6 vehicles is located to the rear of the property and not readily visible from the street.</p> <p>There is no common outdoor amenity space included as part of the proposed development although each of the proposed units feature a balcony. This is a downtown site and it is reasonable to consider a relaxation of the outdoor amenity space requirement given the number of nearby parks and recreational opportunities. Residents of the proposed development are 300 metres (980 feet) from Riverfront Park, 600 metres (1970 feet) from the Civic Square, and 700 metres (2300 feet) from Victoria Park.</p>
<p>Policy C-21</p> <p><i>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.</i></p>	<p>The proposed building has <i>not</i> been designed by a licensed architect and the applicant is requesting that Council waive this requirement. In making this request, the applicant notes that his design meets all of the Town’s urban design standards and the involvement of an architect will not offer any further benefit to the Town, it will not improve his proposal, and will simply increase his costs.</p> <p>Planning Staff note that the requirement to have the proposal designed by a licensed architect is intended to ensure that new development in the downtown area is designed in a manner that complements and enhances the existing built environment and existing streetscapes. All downtown development agreement applications are already reviewed for compliance with the Town’s Urban Design Standards and their architectural design details are also reviewed by the Heritage Advisory Committee (HAC). This development proposal conforms with all of the Town’s Urban Design Standards and HAC are recommending approval. Staff, therefore, believe that the involvement of an architect will not offer any further benefit to the Town nor will it necessarily improve this proposal</p>
<p>Policy P-3</p> <p><i>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.</i></p>	<p>Details concerning the proposed development were forwarded to the Parks Recreation and Culture Department on September 12th. The Director reviewed the proposal and noted that the Riverfront Park, Stanfield’s ballpark and the Downtown Civic Square are all close enough to be of significant benefit to the tenants of the proposed development. He concluded “there is an adequate recreation lands supply to meet the requirements of this development”.</p>

RELEVANT POLICY	STAFF COMMENTS
<p>Policy P-4</p> <p><i>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.</i></p>	<p>See comments on Policy P-3 above.</p>
<p>Policy P-9</p> <p><i>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.</i></p>	<p>See comments on Policy P-3 above.</p>
<p>Policy P-12</p> <p><i>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.</i></p>	<p>The proposed development does not include any dedicated common outdoor recreation or amenity space. Each unit features a 6.1 m² (66 ft²) balcony. The total area of all balconies would be 36.6 m² (394 ft²) . This proposal provides one third of the total land use by-law amenity space requirement for this proposal, which is 111 m² (1194 ft²).</p> <p>This is a downtown site and it is reasonable to consider a relaxation of the outdoor amenity space requirement given the number of nearby parks and recreational opportunities. Residents of the proposed development will have easy access to the new civic square development, Riverfront Park and Victoria Park.</p>
<p>Policy P-13</p> <p><i>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.</i></p>	<p>Details concerning the proposed development were forwarded to the Parks Recreation and Culture Department on September 12th.</p>
<p>Policy P-14</p> <p><i>It shall be a policy of Council to require that required 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.</i></p>	<p>Each unit includes a balcony that is suitable for passive recreation use. There is, however, no dedicated common outdoor amenity space included in this proposal.</p>

RELEVANT POLICY	STAFF COMMENTS
<p>Policy G-18</p> <p><i>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.</i></p>	<p>The proposed development includes surface parking for 6 vehicles. Parking requirements in the downtown core are 1 space per unit for one and two-bedroom units. The total parking requirement for this proposal would be 6 spaces. No relaxation of parking requirements is necessary.</p>
<p>Policy G-29</p> <p><i>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.</i></p>	<p>The draft development agreement will require that outdoor lighting be limited to full cut-off fixtures that illuminate the subject property only and not cause any light trespass.</p>
<p>Policy G-30</p> <p><i>It shall be a policy of Council to prohibit outdoor lighting that is misdirected, excessive, or unnecessary.</i></p>	<p>See comment under Policy G-29 above</p>
<p>Policy G-31</p> <p><i>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.</i></p>	<p>See comment under Policy G-29 above</p>
<p>Policy G-35</p> <p><i>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.</i></p>	<p>Details concerning the proposed development were forwarded to the Town's Traffic Authority on September 12th. The Town's Traffic Authority has reviewed the proposal verbally indicated that there are no issues with respect to traffic volumes or driveway locations.</p>
<p>Policy IN-34</p> <p><i>It shall be a policy of Council to require that 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.</i></p>	<p>The developer will be required to submit a stormwater management plan. Staff are recommending that this plan be required as a condition of approval and that it be submitted for approval by the Town Engineer's Office prior to the Town entering into a development agreement. Details concerning the proposed development were forwarded to the Town Engineer on September 12th. The Town Engineer has indicated that a stormwater management plan will be required for this development.</p>

RELEVANT POLICY	STAFF COMMENTS
<p>Policy IM-19</p> <p><i>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 to, the following:</i></p> <ul style="list-style-type: none"> a) <i>the location, area, and dimensions of the subject property based on a survey or location certificate prepared by a licensed surveyor;</i> b) <i>elevation drawings of the proposed structure or structures;</i> c) <i>the proposed location, dimensions, height, and proposed use of all buildings;</i> d) <i>the means by which the site is to be serviced by sanitary and storm sewers, water, electrical service and other utilities;</i> e) <i>the proposed location and nature of any outdoor storage or display;</i> f) <i>the proposed location, design, and content of any signage;</i> g) <i>the proposed location and dimensions of any parking stalls, driveways, and walkways;</i> h) <i>the proposed location of any fencing, refuse containers, and snow storage;</i> 	<p>The applicant has submitted a detailed site plan based on the property's deed description. The proposed structure will maximize lot coverage and is situated in close proximity to side and front lot lines. The developer will be required to submit a survey plan prior to the Town entering into any development agreement.</p> <p>The applicant has submitted elevation drawings of the proposed building.</p> <p>The applicant has submitted detailed plans for a three-storey 6-unit residential building.</p> <p>The applicant has not submitted any servicing plans. General details about this proposal were forwarded to the Town Engineer's Office on September 12th. The Town Engineer has verbally indicated that he does not anticipate that this development will have any issues related to servicing.</p> <p>No outdoor storage or display is proposed as part of this development.</p> <p>The draft development agreement will require that any signage comply with the Land Use By-law signage requirements.</p> <p>The site plan illustrates the locations and dimensions of all parking areas and driveways.</p> <p>No fencing is proposed as part of the proposed development. There is an area at the back of the property for refuse containers and there is sufficient room on site for snow storage.</p>

RELEVANT POLICY	STAFF COMMENTS
i) <i>the proposed location and type of any exterior lighting;</i>	Information with respect to the location and type of lighting fixtures has not been provided. The draft development agreement will require that all lighting comply with the Land Use By-law lighting regulations and adequate lighting will have to be provided for all parking areas and walkways.
j) <i>the proposed location of any outdoor amenity space;</i>	Aside from balconies, there is no outdoor amenity space included in this proposal.
k) <i>landscaping elements including the type and location of any existing and proposed trees or other vegetation;</i>	Landscaping elements were not included on the site plan. The draft agreement will require that the applicant develop a landscaping plan in consultation with the Town's Development Officer. Details regarding the proposal have been forwarded to the Town's Urban Forestry Technician for review.
l) <i>architectural features including type of materials;</i>	The applicant has submitted detailed elevation drawings that clearly depict proposed architectural features. Materials had not been specified at the time this report was written.
m) <i>the location of any watercourses on or near the site;</i>	Planning Staff are not aware of any watercourse on or near the site.
n) <i>existing and proposed drainage patterns including any stormwater management measures;</i>	Details concerning the proposed development were forwarded to the Engineering & Public Works Department on September 12 th . The Town Engineer has verbally indicated that a stormwater management plan will be required. The draft development agreement will require that connections to the municipal stormwater drainage system be reviewed and approved by the Town Engineer's Office. The proposed development will also require a stormwater management plan be submitted for approval prior to the town entering into any development agreement.
o) <i>the delineation of any 1:20 and 1:100 flood elevations and a description of any proposed floodproofing measures; and</i>	The proposed development is not situated in the 1:20 or 1:100 floodplain
p) <i>any proposed phasing of the development.</i>	There is no phasing proposed as part of this development.

RELEVANT POLICY	STAFF COMMENTS
<p>Policy IM-20</p> <p><i>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.</i></p>	<p>A landscaping plan will be required as a condition of the development agreement. A stormwater management plan will need to be submitted for approval prior to the Town entering into a development agreement. No additional information has been requested at this time.</p>
<p>Policy IM-21</p> <p><i>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.</i></p>	<p>Conceptual building plans have been forwarded to the Town's Building Inspector for review. Staff do not anticipate any code issues that cannot be overcome with minor modifications to the plans. Code compliance will be a condition of any development agreement.</p>
<p>Policy IM-22</p> <p><i>When considering a development agreement application it shall be a policy of Council to have regard for the following matters:</i></p> <ul style="list-style-type: none">a) <i>compatibility of the proposed land use with adjacent land uses;</i> b) <i>compatibility of the development with adjacent properties in terms of height, scale, lot coverage, density, and bulk;</i>	<p>The proposal is situated in an existing commercial area in Truro's downtown core. The proposed residential use is not expected to create any compatibility issues with surrounding development. There is the potential for the residents of the proposed development to raise objections about future commercial developments on neighbouring properties. There is not, however, a valid concern related to compatibility. The downtown area is expected to accommodate a mixture of uses and prospective residents of this development should anticipate the possibility that there may be potentially incompatible uses nearby.</p> <p>This proposal is located in the downtown core which features a variety of intensive land uses. Staff, therefore, do not anticipate any compatibility issues with respect to height, lot coverage, scale, density or bulk of the proposed development.</p>

RELEVANT POLICY	STAFF COMMENTS
<p>c) <i>compatibility of the development with adjacent properties in terms of lighting, signage, outdoor display, outdoor storage, traffic, vehicle headlights, and noise;</i></p>	<p>This proposal is located in the downtown core which features a variety of intensive land uses that generate bright lights, traffic, and noise. Staff, therefore, do not anticipate any compatibility issues with respect to height, lot coverage, scale, density or bulk of the proposed development. There is the potential for the residents of the proposed development to raise objections about intensive uses on neighbouring properties. There is not, however, a valid concern related to compatibility. The downtown area is expected to accommodate a mixture of uses and prospective residents of this development should anticipate the possibility that there may be potentially incompatible uses nearby.</p>
<p>d) <i>the adequacy of sewer services, water services, waste management services and storm water management services;</i></p>	<p>Details concerning the proposed development were forwarded to the Engineering & Public Works Department on September 12th. The Town Engineer does not anticipate any issues with respect to water and sanitary sewer services. The developer will be required to submit a stormwater management plan for approval prior to the Town entering into a development agreement.</p>
<p>e) <i>that the proposal contributes to an orderly and compact development pattern that makes efficient use of existing and new municipal infrastructure and services;</i></p>	<p>This development will increase residential densities while utilizing existing infrastructure. It is situated within a built up area of the downtown core and it will contribute to the creation of a more compact urban form.</p>
<p>f) <i>the adequacy and proximity of schools;</i></p>	<p>Staff do not anticipate any issues related to the ability of the school system to accommodate any increase in enrollment as a result of this development.</p>
<p>g) <i>the adequacy and proximity of recreation and community facilities;</i></p>	<p>The proposal has approximately 33% of the amenity space that would normally be required for a 6 unit residential development. Planning Staff are, however, of the opinion that the amount of amenity space is sufficient and typical of higher density downtown residential developments elsewhere. This is particularly true given the proximity of the new Civic Square, Riverfront Park and Victoria Park.</p> <p>Also, it is not reasonable to expect any redevelopment of an existing site in the Downtown to fully comply with the normal Land Use By-law amenity space requirements. The development agreement process is designed to allow Council the flexibility to consider a relaxation of these requirements where warranted. In order to accommodate this proposal and other downtown redevelopment projects, this flexibility is necessary, reasonable, and warranted.</p>

RELEVANT POLICY	STAFF COMMENTS
<p>h) <i>the adequacy of the road network in, and adjacent to, or leading to the development;</i></p>	<p>The Town's Traffic Authority has reviewed the proposal and has verbally noted that traffic impact will be minimal.</p>
<p>i) <i>the potential for the contamination or sedimentation of watercourses or for erosion;</i></p>	<p>There are no watercourses in the vicinity of the proposed development.</p>
<p>j) <i>environmental impacts such as air and water pollution and soil contamination;</i></p>	<p>This proposal is not expected to cause any negative environmental impacts.</p>
<p>k) <i>previous uses of the site which may have caused soil or groundwater contamination;</i></p>	<p>Staff are not aware of any previous uses of the site that may have resulted in soil or groundwater contamination.</p>
<p>l) <i>suitability of the site in terms of grades, soil and bedrock conditions, location of watercourses, marshes, swamps or bogs;</i></p>	<p>Staff are not aware of any site constraints.</p>
<p>m) <i>the application of sustainable and energy efficient design principles;</i></p>	<p>The applicant has not indicated if their proposal includes any energy efficiency initiatives.</p>
<p>n) <i>the ability of emergency services to respond to an emergency at the location of the proposed development;</i></p>	<p>Details regarding this application were forwarded to the Town's Police and Fire Services for review on September 12th. The Police Chief has responded and did not identify any concerns regarding the Police Service's ability to respond to an emergency at this location. The Fire Inspector had not responded at the time this report was written.</p>
<p>o) <i>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;</i></p>	<p>The draft development agreement will require that the proposal conform to all other applicable by-laws and regulations.</p>
<p>p) <i>the financial ability of the Town to absorb any costs relating to the amendment.</i></p>	<p>The Town is not expected to incur any costs as a result of this development proposal.</p>
<p>Policy IM-34 <i>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.</i></p>	<p>Staff do not see the need for an advertised public information meeting, nor is there a need to schedule a evening public hearing.</p>