



TOWN OF TRURO

PLANNING AND DEVELOPMENT SERVICES

Final Staff Report

Prepared For: Town Council
Submitted by: Jason Fox, Director of Planning & Development
Date: October 6, 2015
Subject: Development Agreement application by Brentwood Developments Limited to permit a multiple unit residential development at 118 Lyman Street consisting of two 42-unit four-storey buildings.

RECOMMENDATION

That Council not approve an application by Brentwood Developments Limited to enter into a development agreement to permit two 42-unit four storey residential buildings at 118 Lyman Street as outlined in this report.

BACKGROUND

On May 22, 2015, Brentwood Developments Limited made application to enter into a development agreement and thereby permit a multiple unit residential development on lands at 118 Lyman Street (PID nos. 20188645 and 20438784). The proposed development will consist of two 42 unit four-storey residential buildings with below and at-grade parking.

SUBJECT PROPERTIES

This development consists of two properties. The first property is 32 Adams Street, also identified as PID no. 20188645. This property has an area of 32,453 m² (8 acres) but only 24,150 m² (±6 acres) is to be developed as part of this proposal. This parcel has 13.2 m (43 ft) of frontage on Adams Street. The second parcel is 118 Lyman Street, also identified as PID 20438784. This parcel has an area of 973 m² (0.24 acres) and 21 m (69 ft) of frontage on Lyman Street. The total area of the combined subject properties to be developed is 25,123 m² (6.2 acres). The development is to be accessed from Lyman Street and the subject lands are referred to as 118 Lyman Street for the purposes of this application. The portion of the lands to be developed are zoned General Residential (R3) and Single Unit Residential (R1). The area to be developed is within the General Residential Future Land Use Designation. The property is currently undeveloped and mostly



forested although the portion fronting on Lyman Street is mostly grass and has been filled in. There is a deep gully at the northern end of the site and overall the property is quite steep, sloping down from an elevation of 56 m (184 feet) at the southern end of the site to 32 m (105 feet) closer to Adams Street. There has been some infilling at the northern end of the property but the fill material used is not suitable to be built upon. The proposed development will occupy the southern portion of the subject lands where the topography is better suited for development. The subject property is situated in a residential area mostly consisting of 1 to 2 storey single unit dwellings, with some multiple unit dwellings as well.

DEVELOPMENT PROPOSAL

Brentwood Developments has submitted a site plan showing two four-storey, 42 unit residential buildings with underground and at-grade parking. The proposed buildings are situated in an interior lot behind existing development on Lyman, Burnyeat, and Adams Streets. A copy of the site plan submitted by the applicant is shown on the next page. A driveway provides access to the buildings from Lyman Street. Exterior parking space is situated between the residential buildings. 44 spaces are available at-grade, of which two are accessible. Each building also features underground parking for 36 vehicles, bringing the total number of parking spaces on site to 116, or just under 1.4 spaces per unit.

The applicant has indicated that the proposed buildings will be the same design as the two buildings located at 75 and 73 Coburg Crescent. These buildings are four storeys in height and feature a mixture of brick and clapboard siding, a low-pitched roof with accent gables, balconies, and typical residential style windows. A photo of one of the buildings on Coburg Crescent is shown at the bottom of this page. For this site, the development is to consist of two buildings configured in a "v" shape with the parking area situated in the center. Access to the site is to be provided via a single driveway from Lyman Street. At their closest, the proposed buildings are situated 24 metres (80 feet) from properties on Burnyeat Street, 22 metres (72 feet) from properties on Lyman Street, and 55 metres (180 feet) from the nearest property on Adams Street. The developer has indicated that they will retain as many trees as possible to maintain buffer with surrounding properties. Due to steep grades of the site, however, the proposal will require extensive excavation and infilling prior to development that will impact a large area of the subject property, well beyond the footprint of the buildings. This will result in a significant loss of tree cover, which in some cases will result in a very narrow or nonexistent treed buffer between this development and surrounding properties. A site plan of the proposed development is shown at the top of page 3 of this report. The proposed buildings will feature a variety of unit types, including ten 85 m² (916 ft²) one-bedroom units, fifteen 114 m² (1236 ft²) two-bedroom units, thirteen 148 m² (1600 ft²) two-bedroom-plus-den units, and four 162 m² (1748 ft²) three-bedroom units. All of the units feature an exterior balcony that is between 8 m² (84 ft²) and 15 m² (162 ft²) in area. All units feature five appliances including in-suite laundry. While the proposed site plan does not indicate if there is any proposed outdoor amenity space there is ample green space on site to provide recreation space for use by residents of the development.



Photograph of an Existing Building Similar to the Buildings in the Proposal



Conceptual Site Plan of the Proposed Development



View Looking South

Conceptual Rendering of the Proposed Development Looking Southeast from the Intersection of Burnyeat and Adams Streets

ANALYSIS

The portion of the subject lands where the proposed buildings are to be situated is located in the General Residential future land use designation (See map below right). In accordance with Municipal Planning Strategy Policy R-37, Council may consider new multiple unit residential proposals in this designation by development agreement. This application is being processed under the policies and evaluative criteria found in the Town's Municipal Planning Strategy. 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.

Encourage New Residential Development

This proposal will create 84 dwelling units well suited to young professionals or empty-nesters and seniors looking to downsize. The proposed buildings will feature a variety of unit types ranging from 85 m² (916 ft²) one-bedroom units to 162 m² (1748 ft²) three-bedroom units. All of the units feature an exterior balcony and five appliances including in-suite laundry. These units will provide an excellent quality of life for residents who are seeking an apartment style home in a central location near downtown, Victoria Park, and other amenities. The proposal will also contribute to an increased variety of housing types in Truro's east end and allow people to stay in their neighbourhood as their housing needs change. This proposal will increase residential densities near the downtown core and will provide increased demand for goods and services in the community.

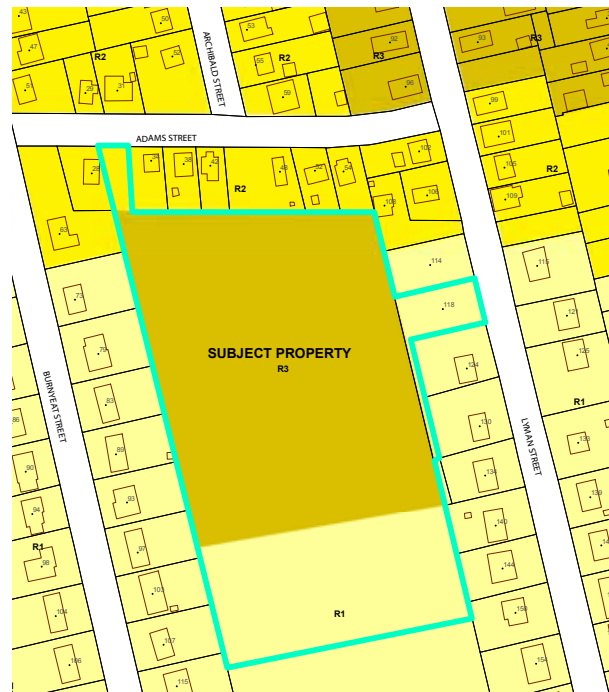
Sustainable Residential Development

This proposal will accommodate new residential development on existing infrastructure without requiring the construction of any new roads or municipal services. By creating new housing within walking distance of many amenities, shops, and services, the proposal has the potential to encourage alternative modes of transportation such as walking or cycling.

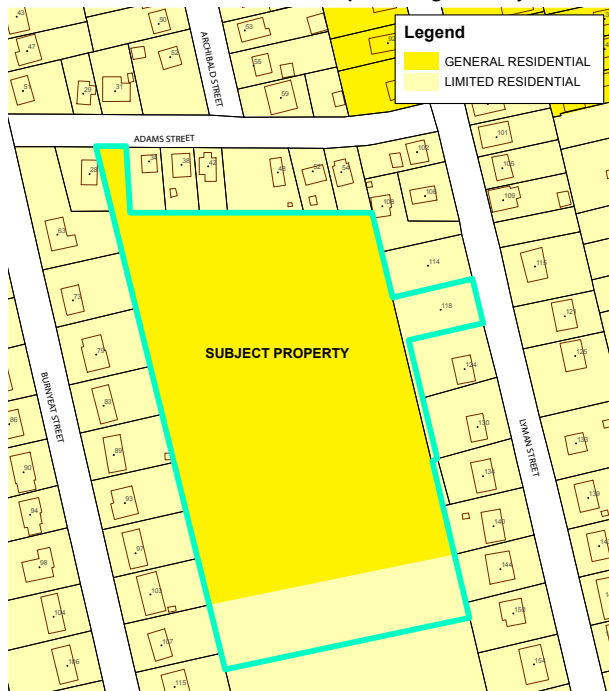
Neighbourhood Integrity

The development is oriented to a central parking area and driveway. It's internal focus means the proposal will have minimal, if any, positive impact on neighbourhood integrity. The introduction of a large multiple unit development to this neighbourhood may have an impact on the low density character of adjacent sections of Burnyeat and Lyman Streets. The current character of this area is well suited to individuals and households

Zoning Map Showing the Subject Lands



Future Land Use Map showing the Subject Lands



seeking detached homes in a stable low density residential neighbourhood. While the visual impact of the proposal is partially mitigated by generous setbacks and tree retention (see illustration on Page 6), the building will have an obvious presence in the neighbourhood particularly in the winter months when the trees have lost their leaves. This will change the character of the neighbourhood resulting in a loss of the sense of uniformity and stability that make it attractive to current residents. This is expected to make the population more transitory and contribute to a loss of neighbourhood integrity.

Height, Bulk, Scale, Density and Lot Coverage

The proposed development consists of two 42-unit four-storey multiple unit residential buildings situated at the centre of the subject lands. Each of the proposed buildings has a ground floor area of 1386 m² (14,919 ft²). The height of each building is approximately 12.6 metres (42 feet) or 14.6 metres (48 feet) when measured to the peak of the roof. These buildings are considerably larger than typical single detached homes in the neighbourhood which have a ground floor area of about 102 to 130 m² (1100 to 1400 ft²) and are between one and two storeys high. These structures are not compatible with adjacent structures in terms of height, bulk and scale.

The lot coverage of the proposed development is 11.3% while the average lot coverage in the neighbourhood is 15.38%. The development is compatible with the surrounding neighbourhood in terms of lot coverage.

Compatibility issues related to height, bulk, scale are partially mitigated by the fact that the property is of sufficient size to accommodate the proposal and provide generous setbacks that will help soften the visual impact the buildings will have on surrounding properties. Due to the extent of the required site grading there will be a significant loss of tree cover and it cannot be said that remaining trees are sufficient to effectively diminish the impact of height, bulk and scale on all surrounding properties.

The density of the proposed development is 34.6 units/hectare (14.0 units/acre) while the average density in the neighbourhood is 21.5 units/hectare (8.7 units/acre). Even after taking into consideration the large size of the subject property, the density of the proposal is considerably higher than that of the surrounding neighbourhood and this does present an issue with respect to compatibility.

Complementary and Compatible Development

In light of this development proposal's issues with respect to neighbourhood integrity, density, height, and scale, Staff cannot reasonably conclude that the proposed development could be considered complementary or compatible with the surrounding development which consists entirely of low density residential uses in a stable established neighbourhood.

Amenity Space

All of the units feature an exterior balcony that is between 8 m² (84 ft²) and 15 m² (162 ft²) in area. The balconies provide a total of 909 m² (9,784 ft²) of outdoor amenity space. In order to satisfy the Amenity Space Requirements as set out in the Town's Land Use By-law, the proposal will require an additional 973 m² (10,473 ft²) of outdoor amenity space for use by residents of this development. The Town's Parks, Recreation and Culture Committee also expressed concern about the lack of common outdoor amenity space.

This development is located at the centre of a block and oriented inward towards a central parking area. As a result the development is somewhat isolated from the surrounding community. There is an opportunity here to take advantage of the isolated nature of the development and foster a sense of community among its residents. The lack of a central outdoor gathering space, however, will make it difficult to foster this sense of community.

While there is no dedicated common outdoor recreation space proposed as part of this development there is sufficient green space on site to provide additional amenity space.



Rendering Showing Proposed Development from intersection of Adams and Burnyeat Streets (Submitted by Applicant)



Rendering Showing Proposed Development from 97 - 103 Lyman Street (Submitted by Applicant)



Rendering Showing Proposed Development from 130 - 134 Lyman Street (Submitted by Applicant)



Parking

The proposal includes parking for 44 spaces at grade and 36 spaces in a parking garage in each building, bringing the total number of proposed parking spaces to 116. Based on the Town's parking requirements, this development would require 120 parking spaces (0.5 spaces/unit plus 0.5 spaces/bedroom). The proposal will require a relaxation of normal parking requirements by 4 spaces although there is likely sufficient room on the site to accommodate the additional spaces with minor modifications to the site plan.

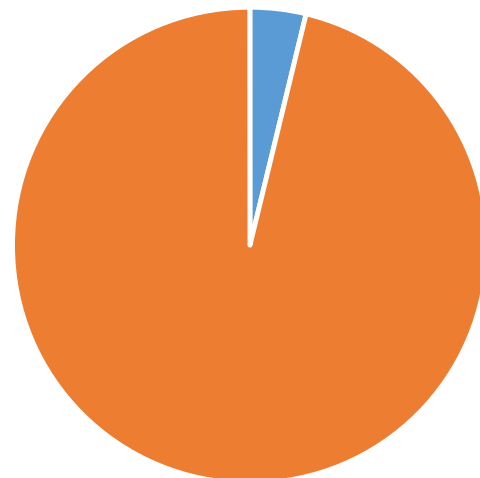
On June 22, 2015 Planning Staff sent details on the proposed development to the Parks, Recreation & Culture Department, Fire Service, Police Service, Building Inspector, and the Engineering and Public Works Department and asked them to review the proposed development and provide any comments or concerns. The applicant has provided a stormwater management plan at the request of the Town Engineer's Office. The Town's Senior Engineer has reviewed the stormwater management plan and noted that the design meets basic requirements but went on to suggest that "more effort should be taken to utilize alternative forms of retention (i.e. bio swales, rain gardens, etc.)". The Town's Senior Engineer also requested that the applicant be required to submit a traffic impact statement to address concerns regarding site lines and the safety of the proposed access to the site. On August 24, 2015 the applicant submitted a traffic impact statement prepared by a traffic engineer which concluded that vehicle trips generated by the proposal "are not expected to have any significant impact to the performance of adjacent streets, intersections, or the regional street network". The Town's Senior Engineer has noted that sidewalks should be extended on Lyman Street up to the entrance of the proposed development, they currently end just north of the proposed driveway entrance.

No significant concerns, other than those already discussed in this report, were identified as part of this review.

PUBLIC PARTICIPATION

The proposed development is being handled in accordance with the Town's development review process. The applicant appeared before the Town's Planning Advisory Committee (PAC) and presented their initial development concept in May. Following the initial meeting, a public notice sign was posted on the subject property and details of the application were posted on the Town's website under "current development applications". On July 8th a letter was sent out to 152 property owners within 150 metres (492 feet) of the subject property. The letter directed people to the Town's website where they could obtain more information about the proposed development and complete an on-line survey. A few residents have requested a paper copy of the survey be made available. At the time this report was written, there were 205 on-line survey responses and 5 hard-copy responses. Of the 210 responses, 202 or 96% were opposed and 8 or 4% were in favour. A summary of responses and a copy of individual comments has been circulated to Council members for your consideration.

118 Lyman Street - Public Survey Results



■ TOTAL IN FAVOUR ■ TOTAL OPPOSED

CONCLUSION

Planning Staff have completed a review of Brentwood Development Limited's application to permit a multiple unit residential development at 118 Lyman Street. Based on this review, Planning Staff find that this proposal is not consistent with the Town's Planning Policies, particularly those regarding compatibility and neighbourhood integrity. Furthermore, Staff do not believe that the proposed development will make a positive contribution to our community. Staff cannot, therefore, support the proposed development and are recommending that Council not enter into a development agreement to permit the proposal as outlined in this report.

Respectfully Submitted

A handwritten signature in blue ink, appearing to read 'JH Fox', with a large, sweeping flourish extending to the right.

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

APPENDIX A

Relevant Policy	Staff Comments
<p>Policy R-1</p> <p><i>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.</i></p>	<p>This proposal will create 84 dwelling units well suited to seniors looking to downsize or young professionals. The proposed buildings will feature a variety of unit types ranging from 85 m² (916 ft²) one-bedroom units to 162 m² (1748 ft²) three-bedroom units. All of the units feature an exterior balcony and five appliances including in-suite laundry. These units will provide an excellent quality of life for residents who are seeking an apartment style home in a central location near downtown, Victoria Park, and other amenities.</p> <p>The proposed development is situated at the interior of a block and oriented to an internal central parking area rather than a public street. It is not, therefore, expected to have a significant impact, either positive or negative, on the abutting streetscape.</p>
<p>Policy R-2</p> <p><i>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.</i></p>	<p>The proposed development will create a housing option for seniors looking to downsize from detached homes but still have amenities like a garage, in-suite laundry, and a private rear yard. The development is located at the centre of a block, oriented inward towards a central parking area. As a result the development is isolated from the surrounding community but the insular nature of the development may contribute to a sense of community among the development's residents. The lack of a central outdoor gathering space, however, will make it difficult to foster this sense of community.</p>
<p>Policy R-3</p> <p><i>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.</i></p>	<p>The proposed development is situated near Victoria Park and downtown Truro. The only access to the site is via a driveway on Lyman Street and there does not appear to be any sidewalk or walkway connection to Lyman Street. Access to the site is, therefore, somewhat removed from Victoria Park and the downtown. Alternative transportation would be a more viable option if the development included a walkway connection to Adams Street. This was included in an initial proposal but this has been removed from the most recent plans.</p>
<p>Policy R-4</p> <p><i>It shall be a policy of Council to encourage new residential development that facilitates active sustainable lifestyles.</i></p>	<p>Victoria Park is situated nearby and the site is within walking distance to most amenities. <i>See comments under Policy R-3.</i></p>
<p>Policy R-5</p> <p><i>It shall be a policy of Council to encourage new residential development to make more efficient use of land, infrastructure, and services.</i></p>	<p>Municipal services are available for this proposal and it will not require any extension of municipal services or infrastructure. The property is currently undeveloped and the proposal will make use of existing services.</p>

Relevant Policy

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.

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.

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.

Staff Comments

The proposal is expected to bring new residents into the central area of Truro and encourage population growth within the Town. The development is sustainable in that it will utilize existing infrastructure and create new housing where residents are within walking distance of many amenities.

Where existing trees cannot be retained along abutting property lines, this proposal will have a negative impact on the privacy that the abutting property owners currently enjoy in their rear yards. This has the potential to negatively impact the quality of life of these residents.

This proposal will introduce new housing opportunities in the area and allow residents to remain in their neighbourhood as they grow older and their housing needs change. This can have a positive impact on quality of life for these individuals.

The proposal is considered an infill residential development in that it will occupy an undeveloped parcel of land surrounded by established residential development. The proposed four storey buildings are larger and higher than the lower density development typical in this area. While the visual impact of the proposal is partially mitigated by generous setbacks and tree retention, the building will have an obvious presence in the neighbourhood and it cannot be said that the proposal will complement surrounding homes.

The development is oriented to a central parking area and driveway. It's internal focus means the proposal will have minimal, if any, positive impact on neighbourhood integrity. The introduction of a large multiple unit development to this neighbourhood may have an impact on the low density character of adjacent sections of Burnyeat and Lyman Streets. The current character of this area is well suited to individuals and households seeking detached homes in a stable low density residential neighbourhood. While the visual impact of the proposal is partially mitigated by generous setbacks and tree retention, the building will have an obvious presence in the neighbourhood particularly in the winter months when the trees have lost their leaves. This will change the character of the neighbourhood resulting in a loss of the sense of uniformity and stability that make it attractive to current residents. This is expected to make the population more transitory and contribute to a loss of neighbourhood integrity.

This proposal features well appointed units that are intended to provide a housing option for young professionals and seniors looking to downsize.

Relevant Policy

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-12

It shall be a policy of Council 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. This policy shall not apply to lands in the Limited Residential Designation.

Policy R-15

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

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;*

Staff Comments

There has not been a lot of conversions or redevelopment of the housing stock in the residential areas surrounding the subject properties with the exception of some converted dwellings on the lower part of Burnyeat and Lyman. The neighbourhood surrounding the subject properties is, therefore, largely intact and consists mostly of single unit detached homes. This development will not enhance or complement the characteristics of this neighbourhood that make it seem established and intact (*see comments regarding Neighbourhood Integrity under policy R-7*).

This proposal, consisting of apartment style, one, two and three bedroom units, will add to the existing mix of dwelling types in the surrounding area which consists mostly of single detached dwellings.

This proposal features well appointed units that will demand rents that are higher than average in the Truro area. These units are, however, intended to provide an affordable housing option for seniors looking to downsize from detached homes but still have amenities like indoor parking and in-suite laundry.

The proposed buildings are situated within the General Residential land use designation. This is the enabling policy that allows Council to consider this application by development agreement.

The subject lands (i.e. that portion of the subject properties that are being developed) are not entirely situated within the General Residential Land Use Designation. 118 Lyman Street and the southern edge of the subject lands are within the Limited Residential Land Use Designation. Driveway access and site work will extend into the Limited Residential Land Use Designation but the proposed buildings are entirely within the General Residential Designation.

This proposal has been evaluated using the evaluative criteria found in Part 11. Details of this evaluation are found below.

Relevant Policy	Staff Comments
<p>b) <i>that the proposal be compatible with adjacent structures in terms of height, bulk, scale, and lot coverage;</i></p>	<p>The proposed development consists of two 42-unit four-storey multiple unit residential buildings situated at the centre of the subject lands. Each of the proposed buildings has a ground floor area of 1386 m² (14,919 ft²), the exterior dimensions are 63 x 22 metres (206 x 23 feet) and the height of each building is approximately 12.6 metres (42 feet) or 14.6 metres (48 feet) when measured to the peak of the roof. These buildings are considerably larger than typical single detached homes in the neighbourhood which have a ground floor area of about 102 to 130 m² (1100 to 1400 ft²) and between one and two storeys high. These structures are not compatible with adjacent structures in terms of height, bulk and scale.</p> <p>The lot coverage of the proposed development is 11.3% while the average lot coverage in the neighbourhood is 15.38%. The development is not, therefore, incompatible in terms of lot coverage.</p> <p>Compatibility issues related to height, bulk, scale are partially mitigated by the fact that the property is of sufficient size to accommodate the proposal and provide generous setbacks that will help soften the visual impact the buildings will have on surrounding properties. Due to the extent of the required site grading there will be a significant loss of tree cover and it cannot be said that remaining trees are sufficient to effectively diminish the impact of height, bulk and scale on all surrounding properties.</p>
<p>c) <i>that the proposal be compatible with adjacent uses in terms of architectural design, including roof pitch, roof type, materials, and fenestration;</i></p>	<p>The proposal's architectural design is consistent with traditional residential construction found in the area.</p>
<p>d) <i>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>The buildings are situated at the centre of a block and focussed on a common driveway and parking area. While the buildings are significantly higher than surrounding homes their location means they will have minimal direct impact on any established streetscape. This policy only really applies to proposals that directly front on an existing street.</p>
<p>e) <i>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;</i></p>	<p>The development is set back from any public right-of-way and most of the parking is below grade. The parking area will not be readily visible from neighbouring properties.</p>
<p>f) <i>that suitable recreational space is available for use by residents of the development; and</i></p>	<p>The proposal was reviewed by the Parks, Recreation, & Culture Committee at their July meeting. It was agreed that there were adequate recreation lands located in the area (Victoria Park and the Wood Street soccer field area).</p> <p>The Committee did indicate that, given the size of this development, it would be ideal if an area was set aside site for recreational use, even if this was passive use or picnic tables.</p> <p>In addition, the Committee noted that it would be ideal if a trail connection through to the north west corner could be established to enhance the connection to Victoria Park.</p>

Relevant Policy

- g) *that the proposal contribute to a mixture of dwelling types in the neighbourhood as a whole.*

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.

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.

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.

Staff Comments

This proposal, consisting of apartment style, one, two and three bedroom units, will add to the existing mix of dwelling types in the surrounding area which consists mostly of single detached dwellings.

The proposal was reviewed by the Parks, Recreation, & Culture Committee at their July meeting. It was agreed that there were adequate recreation lands located in the area (Victoria Park and the Wood Street soccer field area).

The Committee did indicate that, given the size of this development, it would be ideal if an area was set aside site for recreational use, even if this was passive use or picnic tables.

In addition, the Committee noted that it would be ideal if a trail connection through to the north west corner could be established to enhance the connection to Victoria Park.

The Committee's comments did not indicate there was any issue regarding this proposal's compliance with any Town recreation policies or plans.

see comments under Policy P-3 above

see comments under Policy P-3 above

All of the units feature an exterior balcony that is between 8 m² (84 ft²) and 15 m² (162 ft²) in area. The balconies provide at total of 909 m² (9,784 ft²) of amenity space. The proposed development requires a total of 1882 m² (20,257 ft²) of amenity space. The proposal will require an additional 973 m² (10,473 ft²) of outdoor amenity space for use by residents of this development. While there is no dedicated common outdoor recreation space proposed as part of this development there is sufficient green space on site to provide additional amenity space.

see comments under Policy P-3 above

Relevant Policy	Staff Comments
<p>Policy P-16</p> <p><i>It shall be a policy of Council to consider view plane preservation as part of any development proposal requiring a development agreement or rezoning.</i></p>	<p>Based on a preliminary assessment of the development proposal Planning Staff do not believe that the proposed development will have any impact on views from the Wood Street lookoff, however, it is recommended that the applicant demonstrate to the satisfaction of the Town's development officer that the proposed buildings will not impact views of the Salmon River Valley and Cobequid Mountains from the Wood Street look-off prior to the Town entering into any development agreement.</p>
<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 proposal includes parking for 44 spaces at grade and 36 spaces in a parking garage in each building, bringing the total number of proposed parking spaces to 116. Based on the Town's parking requirements, this development would require 120 parking spaces (0.5 spaces/unit plus 0.5 spaces/bedroom). The proposal will require a relaxation of normal parking requirements by 4 spaces.</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. Proposed walkways, parking areas, and common area will be required to be illuminated.</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 comments on 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 comments on 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>On June 22, 2015 the Town's Traffic Authority was forwarded details of the proposal and asked to provide comments. The Town's Senior Engineer has requested that the applicant be required to submit a traffic impact statement to address concerns regarding site lines and the safety of the proposed access to the site.</p> <p>The Town's Senior Engineer has noted that sidewalks should be extended on Lyman Street up to the entrance of the proposed development, they currently end just north of the proposed driveway entrance.</p> <p>On August 24, 2015 the applicant submitted a traffic impact statement prepared by a traffic engineer which concluded that vehicle trips generated by the proposal "are not expected to have any significant impact to the performance of adjacent streets, intersections, or the regional street network".</p>

Relevant Policy	Staff Comments
<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 has submitted a storm water management plan prepared by a professional engineer.</p>
<p>Policy E-10</p> <p><i>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.</i></p>	<p>The development will be required to conform to a stormwater management plan that maintains the pre-development hydrologic regime. The Town's Senior Engineer has reviewed the stormwater management plan and noted that the design meets basic requirements but went on to suggest that "more effort should be taken to utilize alternative forms of retention (i.e. bio swales, rain gardens, etc.)"</p>
<p>Policy E-11</p> <p><i>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:</i></p> <ul style="list-style-type: none"><i>a) permeable pavement;</i><i>b) infiltration trenches/chambers and bio-retention;</i><i>c) rainwater harvesting systems in building design;</i><i>d) green roofs;</i><i>e) roof drains directed to permeable areas with stormwater infiltration measures in place; and</i><i>f) utilizing open drainage such as swales.</i>	<p><i>see comments on Policy E-10 above</i></p>
<p>Policy E-13</p> <p><i>It shall be a policy of Council to encourage the use of existing natural drainage systems where possible.</i></p>	<p><i>see comments on Policy E-10 above</i></p>
<p>Policy E-14</p> <p><i>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.</i></p>	<p>The developer has submitted a storm water management plan prepared by a professional engineer.</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 too, the following:</i></p>	
<p><i>a) the location, area, and dimensions of the subject property based on a survey or location certificate prepared by a licensed surveyor.;</i></p>	<p>The applicant has submitted a detailed site plan with dimensions based on a survey plan prepared by a licensed surveyor.</p>
<p><i>b) elevation drawings of the proposed structure or structures;</i></p>	<p>The applicant has submitted a complete set of design drawings including elevation drawings.</p>
<p><i>c) the proposed location, dimensions, height, and proposed use of all buildings;</i></p>	<p>The detailed plans submitted by the applicant clearly describe the location, dimensions and height of the proposed buildings. The use of the buildings is to be residential.</p>
<p><i>d) the means by which the site is to be serviced by sanitary and storm sewers, water, electrical service and other utilities;</i></p>	<p>The applicant has submitted a detailed site plan with servicing details.</p>
<p><i>e) the proposed location and nature of any outdoor storage or display;</i></p>	<p>No outdoor storage or display is proposed as part of this development.</p>
<p><i>f) the proposed location, design, and content of any signage;</i></p>	<p>Any signage will have to comply with the Land Use By-law signage requirements.</p>
<p><i>g) the proposed location and dimensions of any parking stalls, driveways, and walkways;</i></p>	<p>The site plan illustrates the locations and dimensions of all parking areas and driveways.</p>
<p><i>h) the proposed location of any fencing, refuse containers, and snow storage;</i></p>	<p>There is no fencing proposed as part of the development. Refuse will be stored inside the proposed buildings on the parking level. There is sufficient room for snow storage on site.</p>
<p><i>i) the proposed location and type of any exterior lighting,</i></p>	<p>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.</p>

Relevant Policy	Staff Comments
j) <i>the proposed location of any outdoor amenity space;</i>	The site plan delineates areas that are to be landscaped open space. There is no dedicated outdoor amenity space proposed as part of the development.
k) <i>landscaping elements including the type and location of any existing and proposed trees or other vegetation;</i>	Most of the landscaping elements shown on the site plan are not specific and are limited to identifying the location of open spaces and the location of existing treed areas. The proposed site plan does show a few additional trees along the driveway and along the rear property lines of properties on Lyman Street.
l) <i>architectural features including type of materials,</i>	The applicant has submitted design drawings showing what the proposed buildings will look like. The draft agreement will require that all units adhere to the basic architectural details illustrated in these drawings.
m) <i>the location of any watercourses on or near the site;</i>	There is a gully at the northern end of the property that does convey water during rainfall events and this is incorporated into the storm water management plan submitted by the applicant. Staff are not aware of any defined watercourses on the subject property.
n) <i>existing and proposed drainage patterns including any stormwater management measures;</i>	The applicant has submitted a stormwater management plan.
o) <i>the delineation of any 1:20 and 1:100 flood elevations and a description of any proposed floodproofing measures; and</i>	The subject property is not situated within the 1:20 or 1:100 floodplains. No floodproofing measures are proposed.
p) <i>any proposed phasing of the development.</i>	No phasing has been proposed by the developer.
<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>The developer will be required submit a 3D model analysis to demonstrate that the proposed development will not have any impact on views from the Wood Street Look-off. No other information has been requested at this time. This should be required prior to the Town entering into a development agreement.</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>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. The Town's Building Inspector has been forwarded details about the proposed development and asked to comment. Staff do not anticipate any Building Code issues that cannot be resolved by slight modifications to the proposed site plan.</p>

Relevant Policy	Staff Comments
<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> <p>a) <i>compatibility of the proposed land use with adjacent land uses;</i></p> <p>b) <i>compatibility of the development with adjacent properties in terms of height, scale, lot coverage, density, and bulk;</i></p>	<p>While the residential use itself may be considered to be compatible with the surrounding residential uses, the intensity of the proposed residential use does change the nature of the use and present some potential incompatibility issues. Planning Staff are, however, satisfied that the size of the lot and the setbacks from adjoining properties are sufficient to deal with any minor incompatibility issues that may be attributed to a more intensive residential use such as traffic or noise.</p> <p>The proposed development consists of two 42-unit four-storey multiple unit residential buildings situated at the centre of the subject lands. Each of the proposed buildings has a ground floor area of 1386 m² (14,919 ft²), the exterior dimensions are 63 x 22 metres (206 x 23 feet) and the height of each building is approximately 12.6 metres (42 feet) or 14.6 metres (48 feet) when measured to the peak of the roof. These buildings are considerably larger than typical single detached homes in the neighbourhood which have a ground floor area of about 102 to 130 m² (1100 to 1400 ft²) and between one and two storeys high. These structures are not compatible with adjacent structures in terms of height, bulk and scale.</p> <p>The lot coverage of the proposed development is 11.3% while the average lot coverage in the neighbourhood is 15.38%. The development is, therefore, compatible in terms of lot coverage.</p> <p>Compatibility issues related to height, bulk, scale are partially mitigated by the fact that the property is of sufficient size to accommodate the proposal and provide generous setbacks that will help soften the visual impact the buildings will have on surrounding properties. Due to the extent of the required site grading there will be a significant loss of tree cover and it cannot be said that remaining trees are sufficient to effectively diminish the impact of height, bulk and scale on all surrounding properties.</p> <p>The density of the proposed development is 34.6 units/hectare (14.0 units/acre) while the average density in the neighbourhood is 21.5 units/hectare (8.7 units/acre). Even after taking into consideration the large size of the subject property, the density of the proposal is considerably higher than that of the surrounding neighbourhood and this does present an issue with respect to compatibility.</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>Signage and lighting will be subject to the normal Land Use By-law requirements which are designed to mitigate potential compatibility issues. There is no outdoor storage or display proposed as part of this development. The proposed development will result in an increase in traffic on site but the minimal number of vehicle trips generated by a residential development is not expected to create any compatibility issues. A traffic impact statement will be required to address the capability of the surrounding street network to accommodate any anticipated increase in traffic and to assess the safety of the proposed driveway access configuration and location.</p>
<p>d) <i>the adequacy of sewer services, water services, waste management services and storm water management services;</i></p>	<p>On June 22, 2015 the Town Engineer was forwarded details of the proposal and asked to provide comments. Written comments have not been received at this time. Engineering staff have been present when this application was before the committee previously. No concerns regarding servicing were identified at that time. The draft development agreement will require that all servicing and connections to municipal services will be subject to the approval of the Town Engineer. The applicant has submitted a stormwater management plan.</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 is an infill development that will make use of existing infrastructure. The proposal will increase residential densities while utilizing existing infrastructure.</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><i>see comments under Policy P-3 above</i></p>
<p>h) <i>the adequacy of the road network in, and adjacent to, or leading to the development;</i></p>	<p>On June 22, 2015 the Traffic Authority was forwarded details of the proposal and asked to provide comments. Written comments have not been received at this time. A traffic impact statement will be required to address the capability of the surrounding street network to accommodate any anticipated increase in traffic and to assess the safety of the proposed driveway access configuration and location.</p>
<p>i) <i>the potential for the contamination or sedimentation of watercourses or for erosion;</i></p>	<p>Standard sedimentation controls during construction will be a requirement of any development agreement.</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>

Relevant Policy	Staff Comments
k) <i>previous uses of the site which may have caused soil or groundwater contamination;</i>	Staff are not aware of any soil or groundwater contamination.
l) <i>suitability of the site in terms of grades, soil and bedrock conditions, location of watercourses, marshes, swamps or bogs;</i>	Staff are not aware of any site constraints.
m) <i>the ability of emergency services to respond to an emergency at the location of the proposed development;</i>	The Police Service and Fire Inspector have reviewed the proposal and did not have any concerns about their ability to respond to an emergency at this location. The draft development agreement will require that the driveway meet minimum requirements under the national building code.
n) <i>the application of sustainable and energy efficient design principles;</i>	The applicant has not indicated if the proposal includes any energy efficiency initiatives.
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>	The draft development agreement will require that the proposal conform to all other applicable by-laws and regulations.
p) <i>the financial ability of the Town to absorb any costs relating to the amendment.</i>	The Town is not expected to incur any costs as a result of this development proposal.
<p>Policy IM-34</p> <p><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>	The June 29th meeting of the Planning Advisory Committee was well attended by members of the public and there has been a very good response to the on-line survey. The public seem well informed and engaged in the process. Staff do not believe any additional public information meeting or evening hearing is required.