

## FINAL STAFF REPORT

<b>Prepared For:</b>	Truro Town Council
<b>Submitted by:</b>	Yanan Gou, Planner
<b>Date:</b>	June 28, 2019
<b>Subject:</b>	Development Agreement Application by Walker Lofts Inc. to permit the development of 6-9 dwelling units in an existing mixed-use building located at 880 Prince Street.

### Recommendation

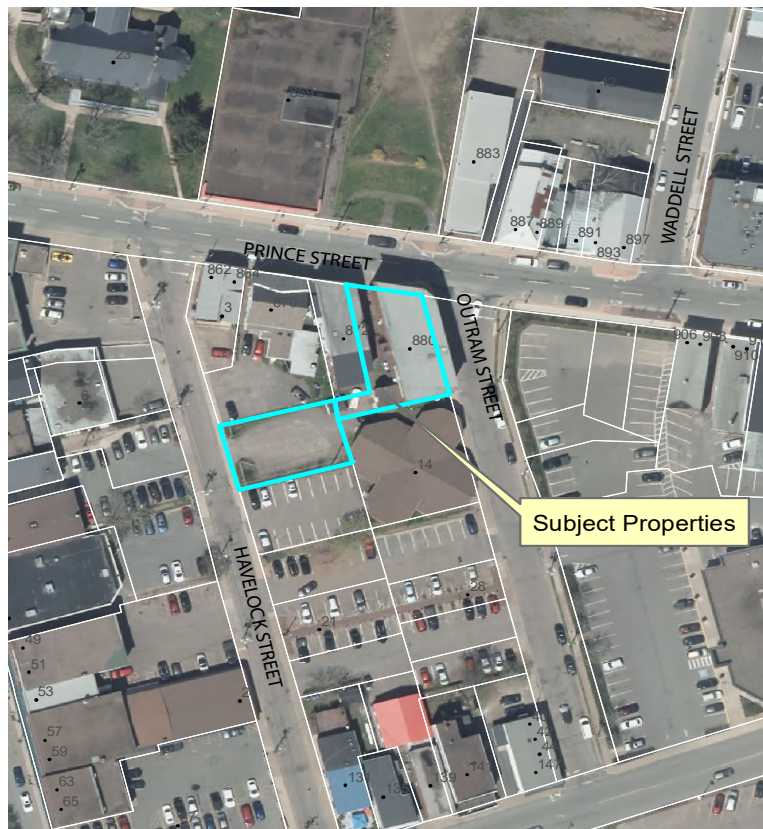
Staff recommend that Council enter into a development agreement with Walker Lofts Inc. to permit the development of 6-9 dwelling units in an existing mixed-use building located at 880 Prince Street and the update of an existing parking lot at 11 Havelock Street.

### Background

On June 18, 2019, Walker Lofts Inc. applied for a development agreement to permit the development of 6-9 dwelling units in an existing mixed-use building located at 880 Prince Street. The first and second floors of this converted building at 880 Prince Street are currently being used as a tea room and retail stores with a 4-bedroom residential apartment on the third floor. The fourth floor is vacant and unfinished. The proposed development will not change the square footage of the building nor modify the exterior of the building. The property is zoned Downtown Commercial (C1) and, in C1 zone, multiple residential development proposals with five or more units require a development agreement.

### Subject Lands

The subject lands consist of two separate properties. An aerial photograph showing the location of the subject lands is shown to the right. The first property is located at the intersection of Prince Street and Outram Street and is identified as PID no. 20195368. The 464.5 m<sup>2</sup> (5,000 sq<sup>2</sup>) property has 15.24 metres (50 ft) of frontage on Prince Street, and 23.16 metres (76 ft) of frontage on Outram Street. The second property on Havelock Street is situated immediately to the west of the first property and is identified as PID no. 20195269. The second property is 371.61 m<sup>2</sup> (4,000 ft<sup>2</sup>) in area and has



Air Photo showing the subject lands and surrounding area

23.16 metres (50 ft) of frontage on Havelock Street. Both of the properties are zoned Downtown Commercial (C1) and are situated in the Downtown Commercial Future Land Use Designation.

880 Prince street is currently developed and contains a 4-storey mixed-use building. This 4-storey building is one of the last and best preserved of what was once a typical building type in Truro. It contains a tea room and retail stores on the first and second floors, and a 4-bedroom apartment on the third floor. The fourth floor is vacant and unfinished. There is no green space on this property. 11 Havelock Street is currently undeveloped and used as a parking lot. It features fencing along the north, west and south property lines. It is mostly flat and cleared with a few trees also along the south property line.

Located in Truro's downtown core commercial area, the land use of this area on Prince street is mostly a mixture of restaurant, retail and offices. Lands in the vicinity of the subject properties are all zoned Downtown Commercial (C1). To the west of the property is a mixed-use building with a hair salon on the first floor, and an artist studio on the second floor and an apartment on the third floor. The Salvation Army building is situated immediately to the south of the building. Other surrounding business and points of interest include the China Rose Café, St. John's Anglican Church, Chase's Color Centre, Slate, Archway Counselling, the Truro Homeless Centre, as well as other retail stores, restaurants, etc. A Town owned parking lot is located on the same block and is within close proximity of the development. Two photos of the subject property and excerpt from the Town's zoning map is shown below.



880 Prince Street looking northwest from Outram Street



880 Prince Street looking southwest from Prince Street



Excerpt from the Town's Land Use By-law Zoning Map showing the zoning of the subject lands and surrounding area

## Development Proposal

Walker Lofts Inc. is proposing to maintain the first floor as commercial use and create 2-3 dwelling units on each of the upper floors. They will also convert the existing add-on at the back of the building into an elevator to service the residents of the proposed development. They plan to update and utilize the existing parking lot at 11 Havelock street, which will provide parking for 16 vehicles for the residents of the proposed development. The applicant has not submitted any floor plans or a site plan at this point.

## Analysis

The subject properties are 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. Staff, however, are of the opinion that 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.

### *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 applicant has not included any amenity space in their proposed development. The applicant also verbally indicated that there is opportunity to turn the roof of the building into a patio. 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 Civic Square, Victoria Park, Riverfront Park and the Colchester Legion Stadium.

### *Design by Licensed Architect*

The proposed building has not been designed by a licensed architect. This proposal does not include substantial new exterior renovations, additions or expansions except converting the existing add-on at the back of the building into an elevator. This elevator will only change a very small portion of the building's back exterior. It won't change the streetscape on Prince Street or Outram street, and only people accessing the parking lot would be able to notice it

at the back of the building. Moreover, 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). Staff, therefore, believe that involvement of a licenced architect will not offer any further benefits to the town nor will it improve the proposal. Planning Staff, therefore, recommend that Council consider waiving this requirement in this instance.

#### *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 utilizes an existing structure and while there will be major changes to the interior of the building, exterior changes are limited to the conversion of the existing add-on, some landscaping, and update to the parking surface. These exterior changes are expected to improve the function of the building but not have any significant impact in terms of the building's relationship with the street or the surrounding properties. The proposal is expected to revitalize the existing building and it will maintain street level retail space which should enhance the adjacent streetscape, support activity on the street, and help maintain a comfortable pedestrian environment. Planning Staff are satisfied that the proposed development conforms to the urban design standards set out in the Downtown Commercial (C1) Zone.

#### *Review By Others*

On June 25, Planning Staff sent details on the proposed development to the Parks & Recreation Department, Fire Service, Police Service, Building Inspector, Urban Forestry Technician and the Engineering and Public Works Department and asked them to review the proposed development and provide any comments or concerns. At the time this report was written, responses had been received from the Director of Parks & Recreation, the Police Chief, the Building Inspector and Town Engineer/Traffic Authority.

The Town Engineer/Traffic Authority has indicated that there are no issues anticipated with stormwater management, servicing or with traffic for this development. The Town Engineer, however, has indicated that consideration should be given to provide snow removal and waste storage access. He also indicated that the dimension of the parking area may be a concern because the proposed aisle width may be less than the standard requirement.

Given the dimension of the parking area, he also suggested that the Town's Engineer would be relaxing parking requirement with respect to minimum aisle width. The only comment the Building Inspector has at this stage is that one of the dwelling units will need to meet the Barrier Free requirements of the Nova Scotia Building Code Regulations. The Police Chief and Director of Parks & Recreation did not have any concerns about the proposed development.

## **Public Participation**

The proposed development is being handled in accordance with the Town's development review process. The applicant's proposal was presented to the Town's Planning Advisory Committee (PAC) on June 24, 2019. Following the meeting, details of the application were posted on the Town's website under "Current Development Applications". On June 28, an online survey regarding this proposed development was open to all residents. On July 8, 2019, a letter will be sent out to 63 property owners within 150 m (492 ft) notifying them of the proposed development. The letter will direct people to the Town's website where they can obtain more information about the proposed development and complete the online survey. At the time this report was written, there were no online survey responses.

## Conclusion

Planning Staff have completed a review of Walker Lofts Inc.'s proposal to develop 6-9 dwelling units in an existing mixed-use building located at 880 Prince Street. Based on this review, Planning Staff find that this proposal is consistent with Town's Planning Policies and recommend that Council enter into a development agreement to permit the proposed development as outlined in this report.

Respectfully Submitted

Yanan Gou, Planner

## Appendix A

RELEVANT POLICY	STAFF COMMENTS
<p><i>Policy G-29</i></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 area, and common area will be required to be illuminated.</p>
<p><i>Policy G-30</i></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 under Policy G-29</p>
<p><i>Policy G-31</i></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 under Policy G-29</p>
<p><i>Policy G-35</i></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 25, 2019 the Town's Traffic Authority was forwarded details of the proposal and asked to provide comments. The Traffic Authority has indicated the proposed development will not generate significant traffic volumes, and there are no concerns with the proposal related to traffic. The Traffic Authority, however, has indicated that the dimension of the parking area may be a concern because the proposed stall's aisle width may be less than the standard requirement.</p>
<p><i>Policy C-8</i></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 commercial area at 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><i>Policy C-10</i></p> <p><i>It shall be a policy of Council to forward development proposals within the Downtown Commercial Designation to the Heritage Advisory Committee for review and recommendation.</i></p>	<p>This proposal will be forwarded to the Heritage Advisory Committee. Given that the proposal involves the reuse of an existing building and does not include any significant structural alteration, staff do not anticipate that Heritage Advisory Committee will have any concern regarding the proposal.</p>

RELEVANT POLICY	STAFF COMMENTS
-----------------	----------------

*Policy C-11*

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

- |  |                               |
|--|-------------------------------|
| <i>a) the proposal's architectural design and its compatibility with heritage architectural styles found in the neighbourhood;</i>   | See comments under C-10 above |
| <i>b) the compatibility of the proposal with any abutting heritage properties in terms of its height, bulk, and scale;</i>   | See comments under C-10 above |
| <i>c) the impact of the proposal on any heritage streetscape;</i>  | See comments under C-10 above |
| <i>d) the location of any proposed parking area and how well they are screened from neighbouring properties and from the street; and</i>                                       | See comments under C-10 above |
| <i>e) the suitability of any signage, lighting, fencing, or landscaping elements in terms of their impact on any abutting heritage properties or any heritage streetscape.</i> | See comments under C-10 above |

*Policy C-13*

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

This proposal will retain the existing street level retail space that is oriented to the street and will maintain a pedestrian scale streetscape that will help improve the overall aesthetics of this area of Prince Street.

*Policy C-19*

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

The proposal consists of 6-9 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.

*Policy C-20*

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

RELEVANT POLICY	STAFF COMMENTS
<p><i>a) 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><i>b) require the submission of professionally prepared renderings or graphic representations that illustrate how any proposed new construction or expansion will impact abutting properties and streetscape;</i></p>	<p>The applicant has not submitted any floor plans and renderings of the proposed development at this time. The proposal utilizes an existing structure and no compatibility issues are anticipated with respect to abutting properties and streetscape.</p>
<p><i>c) require that the proposal be compatible with adjacent uses in terms of height, bulk, scale, and lot coverage;</i></p>	<p>The proposal utilizes an existing structure and no compatibility issues are anticipated with respect to height, lot coverage, scale, or bulk. The density of the proposal is not expected to create any compatibility issues.</p>
<p><i>d) require that the proposal does not detract from an established or developing streetscape by significantly varying from the typical height and setback of abutting structures or by having a building that is oriented away from the street;</i></p>	<p>The proposal mainly involves the reuse of an existing structure. The street level retail space and orientation of the store-fronts will not change as part of this proposal. The development will not, therefore, change the existing building's relationship with the street and will only serve to protect and enhance the existing streetscape.</p>
<p><i>e) require that the proposal be forwarded to the Town's Heritage Advisory Committee (HAC) for review and recommendation;</i></p>	<p>The proposal is to be reviewed by the Heritage Advisory Committee.</p>
<p><i>f) require that the parking area be suitably landscaped or fenced and situated where it will not be readily visible from the public right-of-way; and</i></p>	<p>The existing parking lot at 11 Havelock street features fencing along the west, south and east property lines. While the landscaping abutting the property line does not completely screen the parking area from public view, it is suitable for a parking lot that will be used by residents. The parking area needs to be partially visible in order to effectively serve customers.</p>
<p><i>g) require that the proposal include recreational open space suitable for use by residents of the development.</i></p>	<p>There is no common outdoor amenity space included as part of the proposed development. The applicant verbally indicated that there is opportunity to turn the roof of the building into a patio. The limited amount of outdoor amenity space is reasonable for a redevelopment project of this nature in a built up area at the downtown core given the number of nearby parks and recreational opportunities. Residents of the proposed development are 300 metres (984 feet) from Civic Square, 650 metres (2133 feet) from River Front Park, 950 metres (3166 feet) from the Colchester Legion Stadium and 1100 metres (3609 feet) from Victoria Park.</p>

## RELEVANT POLICY

## STAFF COMMENTS

### *Policy C-21*

*In the Downtown Commercial Designation, it shall be a policy of Council to only consider proposed multiple residential development 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.*

The proposed development has not been designed by a licensed architect. 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. This proposal does not include substantial new exterior renovations, additions or expansions except altering an existing add-on at the back of the building into an elevator. This elevator will only change a very small portion of the building's rear elevation. It won't change the streetscape on Prince Street or Outram street, and only people accessing the parking lot would be able to notice the change at the back of the building. Moreover, 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). Staff, therefore, believe that involvement of a licensed architect will not offer any further benefit to the town nor will it improve the proposal. Staff, therefore, recommend that council waive this requirement.

### *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.*

Details concerning the proposed development were forwarded to the Parks & Recreation and Culture Department on June 25th. The director of Parks & Recreation and Culture has indicated that there is no concerns with regard to this development from the Parks & Recreation and Culture perspective.

### *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 Recreational Plan.*

See comments on Policy P-3 above.

### *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.*

See comments on Policy P-3 above.

## RELEVANT POLICY

### *Policy P-12*

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

### *Policy P-13*

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

### *Policy E-10*

*It shall be a policy of Council to encourage development that either maintains or enhances the pre-development hydrologic regime through site design and engineering techniques aimed at infiltrating, filtering, evaporating, harvesting and retaining runoff, as well as preventing pollution.*

### *Policy E-11*

*It shall be a policy of Council to adopt performance standards for each land use zone that specifies a maximum percentage for impervious surface. Development that exceeds the maximum percentage of impervious surface will be permitted, up to a specified limit, where development implements on-site stormwater retention and maximizes infiltration by incorporating design elements such as:*

*a) permeable pavement;*

*b) infiltration trenches/chambers and bio-retention;*

## STAFF COMMENTS

The proposed development does not include any dedicated common outdoor recreation or amenity space. The applicant verbally indicated that there is opportunity to turn the roof of the building into a patio. The director of Parks & Recreation and Culture has indicated that there is no concerns with regard to this development from the Parks & Recreation and Culture perspective.

This is a site at downtown core 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 (984 feet) from Civic Square, 650 metres (2133 feet) from River Front Park, 950 metres (3166 feet) from the Colchester Legion Stadium and 1100 metres (3609 feet) from Victoria Park.

Details concerning the proposed development were forwarded to the Parks & Recreation and Culture Department on June 25th. The director of Parks & Recreation has indicated that there are no concerns with from the Parks & Recreation and Culture perspective.

The development will be required to conform to a stormwater management plan that maintains the pre development hydrologic regime.

see comments on Policy E-10 above

see comments on Policy E-10 above

RELEVANT POLICY	STAFF COMMENTS
<i>c) rainwater harvesting systems in building design;</i>	see comments on Policy E-10 above
<i>d) green roofs;</i>	<i>see comments on Policy E-10 above</i>
<i>e) roof drains directed to permeable areas with stormwater infiltration measures in place; and</i>	see comments on Policy E-10 above
<i>f) utilizing open drainage such as swales.</i>	see comments on Policy E-10 above
<p><i>Policy E-13</i></p> <p><i>It shall be a policy of Council to encourage the use of existing natural drainage systems where possible.</i></p>	see comments on Policy E-10 above
<p><i>Policy E-14</i></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>	The Town Engineer has indicated that no grading or stormwater management plan will be required.
<p><i>Policy In-34</i></p> <p><i>It shall be a policy of Council to require all new construction that is subject to a development agreement, to submit a Stormwater Management plan for the development, either as a condition of approval or for council's consideration as part of a development agreement application.</i></p>	On June 25, 2019 the Town Engineer's Office was forwarded details of the proposal and asked to provide comments. The Town Engineer has indicated there are no concerns with the proposal related to the provision of municipal water and sewer services. No stormwater management plan is requested at this time.
<p><i>Policy IM-19</i></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> <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><i>b) elevation drawings of the proposed structure or structures;</i></p>	<p>The applicant has not submitted any detailed site plan at this time. Property boundaries and the location of site plan elements will have to be confirmed prior to entering into any development agreement.</p> <p>Elevation drawings of the existing building at 880 Prince Street have been submitted at this time.</p>

RELEVANT POLICY

STAFF COMMENTS

*c) the proposed location, dimensions, height, and proposed use of all buildings;*

The applicant proposed to convert upper floors of the existing building at 880 Prince street to 6-9 dwelling units with ground floor commercial retail space. The applicant has not submitted any detailed floor plans for this proposed 4-storey 12-unit mixed-use building.

*d) the means by which the site is to be serviced by sanitary and storm sewers, water, electrical service and other utilities;*

The applicant has not submitted any servicing plans. General details about this proposal were forwarded to the Town Engineer's Office on June 25. The Town Engineer has indicated that he does not anticipate that this development will have any issues related to servicing.

*e) the proposed location and nature of any outdoor storage or display;*

No outdoor storage or display is proposed as part of this development.

*f) the proposed location, design, and content of any signage;*

The draft development agreement will require that any signage comply with the Land Use By-law signage requirements.

*g) the proposed location and dimensions of any parking stalls, driveways, and walkways;*

The applicant had not submitted any site plans for the proposed parking lot at the time this report was written.

*h) the proposed location of any fencing, refuse containers, and snow storage;*

No fencing is proposed as part of the proposed development. The proposal has more than adequate parking for the proposed development and if required, a portion of the parking area could be used for snow storage and refuse containers. The Town Engineer has indicated that consideration should be given to snow removal and waste storage access.

*i) the proposed location and type of any exterior lighting;*

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) the proposed location of any outdoor amenity space;*

There is no outdoor amenity space included in this proposal. The applicant verbally indicated that there is opportunity to turn the roof of the building into a patio.

RELEVANT POLICY

STAFF COMMENTS

*k) landscaping elements including the type and location of any existing and proposed trees or other vegetation;*

Landscaping elements were not included in the proposed development. The existing parking lot at 11 Havelock street provides an opportunity for planting several trees along the property lines. Details regarding the proposal have been forwarded to the Town's Urban Forestry Technician for review.

*l) architectural features including type of materials;*

The majority of the building would maintain its present characteristics. Only a small portion at the back of the building will be changed due to the alteration of the existing add-on to accommodate a new elevator. Architectural features of the new elevator structure including materials, have not been specified at the time this report was written.

*m) the location of any watercourses on or near the site;*

Planning Staff are not aware of any watercourse on or near the site.

*n) existing and proposed drainage patterns including any stormwater management measures;*

Details concerning the proposed development were forwarded to the Engineering & Public Works Department on June 25th, 2019. The Town Engineer has indicated that there is no need to require a stormwater management plan for this proposed development.

*o) the delineation of any 1:20 and 1:100 flood elevations and a description of any proposed floodproofing measures; and*

The proposed development is not situated in the 1:20 or 1:100 foodplain.

*p) any proposed phasing of the development.*

There is no phasing proposed as part of this development.

*Policy IM-20*

*It shall be a policy of Council to require the submission of additional information to address issues such as 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.*

No other information has been requested at this time.

## RELEVANT POLICY

### *Policy IM-21*

*Where a structure proposed as part of a development agreement application raises concerns with respect to compliance with the National Building Code, it shall be a policy of Council to require that the applicant submit conceptual building plans for review by the Town's Building Inspector.*

### *Policy IM-22*

*When considering a development agreement application it shall be a policy of Council to have regard for the following matters:*

*a) compatibility of the proposed land use with adjacent land uses;*

*b) compatibility of the development with adjacent properties in terms of height, scale, lot coverage, density, and bulk;*

*c) compatibility of the development with adjacent properties in terms of lighting, signage, outdoor display, outdoor storage, traffic, vehicle headlights, and noise;*

*d) the adequacy of sewer services, water services, waste management services and stormwater management services;*

## STAFF COMMENTS

The proposal has been reviewed by the Town's Building Inspector. Based on the plans provided, the only comment the Town's Building Inspector has at this stage is that one of the dwelling units will need to meet the Barrier Free requirements of the Nova Scotia Building Code Regulations. 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 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. Staff, however, are of the opinion that 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.

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.

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. This proposal is located in 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 lighting, traffic, vehicle headlights, and noise.

Details concerning the proposed development were forwarded to the Engineering & Public Works Department on June 25th. The Town Engineer does not anticipate any issues with respect to water and sanitary sewer services.

RELEVANT POLICY

STAFF COMMENTS

*e) that the proposal contributes to an orderly and compact development pattern that makes effective use of existing and new municipal infrastructure and services;*

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.

*f) the adequacy and proximity of schools;*

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.

*g) the adequacy and proximity of recreation and community facilities;*

The Director of Parks & Recreation and Culture has indicated that there are no concerns from the Parks & Recreation and Culture perspective. The location is an approximate 5 minute walk of Civic Square and River Front Park and a 10-15 minute walk of Victoria Park and the Colchester Legion Stadium.

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.

*h) the adequacy of the road network in, and adjacent to, or leading to the development;*

The Town's Traffic Authority has reviewed the proposal and has noted that traffic impacts downtown will be minimal.

*i) the potential for the contamination or sedimentation of watercourses or for erosion;*

There are no watercourses in the vicinity of the proposed development.

*j) environmental impacts such as air and water pollution and soil contamination;*

This proposal is not expected to cause any negative environmental impacts.

*k) previous uses of the site which may have caused soil or groundwater contamination;*

Staff are not aware of any previous uses of the site that may have resulted in soil or groundwater contamination.

*l) suitability of the site in terms of grades, soil and bedrock conditions, location of watercourses, marshes, swamps or bogs;*

Staff are not aware of any site constraints.

*m) the application of sustainable and energy efficient design principles;*

The applicant has not indicated if their proposal includes any energy efficiency initiatives.

## RELEVANT POLICY

*n) the ability of emergency services to respond to an emergency at the location of the proposed development;*

*o) that the proposal is in conformance with the intent of this strategy and with the requirements of Town By-laws and regulations other than the Land Use By-law; and*

*p) the financial ability of the Town to absorb any costs relating to the amendment.*

### *Policy IM-34*

*It shall be a policy of Council hold an advertised public information meeting to discuss a development proposal or amendment application where there is a great deal of public opposition or concern. The cost of advertising this meeting shall be the responsibility of the applicant.*

## STAFF COMMENTS

Details regarding this application were forwarded to the Town's Police and Fire Services for review on June 25. 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.

The draft development agreement will require that the proposal conform to all other applicable by-laws and regulations.

The Town is not expected to incur any costs as a result of this development proposal.

Details of this proposal have been listed under "Current Development Applications" on the town website. Staff will conduct a mail-out to all property owners within 150 m (492 ft) of the subject property informing them of the proposal and inviting them to complete an on-line survey.

There has been no inquiries regarding the proposal. Staff, therefore, do not see any additional public information meeting or evening hearing is needed at this time.