

APPLICATION BRIEFING

Prepared For:	Planning Advisory Committee
Submitted by:	Jason Fox, Director of Planning & Development
Date:	January 26, 2017
Subject:	Development Agreement application by Brentwood Developments Limited to permit a multiple unit residential development at 118 Lyman Street.

Background

On January 20th, 2017, Brentwood Developments Limited submitted preliminary plans for two multiple unit residential development scenarios for 118 Lyman Street and adjoining lands to the rear. The first proposal consists of a development concept that is very similar to a proposal submitted by Brentwood Developments in 2015. The Town did not approve that proposal and Brentwood unsuccessfully appealed Council's decision to the Nova Scotia Utility and Review Board. The second proposal is a completely new approach to the development of the site and includes two-storey townhouse style units. Before proceeding with a formal application, Brentwood Developments Limited is seeking feedback from the Planning Advisory Committee on the revised concepts.

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) though only 17,632 m² (4.4 acres) of this property 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. Only a portion of the subject properties, totalling 18,605 m² (4.6 acres) in area, are to be developed. This area is zoned General Residential (R3) and are situated within the General Residential Future Land Use Designation. 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 report. 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) at the Adams Street end. The proposals submitted by Brentwood do not

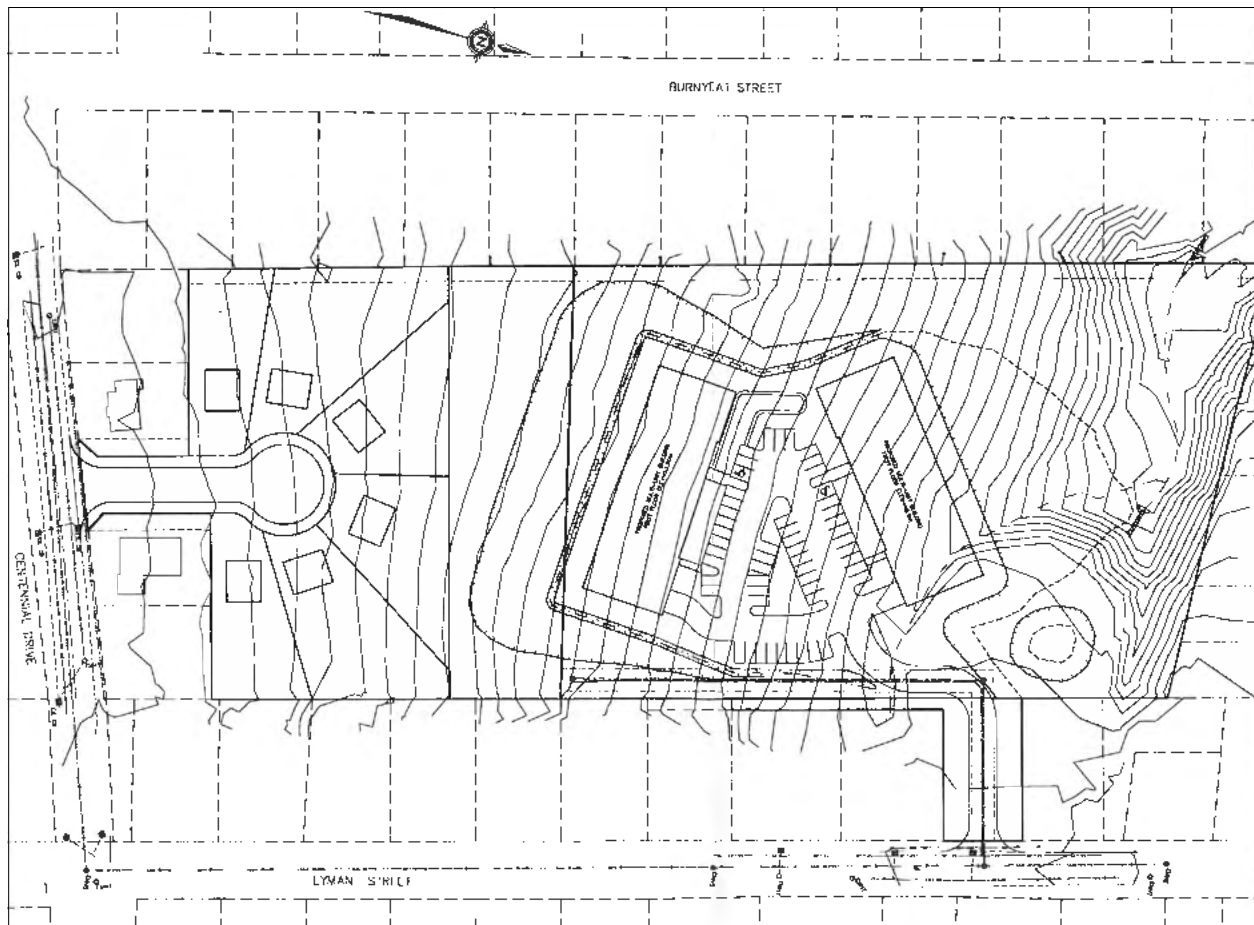


Air Photo showing the subject property and surrounding area

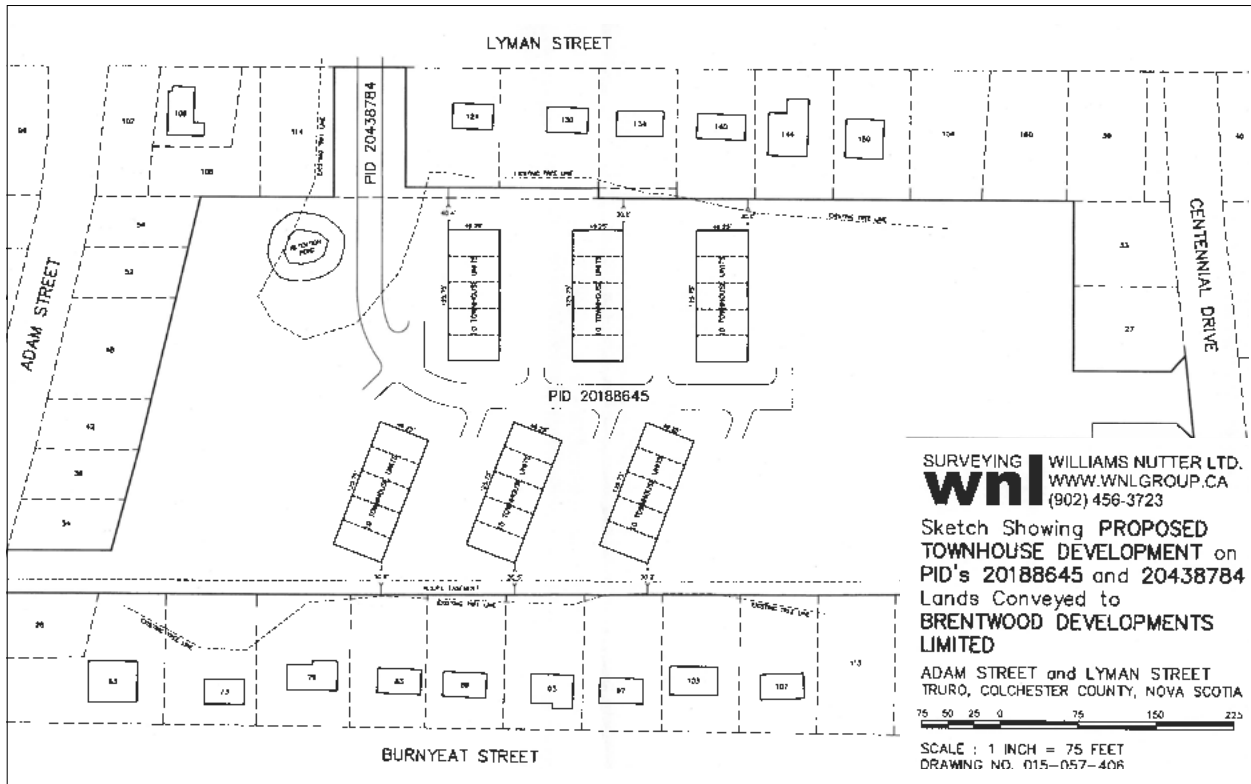
occupy the northern portion of the subject lands where the topography is steep and poorly suited for development. The subject property is situated in a residential area mostly consisting of 1 to 2 storey single unit dwellings, with some multiple unit dwellings as well.

Development Proposal

Brentwood Developments Limited has indicated they would like feedback on two development scenarios. The first proposal is very similar to the 2015 application that was refused by Council. The developer has resubmitted the same site plan that was included in their 2015 proposal and a copy of this plan is shown at the bottom of this page. Although no new plans have been submitted, Mr. Blair Wallace of Brentwood Developments Limited has verbally indicated that the revised proposal would consist of two 42-unit buildings configured on the site in the same manner at the 2015 application, but the buildings would be three storeys instead of four and they would have a larger building footprint. A copy of a photo submitted by Mr. Wallace to illustrate the type of three-storey building he envisions for the site is shown to the right. The second proposal submitted by the applicant shows six two-storey or three-storey, 10-unit, townhouse style buildings. A copy of this plan along with a photo of what these units may look like is shown on page 3 of this report.



Site Plan submitted by Brentwood showing proposed configuration of two three-storey 42-unit residential buildings



Site Plan submitted by Brentwood showing proposed configuration of six, two or three storey, 10 unit, townhouse style residential buildings



Photo showing an example of the type of townhouse style building proposed by Brentwood

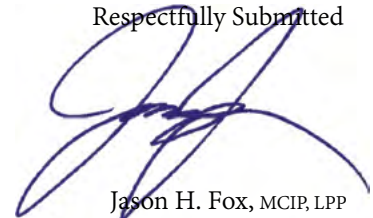
Application Status

Plans for 118 Lyman Street are still at the conceptual stage and Brentwood Developments Limited is seeking feedback on some early development concepts. A complete application has not been received at this time. This report is preliminary and intended to provide the Planning Advisory Committee and members of the public with the necessary background to conduct an initial review of the proposed concepts and provide feedback to the developer. The Committee is expected to review the proposals based on the applicable policies found in the Town's Planning Documents and provide direction to the developer on how the proposals could better conform to the Town's planning policies and objectives. A list of relevant policies is attached to this Application Briefing as Appendix A.

The proposal is currently at Step 1 of the Town's development application review process. Once Brentwood has had an opportunity to present its proposals to the Committee and once the Committee has had an opportunity to provide their comments, the developer is expected to identify which proposal they wish to proceed with and what if any revisions will be made in response to the Committee's feedback.

The proposal will then proceed to a second meeting of the Committee which will be advertised and intended to engage the public in the review process. Further revisions to the development proposal may be considered at that time based on public feedback at that meeting. Staff will then prepare a Staff Report and recommendation and Staff will conduct an on-line community survey. The results of this survey, along with the Staff Report, will be presented at a third meeting of the Committee. At the third meeting, the Committee will make its recommendation to Council and the application will proceed to a public hearing. Staff will present a Final Report and recommendation at that time.

Respectfully Submitted

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

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

RELEVANT POLICY

Policy R-1

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

Policy R-2

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

Policy R-3

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

Policy R-4

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

Policy R-5

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

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.

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.

RELEVANT POLICY

Policy R-38

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

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

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.

Policy G-18

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

RELEVANT POLICY

Policy G-29

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

Policy G-30

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

Policy G-31

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

Policy G-35

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

Policy IN-34

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.

Policy E-10

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

Policy E-11

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

- a) permeable pavement;*
- b) infiltration trenches/chambers and bio-retention;*
- c) rainwater harvesting systems in building design;*
- d) green roofs;*
- e) roof drains directed to permeable areas with stormwater infiltration measures in place; and*
- f) utilizing open drainage such as swales.*

Policy E-13

It shall be a policy of Council to encourage the use of existing natural drainage systems where possible.

Policy E-14

It shall be a policy of Council to, where requested by the Town Engineer, require that a grading and stormwater drainage plan be submitted as part of any new multiple lot subdivision or large development.

RELEVANT POLICY

Policy IM-19

It shall be a policy of Council to require the submission of a detailed proposal as part of any development agreement application. The proposal shall include any information or materials required by Council in order to effectively evaluate the submission. The submission shall be accompanied by professionally prepared plans that effectively illustrate the proposal and include details such as, but not necessarily limited too, the following:

- a) the location, area, and dimensions of the subject property based on a survey or location certificate prepared by a licensed surveyor.;*
- b) elevation drawings of the proposed structure or structures;*
- c) the proposed location, dimensions, height, and proposed use of all buildings;*
- d) the means by which the site is to be serviced by sanitary and storm sewers, water, electrical service and other utilities;*
- e) the proposed location and nature of any outdoor storage or display;*
- f) the proposed location, design, and content of any signage;*
- g) the proposed location and dimensions of any parking stalls, driveways, and walkways;*
- h) the proposed location of any fencing, refuse containers, and snow storage;*
- i) the proposed location and type of any exterior lighting,*
- j) the proposed location of any outdoor amenity space;*
- k) landscaping elements including the type and location of any existing and proposed trees or other vegetation;*
- l) architectural features including type of materials,*
- m) the location of any watercourses on or near the site;*
- n) existing and proposed drainage patterns including any stormwater management measures;*
- o) the delineation of any 1:20 and 1:100 flood elevations and a description of any proposed floodproofing measures; and*
- p) any proposed phasing of the development.*

Policy IM-20

It shall be a policy of Council to require the submission of additional information to address issues such traffic impact, stormwater management, landscaping, servicing, heritage preservation, and impact on the streetscape where Council considers this information to be pertinent to the development process. This information may be required prior to Council's approval or as a condition of approval and required prior to issuance of any development permit.

Policy IM-21

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

RELEVANT POLICY

Policy IM-22

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

- a) compatibility of the proposed land use with adjacent land uses;*
- b) compatibility of the development with adjacent properties in terms of height, scale, lot coverage, density, and bulk;*
- c) compatibility of the development with adjacent properties in terms of lighting, signage, outdoor display, outdoor storage, traffic, vehicle headlights, and noise;*
- d) the adequacy of sewer services, water services, waste management services and storm water management services;*
- e) that the proposal contributes to an orderly and compact development pattern that makes efficient use of existing and new municipal infrastructure and services;*
- f) the adequacy and proximity of schools;*
- g) the adequacy and proximity of recreation and community facilities;*
- h) the adequacy of the road network in, and adjacent to, or leading to the development;*
- i) the potential for the contamination or sedimentation of watercourses or for erosion;*
- j) environmental impacts such as air and water pollution and soil contamination;*
- k) previous uses of the site which may have caused soil or groundwater contamination;*
- l) suitability of the site in terms of grades, soil and bedrock conditions, location of watercourses, marshes, swamps or bogs;*
- m) the ability of emergency services to respond to an emergency at the location of the proposed development;*
- n) the application of sustainable and energy efficient design principles;*
- 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;*
- 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 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.