



Public Hearing Town Council Meeting
Monday, July 6th, 2009, 1:00 p.m.
Council Chambers – Civic Building

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A Public Hearing of Truro Town Council was held on Monday, July 6th, 2009 at 1:00 p.m. in the Council Chambers of the Truro Civic Building.

Present: Mayor W. R. (Bill) Mills, Deputy Mayor G. MacArthur, Councillors C. Cox, B. Kinsman, S. Byers, R. Tynes and D. Bennett-Cook

Regrets:

In Attendance: CAO J. Langille, Director of Finance R. Putnam, Director of Planning J. Fox, Director of Public Works A. MacKinnon, Director of Parks, Recreation and Culture D. MacKenzie, Police Chief D. MacNeil, Fire Chief T. Bremner, Town Solicitor J. Rafferty

68 Wynn Road – Development Agreement Application

The CAO advised that this proposed development agreement application with Footprint Developments was to permit the development either a 3 storey multiple unit building containing 24 dwelling units (Option 1) or a one storey townhouse style development consisting of 11 dwelling units (Option 2) at 68 Wynn Road.

The CAO advised that this application had been advertised.

The CAO reviewed a letter received from the Town Planning Advisory Committee. The Committee advised that they concurred with the Staff Report dated June 25th, 2009, and recommended that Council reject Option 1 and accept Option 2. The Committee also recommended that a Storm Water Management Plan be required.

The CAO reviewed a petition received from local residents in the Wynn Road area advising that they were opposed to the development agreement for 68 Wynn Road to construct a 24 unit apartment house, and that they would not agree to anything else until a proposal is written on paper.

The Director of Planning reviewed his report with Council. He also reviewed the public participation surveys, but noted that the survey sent out was for Option 1 only, as there was not enough time to re-survey with Option 2 in order to have the responses for today's meeting.

The Director of Planning advised that staff determined that Option 2, which consists of a 1 storey townhouse style development with 11 units in four structures, is consistent with the Town's Planning Documents and is recommending that Council enter the development agreement with Footprint Developments for Option 2.

Councillor D. Bennett-Cook asked about the density of the proposed Option 2 in relation to the other residences in that area and if the proposed driveway was wide enough for two way traffic. The Director of Planning advised that Option 2 is less dense than the Wynn Park Development across the street. He noted that the driveway is sufficient for two way traffic. Councillor D. Bennett-Cook asked if there was a storm water management plan. The Director of Planning advised that the proposal development agreement does have a standard clause which requires that if the Town Engineer deems it necessary, if there is an issue with storm water, that it will be a condition on approval of the agreement. The Director of Public Works noted that the proposed site is small, and the impact of storm water would be minor, but this issue could be looked at in further detail as it gets closer to a development.

Councillor D. Bennett-Cook asked if the Public Works Department would soon be looking at making improvements to the Lower Truro Road, James Street, McClures Mills Road area. The Director of Public Works advised that those intersections have been identified in the Town's traffic management plan that was established four years ago, and with the new Civic Centre and Hospital, it should be looked at in the next few years.

Councillor R. Tynes asked if there were storm drains on Wynn Road. The Director of Public Works advised that there was. Councillor R. Tynes asked if there had been an issue a few years ago in that area with surface water, or if that just had to do with the Walmart development. The Director of Public Works advised that because of the size of the site for the Walmart development, it required a storm retention pond. He noted that there have not been any storm water issues on Wynn Road. Councillor R. Tynes asked if a storm retention pond could be utilized in this proposed development to assist in drainage. The Director of Public Works advised that it could be, if it was in the right watershed, but believed that in this area, the storm water flows back towards Lower Truro Road. He noted that there is not currently any water issues with storm drains in this area.

Councillor S. Byers noted that the issue of the intersection that Councillor D. Bennett-Cook mentioned is vital to the residents and their feelings towards this proposed development. She suggested that perhaps this issue could be moved up sooner, instead of waiting a few years. The Director of Public Works advised that it could be moved up, but noted that this proposed development would have very little impact on the traffic in this area. He noted that traffic counts could be started soon.

Councillor S. Byers noted from the Director of Planning's report that there was a proposal for a six foot high privacy fence for the property of 74 Wynn Road. She asked if there was any natural growth there that could be used along with the fence for a little more privacy. The Director of Planning advised that the Tree Technician did review the site, and his comments were that any growth worth keeping was in the center of the property, so there were minimal opportunities for tree retention. He noted that as a requirement of the agreement, the Town normally asks that the developer work with the Tree Technician to identify opportunities for retention if possible, and to identify opportunities for new tree planting.

The Mayor asked if any of the public audience in attendance for the hearing would like to address Council. Cindy Bates of 74 Wynn Road advised that she had received the proposal for Option 2 directly from the developer and had petitioned 102 people in the areas of Salter Avenue, Wynn Road, Wynn Park and Lower Truro Road. She advised that 95 of those petitioned were opposed to the development. She noted that some of the reasons for the opposition were due to the traffic issues, others wanted to keep the area low density, and others would rather have homes for purchase than rental units. Mrs. Bates also noted that some residents were concerned that once the developer, Mr. Wallace, had access to this property, he would gain access to a further landlocked piece of property and develop more rental units.

Many members of Council expressed concern over the petition of Mrs. Bates, including what information the residents were presented with, and how many of the people who were sent surveys by the Town were included in it.

The Mayor advised that Councillor C. Cox had a prior commitment and had to leave the Public Hearing at this time.

The developer, Mr. Wallace, advised that Option 2 was proposed after the first option had a strong opposing reaction from the local community. He noted that in the spirit of cooperation, his company held a few informal meetings with the members of the community, and created the second option based on their concerns. He confirmed that he did provide Mrs. Bates with Option 2, with the idea that it would be distributed to the local residents, not that it would be the basis for a petition. Mr. Wallace also noted that with regards to the six foot high fence, if there is an opportunity to create some more of a barrier with trees or shrubs, they would look into what's currently on the property.

Mr. George Greg also addressed Council. He noted that he did receive the initial survey for Option 1, filled it out and returned it to the Town with his comments. He was concerned that he had not received the same survey for Option 2. The Director of Planning advised that Option 1 was sent out as part of the regular participation program, and then at the preliminary meeting of the Town Planning Advisory Committee, many concerns were raised over that option, so a new site plan was prepared in the middle of June, which he received approximately two weeks ago. The second option was then considered by the Town Planning Advisory Committee and at that point it was too late for the survey to be sent to the local residents in time to receive the responses back for this hearing. The Director of Planning advised that he believed anyone who was interested in this proposal would attend the public hearing and receive the details on Option 2.

Councillor S. Byers stated that she also shared Mr. Greg's concerns about the residents receiving the survey for Option 2.

Councillor D. Bennett-Cook agreed with Councillor S. Byers and noted that a petition taken door to door is different than an anonymous survey sent with the same information for everyone.

Councillor R. Tynes also agreed and believed the Town should follow the proper procedures.

The Mayor closed this hearing to begin the 102/106 Pleasant Street hearing.

102/106 Pleasant Street – Development Agreement Application

The CAO advised that this proposed development agreement application with Wilson Fuels was to rezone 102 and 106 Pleasant Street from resident to General Commercial.

The CAO advised that this application had been advertised.

The CAO reviewed a letter received from the Town Planning Advisory Committee, who recommended that Council approve the rezoning of 102 and 106 Pleasant Street to the General Commercial (C1) Zone.

The Director of Planning reviewed his report with Council.

The Director of Planning advised that the Department was recommending that Council approve the proposed rezoning.

Councillor D. Bennett-Cook asked if there were any plans to add tree buffers or noise buffers for the residential neighbours. The Director of Planning advised that since this proposal was not a development agreement and is just a rezoning, it was never discussed as a requirement to enforce buffers through a rezoning.

Councillor R. Tynes asked if the existing buildings on the properties were the ones to be used with the rezoning. The Director of Planning stated that the existing home would be used, and there were no plans to use the accessory building as part of this application.

Councillor B. Kinsman asked if there is a policy in place that allows for a zoning to jump a boundary once it is in place. The Director of Planning advised that this was not in effect, the designation does not expand, it is just the zone that is expanding.

Councillor B. Kinsman asked if a representative from Wilsons Fuels was present to answer whether or not any landscaping would be taking place.

A representative from Wilsons Fuel, Steven Curry, addressed Council. He advised there were no specific plans at this time for landscaping, but they have done landscaping on their other property around the corner, and are open to the idea.

Mrs. Nancy Peters stated that her backyard backs onto 102 Pleasant Street and she was concerned about the possibility of fuel leakage running down onto her property, as the Wilsons property slopes down. Mr. Curry confirmed that there would be no fuel trucks parked on the lot, just five or six employee vehicles.

The Mayor closed the Public Hearing.

Adjournment

The Public Meeting was adjourned at approximately 2:15 pm.

W. R. (Bill) Mills
Mayor

J.K. Langille
CAO