



**Public Hearing Town Council Meeting
Monday, March 1st, 2010, 1:00 p.m.
Council Chambers – Civic Building**

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A Public Hearing of Truro Town Council was held on Monday, March 1st, 2010 at 1:00 p.m. in the Council Chambers of the Truro Civic Building.

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

In Attendance: 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 B. Currie, Town Solicitor J. Rafferty and CAO J. Langille

Public Hearing – 16 Park Street, Development Agreement

The CAO advised that this proposed development agreement application was to permit the construction of 102 residential dwelling units in two multiple unit buildings at 16 Park Street.

The CAO advised that this application had been advertised.

Deputy Mayor R. Tynes advised that he was in a conflict with this matter, as he had already publicly stated his support for it. He stepped out for the hearing.

The CAO reviewed correspondence received from the Town Planning Advisory Committee, advising that the Committee concurred with the staff report and recommending that Council consider entering into a phased development agreement. The Committee also recommended that the development comply with flood-proofing regulations in effect at the time of application for a building permit.

The Director of Planning of planning reviewed his staff report for Council. It was the Planning Department's recommendation that Council enter into a phased development agreement to permit the proposed development as outlined in the report.

Councillor D. Bennett-Cook stated that she had some concerns with this proposed development, including the size location and accessibility into and out of the property. The Director of Public Works advised that he had reviewed the proposed plan, and the developer had good interior circulation within the property, and there was an opportunity for a right turn only exit onto Marshland Drive, which would lessen any kind of impact on the Park Street exit. He stated that he did not see any reason for a backlog of traffic into the intersection. Councillor D. Bennett-Cook asked if driveways were allowed to exit onto Marshland Drive. The Director of Public Works advised that Marshland Drive is limited access and that he was unaware at this time if this development would meet the criteria for a driveway onto Marshland Drive. He noted that any concerns Council had regarding traffic could be addressed through a traffic impact study by the developer.

Councillor C. Cox asked that of those residents who returned their surveys and were opposed, did they provide any reasons for the opposition. The Director of Planning noted that a number of issues were raised, ranging from traffic to flooding to loss of natural habitat to disturbance of their views of the marsh. Councillor C. Cox noted he was also concerned about the increased volume of traffic in the area, should the development go through. The Director of Public Works noted that according to his information, it should not impact the traffic greatly, and he believes the demographic of the buildings will be mostly seniors.

Councillor G. MacArthur advised that he did not have a problem with the development and the developer has proven that he does great work. He cautioned that over the next few years, the Town would not want to over flood the market with apartments.

Councillor B. Kinsman asked if a traffic impact study should be done prior a decision today, or if Council could approve the development subject to a favourable traffic impact study. The Director of Planning advised that Council has done both in the past. If the development was approved subject to a favourable traffic impact study and the study did not come back favourable, Council would not have to enter into the agreement.

Frances Collins, of Ford Street, was also concerned about flooding on his property. He noted that if the Town approves this development, he would hold the Town responsible for any damage to his property from flooding.

Robert Jordon, of North Street, noted that he was also concerned about rising water levels and that nothing has been done to improve the dykes. The Director of Planning noted that there was a study done, with the Department of Fisheries and Oceans involved, back in the 1990's regarding flooding and implications of water levels rising and storm surges.

Ron Wallace, the developer of the proposed development, noted that any time there has been a flood in the past, there has been plenty of time to move vehicles from the parking areas and remove tenants. The buildings he currently has on Park Street and Marshland Drive have never flooded. Mr. Wallace advised that his buildings are built above flood standards, and he would not be putting a multi-million dollar project where he thought it would be flooded. He noted that other people's properties would flood whether he built his buildings or not.

Councillor B. Kinsman noted that there would be more of a need for a sidewalk connecting the existing Park Street sidewalk to the development. The Director of Public Works advised that this concern has been expressed in the past by tenants in that area, and it is something he plans to propose at budget time within the next couple of years.

The Mayor called for questions from the gallery and Council three times. There being no further questions or comments, the public hearing for 16 Park Street was adjourned.

Public Hearing – Upham Drive, Rezoning

The CAO advised that this requested rezoning was to permit the rezoning of lands on Upham Drive from the residential (R5) zone to single unit dwelling (R1) zone, to enable development of a residential subdivision consisting of 82 single unit dwelling lots.

The CAO advised that this application had been advertised.

The CAO reviewed correspondence received from the Town Planning Advisory Committee, advising that the Committee concurred with the staff report, and was recommending that Council consider amending the Land Use By-law zoning map by rezoning subject lands from R5 to R1. The Committee also recommended that the applicants commit to fully complying with all Nova Scotia Department of Environment and Labour requirements, and obtain all necessary approvals and permits with respect to wetland and watercourse protection.

The Director of Planning reviewed his staff report for Council. It was the Planning Department's recommendation that Council approve the requested rezoning, provided the applicants commit to adhering to all Nova Scotia Department of Environment and Labour requirements and obtain all necessary approvals and permits with respect to wetland and watercourse protection.

Councillor D. Bennett-Cook advised that she was concerned about the preservation of the wetlands in that area. The Director of Planning advised that this was also discussed at the Town Planning Advisory Committee and as part of any normal subdivision approval application, this would get sent to the Department of Environment for review and they would have to approve.

Councillor D. Bennett-Cook asked the developer about his opinion on the wetlands. Mr. Kevin Marchand noted that the first thing done on this project was to identify the wetland area and whether the development could be created around it and conserve it.

The Mayor called for questions from the gallery and Council three times. There being no further questions or comments, the public hearing for Upham Drive was adjourned.

Adjournment

The Public Meeting was adjourned at approximately 2:15 p.m.